PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 350

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999–2000

COMPRISING PERIOD
15 May—25 May 2000

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HER MAJESTY'S GOVERNMENT

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(FORMED BY THE RT. HON. TONY BLAIR, MP, OCTOBER 1999)

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 350**

TWELFTH VOLUME OF SESSION 1999–2000

House of Commons

Monday 15 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Pensioners

1. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on the Government's policies towards pensioners. [120936]

The Secretary of State for Social Security (Mr. Alistair Darling): We have introduced long-term reforms to enable everyone to receive a decent pension after a lifetime of work. For today's pensioners, we are spending £6.5 billion more, with about half that amount going to Britain's 3 million poorest pensioners.

Mr. Paterson: One of the great successes of the previous Government—*[Laughter.]* One of the great successes of the previous Government was to encourage the establishment of pension funds, which now exceed those in the rest of Europe put together. The present Government responded with a £5 billion annual raid on pension funds, so the savings ratio is going down and the average 30-year-old must put away a further £200 a year to stay level. That policy is wicked and counterproductive. It was not forecast in the Labour manifesto. Will the Government withdraw it?

Mr. Darling: I have not come across the hon. Gentleman before, but I am glad to note that he has a sense of humour. He will be aware that occupational pensions had been growing for some considerable time before the last Conservative Government. Indeed, it is because of the success of occupational pension funds, which have been growing since the 1950s and 1960s, that so many people now have more income in retirement than they would otherwise have had.

One of the objects of the Government's reforms has been to ensure that, in future, 5 million more people will also have the option of getting into funded pensions through stakeholder pensions. We believe that the best way of ensuring that people have a decent income on which to retire is to encourage as many as appropriate to get into funded pensions. In addition, the state second pension will benefit 18 million people on lower incomes. Neither of those matters was dealt with by the previous Conservative Government.

Mr. Gerald Kaufman (Manchester, Gorton): Although Labour Members have every right to urge the Government to give the best possible deal to pensioners, and to do even better than they are doing now, does my right hon. Friend agree that the Conservative party—which cut the link between earnings and pensions, which did not introduce free television licences, which would abolish the winter fuel allowance and which increased VAT on fuel—has no right even to raise the subject in the Chamber?

Mr. Darling: My right hon. Friend is right. It is interesting that despite what the Conservatives have been saying over the past few weeks, the shadow Chancellor repeated on television last week that the Conservatives were also committed to increasing pensions in line with prices, and no higher than that. In addition,

the Conservatives are against the minimum income guarantee, which means that many pensioners would lose their £14 or £15 a week extra through that help; they would abolish the winter fuel payment, now worth £150; and they were the ones who doubled VAT on fuel, which hammered many of the poorest pensioners.

It is worth noting that because of this Government, over £6.5 billion more is being spent in support of pensioner incomes, and more than half that sum is going to the poorest 3 million pensioners. I believe that that is the right thing to do to tackle pensioner poverty which, like child poverty, has no place in a civilised, decent society. It is a scandal that the Tories presided over such high levels of pensioner poverty because of their unwillingness to do anything to help those who needed help most.

Mr. Steve Webb (Northavon): The Secretary of State said that after a lifetime of hard work, people were entitled to a decent pension. However, he knows that millions of married women retire on, if anything at all, just a pittance—as little as 8p a week in pension—because they opted for the married women's reduced rate. Is the right hon. Gentleman aware that many of them claim that they were never told of the implications of that choice, or were actively misled? Will he join my call and institute an inquiry into the claims of those women, who feel a real sense of injustice?

Mr. Darling: I noticed in a Sunday newspaper a couple of weeks ago that the hon. Gentleman raised the point and said that he would take it up with me. I am surprised that he has waited for two weeks before doing so. Following that Sunday newspaper article, I decided to check what happened. The law was changed in 1977 because we did not want married women to pay the reduced stamp as they would lose out in later life. I looked at the leaflets that were available, which I may say are infinitely better than the ones produced by the last lot on inherited SERPS, because they explained what happened. If the hon. Gentleman can come up with anyone who has been misled, which he has not done in the past two weeks—perhaps his first port of call should have been me, rather than a journalist—I will certainly look into it.

Mr. David Winnick (Walsall, North): Does my right hon. Friend recall how time and again, during the period of the previous Administration, many of us virtually begged for some action to help pensioners during harsh winters, when the only scheme that was in operation meant that the temperature had to be freezing for seven consecutive days before it came into effect? Should we not warn pensioners of what would be likely to happen if there were a change of Government? Is my right hon. Friend aware that if there is any truth in the newspaper story that next year the winter fuel allowance will be consolidated into the pension, that would be most welcome? Many of the more elderly pensioners participated in the most crucial war that this country has ever waged, and we should always remember with gratitude the role that they played from 1939 to 1945.

Mr. Darling: On the last point, I wholeheartedly agree with my hon. Friend. Many people who are retiring, or have retired, are on low incomes because either they did not make enough contributions to receive a pension or they did not have the opportunity to save through an occupational or other second pension. When we came into office, 2 million pensioners were living on very low incomes, so we introduced the minimum income guarantee. We are spending some £6.5 billion—£2.5 billion more than it would have cost simply to restore the earnings link—almost half of which goes to the poorest 3 million pensioners who lost out in the Tory years.

My hon. Friend is also right about the winter fuel payment. The only action that the Tories took on winter fuel bills in the last Parliament was to double VAT on fuel. We have reduced VAT as well as introducing the minimum income guarantee.

Mr. David Willetts (Havant): Does the Secretary of State recall an article in *The Times* last week headed, "Darling U-turn over Pensions"? It was a report of the Secretary of State's speech at the annual dinner of the Association of British Insurers. I was so keen for the speech to reach a wider audience that I tabled a parliamentary question asking the Secretary of State to place a copy in the Library. He replied:

> My remarks to the annual dinner of the Association of British Insurers were not delivered from a prepared text.—[*Official Report*, 11 May 2000; Vol. 349, c. 478W.]

I have a document that looks suspiciously like the prepared text of the Secretary of State's remarks to the ABI. He knows his obligations under the ministerial code, so why did he not place the text in the Library? The explanation is clear: there has been a U-turn.

The Secretary of State used to say that stakeholder pensions were for people on low and moderate earnings; he now claims that they are for people on high earnings. He has changed his mind because he knows that the policy would otherwise fail. He will not tempt low earners with stakeholder pensions; instead, there will be a churning of people out of existing pension schemes into stakeholder pensions. The speech prepared the ground for the policy failure. It is not the speech that is ill prepared; it is the policy that is unprepared.

Mr. Darling: I shall deal with the hon. Gentleman's points in two parts. I take his allegation seriously. He claims that I delivered a speech from a prepared text; I did not—he has a draft that was placed in the Library by mistake. If I had placed it in the Library and said that it was a copy of my text, it would have been misleading because it is not the speech that I delivered to the ABI.

The hon. Gentleman was especially interested in my comment about stakeholder pensions. He will see from the draft that it is not there.

Mr. Willetts: It is.

Mr. Darling: No, it is not—the words I used are not there.

I saw the article in *The Times*; it was completely misleading. I said that we had always made it clear that the target audience for stakeholder pensions was moderate and higher earners, as we stated in the Green Paper that we published in December 1998. I contrasted that with the state second pension, which is aimed at lower earners who earn less than £9,500 a year. Our pensions policy is devised to help those on moderate and higher earnings

through stakeholder pensions, occupational pensions and other methods; the state second pension is devised to help those on lower incomes.

Mr. Peter L. Pike (Burnley): Does my right hon. Friend accept that far too many people who are entitled to the minimum income guarantee do not get it? How will he ensure that pensioners who are most in need receive the money to which they are entitled? If they do not receive it, the system fails.

Mr. Darling: My hon. Friend is right. We are writing to all pensioners who, according to our records, may be entitled to the minimum income guarantee. On top of that, we shall run a major television advertising campaign, which will start to be shown on television from the end of this month until the autumn. We hope that we can thereby reach as many people as possible who are entitled to the minimum income guarantee because we want them to claim it.

Mr. Dafydd Wigley (Caernarfon): Is the Secretary of State aware that the proportion of average wages represented by the basic state pension has dropped to 16.5 per cent., compared with 23.1 per cent. in the 1980s? Does he not accept that pensioners have a right to benefit from that general increase in incomes—a right towards which they have contributed by virtue of their national insurance contributions, and which they earned during their working lives?

Mr. Darling: The right hon. Gentleman will be aware that pensioners' incomes do not consist of only the basic state pension; most people who retire now receive the basic state pension plus a second pension, either through SERPS—or, in future, the state second pension—or through their occupational pension, for which they have always received help through tax relief and so on.

I should have thought that, coming from where he does, the right hon. Gentleman would have agreed with the main thrust of our policy, which is to ensure that we spend half the amount of money that we spend on pensioners on those who lost out—those who have either retired or who are retiring on very low incomes.

If we had introduced the earnings link, clearly that would have cost us less than we are spending, but it would not have helped the poorest pensioners. They benefit not only through the minimum income guarantee, but through the winter fuel payment, which is neither taxable nor taken into account for benefit purposes. I make no apology for the fact that the Government's first priority has been to help those poorest pensioners. The next job is to ensure that those with modest occupational pensions and modest savings are helped through the new pensioner credit.

Housing Benefit Fraud

2. **Mr. Peter Brooke** (Cities of London and Westminster): If he will make a statement on progress in combating housing benefit fraud. [120937]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): Countering housing benefit fraud continues to be a high priority for us. The housing Green Paper, published on 4 April, sets out our plans and proposals to improve housing benefit and tackle fraud. My right hon. Friend the Secretary of State recently wrote to all council chief executives warning them to remedy weaknesses identified by the benefit fraud inspectorate. He made it plain in that letter that, if the BFI reports a local authority's persistent failings, we will direct the standards to be achieved by that authority with time scales for improvement and enforce them rigorously.

Mr. Brooke: Does the Minister recognise that those vanguard local authorities that have invested in fraud prevention measures may be unfairly penalised if the weekly benefits savings targets do not accurately reflect the success that they have achieved in prevention?

Angela Eagle: We changed the way in which the weekly benefits savings subsidy system worked in response to concerns expressed by the National Audit Office and the Public Accounts Committee, which showed that it was an inaccurate test of the savings achieved. Weekly benefits savings are now much more accurately assessed, but, to recognise the change from the old system to the new, early this year we announced a change in the way in which we would pay subsidy, which included new incentives for local authorities to prosecute fraudsters and incentives for those local authorities that participate in the verification framework.

Mr. Jeremy Corbyn (Islington, North): Will my hon. Friend extend her examination of benefit fraud to the non-delivery of benefit to legitimate claimants? Is she aware that in Hackney and Islington, the service is provided by a company called IT Net, and that, as a result of its inefficiency and incompetence, thousands of legitimate claimants have been threatened with the loss of their homes—council, housing association or private? Is not it also a fraud against them if their perfectly correct claim for a benefit is not met by the service and they end up being homeless as a result?

Angela Eagle: We are well aware of the problems being experienced in my hon. Friend's constituency and are keeping a close eye on them. I sympathise very much with the points that he made. It is clearly the case that those who are entitled to housing benefit should receive it in a timely fashion, but I must point out that under the framework of law left to us by the Conservative party, the legal responsibilities for delivering housing benefit lie with the local authority.

Mr. Eric Pickles (Brentwood and Ongar): Does the hon. Lady recall press releases being issued early this year, trumpeting the success that the Government claim on housing benefit fraud? When they were released, was she aware that the situation on the ground was exactly the reverse? Is she aware that successful prosecutions for housing benefit fraud are down by 50 per cent. and that 40 per cent. of local authorities have no formal prosecution policy?

What action will she take to ensure that the Department correctly briefs Ministers on the true facts of housing benefit fraud? Given that the right hon. Member for

Birkenhead (Mr. Field) described the Government's fraud policy as nothing more than

the normal roller-towel press release . . .

will she undertake to issue fewer press releases about beating housing benefit fraud and to ensure greater application?

Angela Eagle: An awful lot of nonsense about housing benefit fraud appears in the press. A recent example of that was in *The Sunday Times* this week, which produced a hotchpotch of misinterpretation, misrepresentation and muddle. One of the figures that it came up with was that

the proportion of housing benefit fraud cases won . . . had collapsed from 38 per cent. to 18 per cent. in the space of a year.

That is wrong. The 18 per cent. figure is an estimate for the first half of this year. I can tell the hon. Gentleman that the volume of prosecutions referred to lawyers this year has increased by 47 per cent., which is far better than the rubbish we had when that Conservative lot opposite were in charge.

Champion for Older People

4. **Ms Linda Perham** (Ilford, North): If he will make a statement on his role as the champion for older people. [120939]

The Secretary of State for Social Security (Mr. Alistair Darling): We are determined that people over the age of 50 should have the same range of opportunities and chances as everyone else. Too many of the over-50s are written off. The cost to society is substantial; the cost to individuals is immense. Life should begin at 50, not end there.

Ms Perham: I thank my right hon. Friend for that reply, and congratulate him on his appointment as the champion for older people. Does he agree that that will give a higher profile to the inter-ministerial group on older people, and impetus to the agenda in the performance and innovation unit report, "Winning the generation game", which is about improving the prospects of older people aged 50 to 65? Does he further agree that age discrimination is a great barrier to many older people at work? If the code of practice on age diversity in employment does not work, will the ministerial group consider legislation on that issue?

Mr. Darling: My hon. Friend makes a good point. In 30 years' time, almost half the population will be over the age of 50, so we need to change the way in which we think and the way in which individuals and the Government prepare for that enormous change in the demography of this country. Moreover, almost a quarter of the population will be over retirement age, which is why it is necessary to make changes now for long-term pension provision.

My hon. Friend's main point is about the workplace. It is a fact that many people over the age of 50 have retired not because they wanted to, but because they were forced out of employment. Unfortunately, for them discrimination is a fact of life. We have made it clear that if the code of practice that we published last year does not work, we will have to reconsider the matter. I am sure that every one of us would like to think that, if we are over the age of 50, we have exactly the same chances and choices as people younger than that. Age discrimination is as unacceptable as any other form of discrimination.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I cannot help but observe that "Champion" was a wonder horse—the Secretary of State may be too young to remember that. It was a wonderful television programme, but it is a terrible description of an important job. In his new role, will the right hon. Gentleman assume responsibility for and take forward the pilot projects in the initiative on better government for older people, which have been extremely valuable? My area was one of the pilot areas. The money to mount these programmes to consult older people is running out. Is it the Government's intention to find the finance to enable them to continue and to be rolled out nationwide?

Mr. Darling: I am not sure I remember "Champion the Wonder Horse"; my mum and dad were reluctant to get us a television set. It could be that the hon. Gentleman, despite his youthful looks, is much older than I am, and that is why he remembers it.

One of my jobs is to examine pilot projects to discover whether they work. If they do not work, we will not continue with them. If they do work, and they ensure that older people are more involved in work, leisure activities or education, we want to encourage them. The object of this process is to ensure that Government and individuals focus on the fact that in the not-too-distant future almost half the population will be over the age of 50. That means that there has to be a seismic change in the way in which we all think about how to deal with what I believe is not a problem, but a great opportunity for this country.

Mr. Lawrie Quinn (Scarborough and Whitby): May I urge my right hon. Friend to give particular consideration to the plight of older people living in rural communities such as Scarborough and Whitby, who are somewhat remote from the facilities usually found in urban areas? Will he use his new post to take account of that significant group?

Mr. Darling: My hon. Friend makes an important point, especially about transport. As he will know, one of the steps we have taken is the extension of concessionary travel to people who have retired, because we think they should have access to services and facilities. Our object must be to make opportunities for the over-50s as real in the country as they are in cities and towns.

Mr. David Willetts (Havant): I join the hon. Member for Ilford, North (Ms Perham) in congratulating the Secretary of State on his new role as champion for older people. He said in the speech to the ABI that he did not prepare, or did not deliver, or whatever it was, that his job was

to get people to think seriously about the challenges we face to ensure that everyone has the options and opportunities to make the most of their later lives.

Given those responsibilities, why does he not begin by meeting the chairman of the parliamentary Labour party, who dismissed pensioners as "racist" and "predominantly Conservative"? At least the latter is becoming true, I suppose. How about a meeting with the Secretary of

State for Northern Ireland, the Labour party's chief political strategist, who said that there was "no mileage" to be had from pensioners?

Is not the truth that the right hon. Gentleman's target should not be Victor Meldrew, but closer to home? His target should be his colleagues, who abuse pensioners and therefore should not be surprised that pensioners are losing confidence in them.

Mr. Darling: The hon. Gentleman's opportunism knows no bounds. He was a member of a Government who increased VAT on fuel, which hurt older people more than most. He was a member of a Government who did absolutely nothing to deal with the problems faced by older people who were often thrown out of work through no choice of their own. He is now a member of an Opposition who are against the new deal for the over-50s—he would deny help to people who need it. He is in no position to present himself as somehow being on the side of older people or pensioners.

We are the party that, because of the economic stability that we are now building, has ensured that more people are in work, and we want more older people to be in work. We are increasing the amount that we spend on pensioners—£6.5 billion more than the Tories would ever have spent. The Tories' position on older people and pensioners is one of sheer opportunism, which the electorate have not forgotten.

Attendance Allowance

5. **Mr. Mohammad Sarwar** (Glasgow, Govan): How many claimants receive attendance allowance; and what plans he has to improve the application process for this benefit. [120940]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Just over 1.25 million people currently receive attendance allowance, and the number continues to rise. The Benefits Agency is keen to improve the services that it provides and to reduce the number of unsuccessful attendance allowance claims. It is trialling new ways of taking claims, which will make the process more accurate and sensitive to the needs of claimants. The trials will include home visits to gather the required information, instead of claimants having to complete a lengthy questionnaire.

Mr. Sarwar: I thank my hon. Friend for his answer. Many of my constituents who used to lead independent lives now need care and assistance from family, friends and Government. Will my hon. Friend assure me that those who clearly deserve attendance allowance will no longer have to humiliate themselves during a complicated application process?

Mr. Bayley: The number of people qualifying for attendance allowance continues to rise. During our first two years in government, the number receiving it rose by some 45,000. We are very conscious that filling in the forms is difficult for some elderly people, especially the elderly confused. That is why we are testing a new way of taking claims, involving a Benefits Agency officer visiting the person concerned, sitting down with him or her and orally collecting the information needed for the form to be filled in. We hope that that will help.

Mr. Desmond Swayne (New Forest, West): One of the recommendations of the recent report on medical services by the Select Committee on Social Security was that sessional doctors who carry out assessments for attendance allowance should have the proper amount of training from the Sema Group to honour contractual obligations. In response to that, I have received representations from a constituent, who is a doctor, saying that Sema is prepared to provide the training, but not to pay the doctors for it. Has the Minister any leverage over that?

Mr. Bayley: If the hon. Gentleman has an individual case to bring to my attention, he should do so, but let me tell him what the Government inherited and what we are doing about it. We inherited a training regime for the doctors who work for the Benefits Agency that was entirely ad hoc and that was run by a senior doctor in each boarding centre, but not against a national protocol. That meant that doctors were trained to different standards and to interpret evidence in different ways in different parts of the country. That led to confusion and to different decisions by Benefits Agency decision makers in different parts of the country.

That was unacceptable, and we are changing that. We have established a national system of training. For the first time, we are using trained trainers—trained postgraduate medical trainers—to deliver that training. We are improving the training available to doctors. We are extremely concerned that Sema did not fulfil its quota of days for training, for which it has been paid, in its first year. We will ensure that it makes up the shortfall in its second year.

Mr. Andrew George (St. Ives): Further to the point raised by the hon. Member for New Forest, West (Mr. Swayne), what assessment has the Minister made of the Select Committee's finding that inaccurate assessments by examining medical practitioners are often given greater weight by appeal tribunals than those by consultants or general practitioners, and that examinations by EMPs are far too brief? What action will the Minister take to ensure that those assessments are improved?

Mr. Bayley: If the hon. Gentleman had read the report in detail, he would have been aware of the many actions that we are taking. First, the Benefits Agency gives equal weight to all evidence, irrespective of the source—whether it be from a general practitioner, an examining medical practitioner engaged by the agency, or a hospital consultant. Secondly, there is no limit on the time that EMPs spend on an assessment. They are under instructions to spend whatever time is necessary to produce a report that will enable the questions that have been asked by the decision maker to be answered.

New Deal (Lone Parents)

6. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the progress of the new deal for lone parents. [120941]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The new deal for lone parents is at the heart of our drive to end child poverty. More than 118,000 lone parents have participated in the new deal national programme and a further 20,000 took part in the earlier phases. One in three participants have obtained jobs—that is more than 46,000 since the new deal for lone parents started.

As announced in the Budget, from April 2001 we will be asking lone parents with a youngest child of five or over to have a work-focused interview. We want to ensure that all lone parents find out about the choices and support available to help them to move into work.

Mr. Brady: Was it not bad enough that each job created under the new deal for lone parents cost nearly £20,000—but is the Minister not especially embarrassed that the Government's own evaluation exercise has shown that lone parents living in the control areas were more likely to get back into work than those living in the new deal pilot areas?

Angela Eagle: The hon. Gentleman has just shown considerable ignorance about the evaluation that has been published. He quotes the figure of £20,000 per job. If he had read the whole evaluation, he would have seen that the estimate was £1,388 per job. It is no good him selectively quoting—and drawing wrong conclusions from—a published estimate but not acknowledging another aspect of it—the £1,388.

We have been completely surrounded by different estimates from Opposition Members of the cost per job of the new deal for lone parents—there has been a wide range of incorrect estimates. The hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) said in June 1998 that the cost was £30,000. A couple of months later, he said that it was £22,000. The hon. Member for West Chelmsford (Mr. Burns) said the next day that it was actually £24,000. Following that, in February 1999, he said that it was £15,000. A couple of days later, the hon. Member for Brentwood and Ongar (Mr. Pickles) also said that it was £15,000.

Then, the hon. Member for Havant (Mr. Willetts) said that it was £24,000—but, in April 2000, he said that it was £19,000. Actually, the figure is £1,388.

Mr. Ernie Ross (Dundee, West) *rose—*

Mr. Brady: On a point of order, Madam Speaker. I should just like to give you notice that, after that utterly inadequate answer to my question, I shall seek leave to raise the issue in a debate on the Adjournment.

Madam Speaker: In that case, I must move on to the next question.

Pension Increases

7. **Mr. Gordon Prentice** (Pendle): If he will estimate the cost in the next financial year of linking pensions to the rise in average earnings. [120942]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): It is a pity that the hon. Member for Altrincham and Sale, West (Mr. Brady) did not realise that he would stop debate on the question—

Mr. John Bercow (Buckingham): My hon. Friend did realise.

Mr. Rooker: If that was the intention, it is unfortunate.

The cost of uprating the basic state pension in line with average earnings in 2001–02 would be an additional £400 million, on top of the expected £375 million increase in line with prices. Those figures are based on this autumn's estimates of a price increase of 3.4 per cent. and an earning increase of 4.9 per cent. Continuing to uprate in line with earnings would cost more than £6 billion by 2010, and £28 billion by 2030.

Mr. Prentice: Those figures are daunting, but may I express the situation in a different way? If pensions were linked to the increase in average earnings, this year, pensioners would be receiving a pension increase of £2.85 per week rather than 75p per week. I should also like to know why we cannot just tax well-off pensioners. The reason for not doing that is just lost on me.

The minimum income guarantee—*[Interruption.]* I do not want to raise my voice. The minimum income guarantee, which is going to the poorest pensioners, is linked to the earnings increase. However, for the next 10 years, all other pensioners will be receiving a real-terms increase of about 2 per cent. Over time, will there be a convergence in the treatment of the two groups? Does it worry my right hon. and hon. Friends the Ministers, as it worries me, that—with the minimum income guarantee and with the new pensioners tax credit—we shall be means-testing an ever-growing number of pensioners?

Mr. Rooker: These are indeed daunting figures, and that is why we should not play around with them. As my right hon. Friend has made clear, if we had only increased the basic state pension in line with earnings, by this year—within the Government's first three years—we would have saved more than £800 million. However, that money has gone, quite deliberately, in a redistributive way, to the poorest pensioners. Over the lifetime of this Parliament, the £6.5 billion extra that will be spent on the pensioner population is £2.4 billion more than we would have spent if we had only increased the pension in line with earnings, re-establishing the earnings link. As I said, that extra money has gone to the poorest pensioners. I challenge any hon. Member, least of all those behind me, to argue against a redistribution towards the poorest pensioners.

Mr. Simon Burns (West Chelmsford): Does the Minister agree that it is slightly odd that, when a Labour Back Bencher lobs a particularly sycophantic question to the Secretary of State about his being the champion of pensioners, he replies in a purring mode, whereas, when a more independent Labour Back Bencher asks a slightly more penetrating question, the Minister of State answers in a rather petulant mode? Will the Minister please tell me why most of my pensioner constituents believe that, in opposition, Labour Members promised to change the linkage to earnings? How does the Secretary of State have

the gall to claim the title of the champion of pensioners when, after the measly 75p per week pension increase, most of my pensioner constituents believe that he is not the pensioners' champion, but the pensioners' Scrooge?

Mr. Rooker: In answer to the first part of the question, I assure the House that my earlier answer would have been the same regardless of who had asked the question. Although I am not prepared to play around with those daunting figures, I will spell out the facts of the situation. It is a fact that, today, the average single pensioner's income is £132. It is also a fact that very few people exist on the basic state pension—which, as every hon. Member knows, is not intended to be the sole source of income. Pensioners should have either the minimum income guarantee or other pension incomes. At the last election, the Conservatives, the Labour party and the Liberal Democrats all proposed exactly the same formula for raising the basic state pension.

Miss Geraldine Smith (Morecambe and Lunesdale): Does my right hon. Friend agree that, now that the Government have helped the poorest group of pensioners, we must turn to the group of pensioners in the middle—those with small occupational or second pension schemes? They rightly feel that they need more help and support, but it would be foolish to restore the link with earnings across the board. That would do nothing to help the group in the middle.

Mr. Rooker: My hon. Friend is right. Wherever we put a limit, there will be some above and some below. No doubt, delegations from both sides of the House will argue about any change to the limits. After 14 years of the savings limits for pensioners being frozen by the previous Government, we have already announced that, from next April, the £3,000 and £8,000 limits will go to £6,000 and £12,000. That will bring 500,000 more pensioners within the minimum income guarantee. We announced in the Budget that, by November, we shall publish proposals for a pensioner credit that, in some way, will enable us to help those with small occupational pensions. Those with tiny occupational pensions—say between zero and £10 a week—would not be helped if we put £10 a week on the basic state pension. We would not be able to help the poorest pensioners because of the minimum income guarantee. We have to get help to those with small occupational pensions that they have saved and paid for. They rightly feel that the problem is a festering sore that no Government have so far dealt with. We are committed to dealing with it and have said so.

Mrs. Jacqui Lait (Beckenham): Is the right hon. Gentleman happy that today the Secretary of State has said that the stakeholder system is aimed at moderate to high earners, when he himself has mentioned 10 times in *Hansard* that it is for low and moderate earners—and Ministers collectively have said that 44 times? Does he agree that, to curry favour with pensioners, the Department has spun the idea that they will get £2 from next April—or perhaps it might be £5 if they roll in the winter fuel payment? Perhaps he may care to comment on which of those is correct. Will he also tell us why the Government have spun tax credits for pensioners, when they will have to wait until 2002 for them—after the general election? Is not the Government's pension policy all spin and no substance?

Mr. Rooker: I must disabuse the hon. Lady of one notion: we are talking not about a pensioner tax credit, but a pensioner credit, which is not the same. Only one third of pensioners pay tax. We want to get help to those identified by my hon. Friend the Member for Morecambe and Lunesdale (Miss Smith). They will not pay tax. My right hon. Friend the Secretary of State gave the official Government figures, which are correct. Having sat through umpteen hours upstairs with the hon. Member for Brentwood and Ongar (Mr. Pickles), the hon. Lady knows that we intend to target funded stakeholder pensions on those earning between £10,000 and £20,000 a year. We have also said that the state second pension, with its low earners boost, is particularly helpful for those earning less than £10,000 a year. They are not excluded from stakeholder pensions; it depends on individual circumstances. Stakeholder pensions are available to people earning more than £20,000 a year and to people not at work, because they are not work related. However, the target group is those earning between £10,000 and £20,000 a year who have no second pension. They will retire in abject poverty unless they get a second pension. That means an occupational pension, a personal pension or the friendly stakeholder pension.

Minimum Income Guarantee

8. **Mr. Phil Sawford** (Kettering): How many pensioners in the Kettering constituency are benefiting from the minimum income guarantee; and what steps he is taking to encourage further take-up of this benefit. [120944]

The Secretary of State for Social Security (Mr. Alistair Darling): About 2,400 pensioners in Kettering are benefiting from the minimum income guarantee. To encourage pensioners to take up their entitlement, we have launched a national helpline, which has already received nearly 31,000 calls in the last five weeks. As I said earlier, we are launching a national television advertising campaign on 30 May to ensure that as many pensioners as possible get their entitlement.

Mr. Sawford: I thank my right hon. Friend for that answer, and I welcome the work that he is doing to help our poorest pensioners and to ensure that pensioners are aware of their entitlements to MIG. Does he agree, however, that many pensioners will lose out on other benefits if they take up MIG, and will he consider the wishes of the many Labour Members who want him to restore the link with earnings?

Mr. Darling: As my right hon. Friend the Minister of State has just said, if we restored the earnings link, the very pensioners my hon. Friend is concerned about—the poorest—would be worse off. Because of the way in which the benefit system works, they would lose their benefit pound for pound. That is why we chose a different approach in MIG, which increases the amount of money pensioners on MIG receive by £14 a week for those under 75 and £16 for those over 75. I hope that, on reflection, my hon. Friend will agree with me that the object of Government policy should be to ensure that the oldest and poorest

pensioners, who lost out in the 18 years that the Tories were in power, get the most help. Restoring the earnings link would have saved us £2.5 billion. We are spending more than that would have cost, but half the amount that we are spending goes on the poorest 3 million pensioners.

Mr. Crispin Blunt (Reigate): How do I convince a 50-year-old man in my constituency—

Madam Speaker: Order. The substantive question is about the Kettering constituency.

9. **Mr. Mike Gapes** (Ilford, South): If he will make a statement on the future of the minimum income guarantee for pensioners. [120945]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): MIG is directly helping 1.6 million of the poorest pensioners. It should help about another 500,000 of the poorest pensioners who do not claim it, for various reasons. As my right hon. Friend the Secretary of State said, a major Government-sponsored take-up campaign will commence on 30 May. We will write to 2 million people among whom, we suspect, are the 500,000 who have been missed out. As I have already said, we are examining for the longer term how best MIG can provide help to those pensioners who have provided for themselves, particularly those with occupational and other small pensions and modest savings.

Mr. Gapes: I am grateful for that answer and I welcome the publicity campaign. However, is my right hon. Friend aware that large numbers of pensioners do not understand MIG, and that there is widespread concern, if not hostility, among pensioners because of the complexities of the social security system? In the review of MIG, will he look again at the concept and the way in which it is applied, so that it can become a minimum income guarantee for all pensioners, not just those on income support?

Mr. Rooker: My hon. Friend will know that, as I have said, more than 1.6 million pensioners are already successfully claiming MIG. Other pensioners are claiming council tax benefit and housing benefit and are eligible for MIG but, for some reason, do not claim it. That is a dilemma that we hope to solve through the take-up campaign.

I do not accept that hostility to MIG exists, although there is hostility to the process because some people do not want to go near a Benefits Agency office. However, they will not need to do so, because, once the campaign starts in May, they can apply over the telephone. All that they will have to do is sign and date a form. There has been hostility to the 40-page form which, among other things, asks whether one is pregnant, but that will not need to be filled in. Only the parts directly relevant will be needed.

Any remaining hostility will be assuaged by the announcement made in the middle of March that we will dislocate all pensions activity from the Benefits Agency to a totally new pensions service that will be devoted exclusively to pensions and pensioners.

Mr. Julian Brazier (Canterbury): The Minister keeps referring to people on small occupational pensions. Some pensioners with occupational pensions look enviously at the minimum income guarantee. Will he say how large a lifetime pension fund they would have to have saved to match the minimum income guarantee?

Mr. Rooker: Not off the top of my head, as I am not armed with those figures. However, I am not sure that the hon. Gentleman's argument is not somewhat disreputable, in that he is setting one group of pensioners against another. He talks about people who do not have an occupational pension, a personal pension or a second pension, but many people never had the chance to make such provision, or could not afford it. He implies that somehow they have been feckless in their lives and that they therefore do not deserve the help of the minimum income guarantee.

Mr. Frank Field (Birkenhead): I draw the attention of my right hon. Friend to a group of people who have been anything but feckless, and about whom I wrote to him after the issue arose at the previous Social Security Question Time. Some people with a small occupational pension are thereby ineligible for MIG. However, if they had been eligible for MIG, they would have received passported benefits, free housing and free council tax. In my letter, I drew attention to a simple reform. At present, eligibility is determined according to MIG income qualifying levels, but a better system would be to calculate the level of income for which people would be eligible if they were on MIG and gained housing benefit and council tax benefit in full.

I copied my letter to my right hon. Friend the Chancellor of the Exchequer. He wrote back to say that he had passed it on to my right hon. Friend, who was in charge of the review. It is good news, for pensioners and for the House, to have my right hon. Friend in charge of the review. When will he be reporting?

Mr. Rooker: By "he", my right hon. Friend means my right hon. Friend the Secretary of State who, as the pensioners' champion, is quite rightly leading the review. The point that my right hon. Friend makes is correct. Pensioners who have an income because they have a small occupational pension above the minimum income guarantee can be worse off under the current benefit provision: because they do not get MIG, they lose the other benefits. Those are the people to whom the hon. Member for Canterbury (Mr. Brazier) referred. They are exactly the target group at whom our review is directed. We will report back to the House by the November statement, as my right hon. Friend the Chancellor of the Exchequer announced. By that time, we will have a proposal to deal with that very group of people.

Mr. Crispin Blunt (Reigate): How do I convince a 50-year-old man in my constituency, on a low income and with no savings, to save for his retirement, given that he would need to save £100,000 so as not to qualify for the minimum income guarantee? Would he not be far better off spending that money on himself over the next 15 years, as he then could enjoy the minimum income guarantee?

Mr. Rooker: Well, I hope that the hon. Gentleman spelt out the facts of life to his constituent. Anyone of 50 who has not provided for a second pension is leaving

it a bit late. People on low pay cannot do much in that regard in the last 10 years of their working lives. The tragedy is that, for some years to come, people will come off the conveyor belt of work and enter retirement having not had the opportunity to save and put money by for a decent second pension. They will be dependent on the state, and the state will therefore have a duty to help them.

We have introduced the minimum income guarantee for those people who did not have the opportunity, during their working lives, to make provision for a second pension. I hope that the hon. Gentleman had the guts and courage to tell his constituent that the Tories would abolish it.

Disability-related Benefits (Appeals System)

10. **Ms Julie Morgan** (Cardiff, North): What plans he has to shorten the appeal process for disability-related benefits. [120946]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): We have introduced a new system to streamline and modernise the appeals system for all benefits. For disability living allowance and attendance allowance, the right of appeal can now be exercised at an earlier stage. The appeals service has already made significant improvements to clear backlogs and reduce waiting times. We are seeking to improve the service still further.

Ms Morgan: I thank my hon. Friend for his reply, and I welcome his remarks. However, does he agree that waiting for appeals is stressful for constituents, particularly for those with mental health problems? Will he look into the case of my constituent, Mrs. Jenkins, whose disability living allowance was withdrawn in April 1999? She is still waiting for a tribunal, which is due to be heard in June 2000. This is causing her acute distress and mental anguish, and is confining her to her home.

Mr. Bayley: I can reassure my hon. Friend that I will certainly look at Mrs. Jenkins's case.

My hon. Friend may be interested to know that, in her local appeals service office in Cardiff, some 21,500 cases were waiting to be heard one year ago, in February 1999, and more than half of that number—some 11,300 cases—waited for longer than six months. Today the figures have dropped, so that only 9,588 cases are outstanding, and only 2,161 are more than six months old. So we are making progress.

Mr. David Tredinnick (Bosworth): Does the hon. Gentleman have any plans to allow Motability cars to be retained during the DLA appeals process until it has been completed? Is he aware that a constituent of mine has been forced to hand back the car and make alterations to it, returning it to its original state and removing special hand controls? Would it not be better to have a system whereby the car was retained until the appeals process was completed? Is the hon. Gentleman further aware that the problem is something to do with the Customs and Excise arrangements on value added tax? Will he please undertake to look into the matter and write to me about it?

Mr. Bayley: I am aware of the case. The hon. Gentleman has written to me about it and I have replied—it may have been one of the letters that I signed at the weekend. The Government have an interest in Motability, in that we pay the higher rate mobility component of DLA that pays for Motability cars. However, Motability is an independent charity and is responsible for its own rules. As the hon. Gentleman recognises, it is not possible for people who are not in receipt of DLA to retain their cars because the scheme receives considerable VAT concessions from the Chancellor and other Government concessions and support. That support can be given only because it goes to people who are in receipt of a benefit. Those who are not in receipt of a benefit unfortunately cannot retain their cars.

Mr. Tim Boswell (Daventry): Will the Minister accept that, while any improvement in acceleration in the appeals process is welcome, as long as it is consistent with justice, most claimants are looking not so much for the appeals process as the substance of their claim? Will he also accept from the case of Colin Hughes, and many like him, that there is very little link, if any, between the extra costs of disability and the means of the disabled person? In the light of that, would it not have been better if, instead of their Scrooge-like imposition of means-testing on incapacity benefit, the Government had introduced a more effective medical test for new claimants?

Mr. Bayley: I am slightly reluctant to discuss an individual case on the Floor of the House. However, the hon. Gentleman has referred to it on two occasions, and I think that I can refer to some details that the claimant, Colin Hughes, has made public.

I admire Colin Hughes greatly. He is a severely disabled man who has made a successful career within the BBC. The difficulty that he faces with his benefit is that the independent living fund administrators were not aware of his salary at the BBC. Had they been aware of his salary, he would have received no support at all under the old means-testing rules, introduced by the hon. Gentleman's party when it introduced the independent living fund. As a result of the changes that our party has made to relax the means test to provide a greater return from employment for the relatively few people who are supported by the independent living fund and who can work, Colin Hughes would be able to keep a greater proportion of his earnings—which is a good thing—if the question of his savings were resolved. I have discussed with those who manage the independent living funds ways in which the savings that anybody else with perhaps a longer life expectancy might have put into a pension scheme can be put into some form of trust fund so that they can be disregarded in whole or in part.

Old-age Pension

12. **Mr. John Wilkinson** (Ruislip-Northwood): What as a percentage of average earnings was the single person's old-age pension in May *(a)* 2000, *(b)* 1999, *(c)* 1998, *(d)* 1997 and *(e)* 1996. [120949]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): In April 1999, the basic state retirement pension was 16.6 per cent. of average earnings. In April 1998, it was 16.8 per cent., in April 1997 it was 17 per cent. and in April 1996 it was 17.4 per cent. The percentage for April 2000 is not available at present,

but as the average single person's total pensions income is £132, the percentages that I have given can be doubled because no one is expected to live on the basic state pension alone.

Mr. Wilkinson: Do not the figures demonstrate that the Labour party's election manifesto was, in essence, fraudulent? It said:

> We believe that all pensioners should share fairly in the increasing prosperity of the nation.

Is that not particularly so given that the manifesto said something else? It stated:

> The basic state pension will be retained as the foundation of pension provision.

The foundation is clearly crumbling. The living standards of ordinary state pensioners are declining in comparison with those of people in work, particularly now that they do not receive the married couple's tax allowance, dividend tax relief or tax relief on medical insurance premiums. In other words, they are getting a bad deal, as the 600 Labour councillors who lost their seats last week stated in arguing that that was why they lost.

Mr. Rooker: That is another example of refusal to see the totality of pensioner incomes. I ask the hon. Gentleman and his Front-Bench colleagues where they think the millions of pounds for the winter fuel allowance came from. The money did not come from the national insurance fund; it came from the wider tax payout and is a tax-free benefit for the pensioner population which has arisen from the better economic performance of the country. Where do they think the money for the free television licence for the over-75s came from? It is tax free, and it came not from the national insurance fund, but from the wider pot created by the British taxpayer.

Business of the House

3.32 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, Madam Speaker, I should like to make a brief business statement. The House is already aware that after the Opposition day business tomorrow, we shall take Northern Ireland business. That business will now be a motion on the Flags (Northern Ireland) Order 2000, followed by the motion on the Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) (No. 2) Order 2000.

Sir George Young (North-West Hampshire): Can the right hon. Lady tell the House when the flags order will be tabled? I understand that it is not yet available in the Vote Office. On the substantive point, the Opposition are, of course, prepared to sit, possibly beyond midnight, to deal with important parliamentary business. I am sure that that approach to parliamentary affairs is shared by Government Members.

Mrs. Beckett: My understanding is that if the order is not now available in the Vote Office, it will be shortly. I expected it to be tabled about now. I am grateful for the right hon. Gentleman's co-operation.

Mr. Kevin McNamara (Hull, North): Can my right hon. Friend inform us whether, in the interests of parity between the two communities, the Secretary of State will have power under the flags order to order the flying of the tricolour over Government buildings?

Mrs. Beckett: That is very much a matter for the debate.

Mr. Crispin Blunt (Reigate): Does the right hon. Lady understand how disappointed I am that, as the business statement precedes a statement on Sierra Leone, she did not tell us that we would have a debate on Sierra Leone? The situation in Sierra Leone is so complicated and difficult—

Madam Speaker: Order. The hon. Gentleman must understand that this is a short business statement, which was clear and tightly defined. The Leader of the House can be questioned only on the comments that she has made. If he is prepared to keep to that, I shall call him again, but no other business can be discussed with the Leader of the House.

Mr. Blunt *rose—*

Madam Speaker: Shall I give him a second chance?

Mr. Blunt: Does the Leader of the House understand how disappointed I was that her business statement was about one particular point of business, and not about other issues of more pressing and immediate concern?

Madam Speaker: The right hon. Lady fully understands that.

Mr. Lembit Öpik (Montgomeryshire): Will the right hon. Lady confirm that she really means that the information will be available within the next couple of hours? It has been quite difficult to follow the matter from a distance, although I understand the reasons for that. It would help facilitate an effective debate if we could hold consultations today after seeing the order.

Mrs. Beckett: I certainly anticipate that that will be the case. I assure the hon. Gentleman that we are trying to make information and briefing available as fast as possible.

Mr. William Ross (East Londonderry): Given that most people in the United Kingdom would consider it a matter of course that the national flag should fly over public and Government buildings, why was that ever denied to the British citizens of Northern Ireland? Furthermore, why have the Government decided to give IRA and other terrorists a further year—over and above the two years that they have had already—before they hand over their illegal weapons?

Mrs. Beckett: None of that is a matter for me.

Madam Speaker: Quite right.

Sierra Leone

3.35 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, I would like to make a statement about Sierra Leone.

In his statement last week, my right hon. Friend the Foreign Secretary informed the House about the serious security situation in Sierra Leone and the implications for British citizens and others for whom we have consular responsibility. He said that the British Government had taken the precautionary measure of deploying military assets to the region. British forces were deployed to allow for the safe evacuation of British nationals and other entitled personnel. Essential to that has been the task of securing Lungi airport, which, as the Foreign Secretary said, will be extremely valuable in allowing United Nations forces to build up to their mandated strength over the next month. We have seen evidence of that in the recent arrival of two additional Jordanian companies, numbering some 300 personnel. That remains the clear and unambiguous position on the deployment of British forces. It was reaffirmed by the Prime Minister on 11 May, and it remains our position today.

I am confident that the House would agree that the deployment of UK forces to Sierra Leone has been an outstanding success. Faced with a rapidly deteriorating security situation, UK forces have evacuated almost 450 people. The airport was secured quickly and effectively. Although we have consistently made it clear that UK forces will not be deployed in a combat role as part of UNAMSIL, the presence of UK troops on the ground has helped stabilise the situation in Sierra Leone and we are providing technical advice to the UN as to how matters might be further improved.

I should like to take this opportunity to congratulate the armed forces on the work that they have done so far. It is a remarkable demonstration of their flexibility and speed of deployment, identified as key requirements in the strategic defence review. Both President Kabbah and Kofi Annan have welcomed the contribution that British forces are making.

The situation in Sierra Leone remains volatile and we must all be concerned about that—especially for the detainees. We have received reports that a number of UN personnel have been released, and I understand that the British officer, Major Andrew Harrison, is fit and well and is under the protection of the Indian battalion in the east of Sierra Leone. Although that is welcome news, we continue to work for the safe release of all those currently being detained by the Revolutionary United Front.

Freetown remains calm, but tense. Outside Freetown, clashes between Government troops and the rebels continue. For the moment, the rebels appear to be on the back foot. The Government of Sierra Leone and the UN forces have retaken the initiative. The arrival of Jordanian reinforcements at the weekend has been a significant boost to the UN mission. Reports to me this morning from the Chief of the Defence Staff have been encouraging.

The forces we have deployed are those we consider necessary to carry out their primary task effectively. The 1st Battalion The Parachute Regiment is currently shouldering the main burden in Lungi. However, the maritime forces we have deployed—including our amphibious capability—provide vital flexibility for the joint force commander in what remains a volatile and potentially dangerous situation. If attacked, our forces have the rules of engagement and firepower to allow them to respond robustly.

In that context, while our forces remain, we shall do what we can to assist the UN mission. Its success is essential to ensuring long-term peace and stability in Sierra Leone. UN forces had been doing a difficult job in uncertain and dangerous circumstances—disarming large numbers of ex-combatants despite not being up to full strength in numbers of personnel and in equipment. Our presence has helped to ensure confidence, and has contributed to the stabilisation of the situation.

As a result of the presence of our forces, we have been able to give significant assistance. British officers are providing advice to UNAMSIL; they are giving technical military advice to the Government of Sierra Leone and, indeed, to the UN in New York. We have assisted the UN with the transport of vehicles into theatre by air. We have airlifted 230 Jordanians by helicopter from the airport at Lungi to Hastings, where the Jordanian battalion is strengthening its position.

I recognise that there have been questions about the length of our commitment. The UN plans to build up its forces to their authorised level of about 11,000 over the next month. We are in contact with those countries that are contributing troops to the UN force—in particular, with India, Jordan, Bangladesh and Nigeria—and are urging them to bring in troops as soon as possible to reinforce UNAMSIL. We expect that once the UN mission has been reinforced by those troops, our role at the airport will no longer be required. I assure the House that UK forces will stay no longer than is necessary.

However, even when our forces withdraw, we will not end our political or diplomatic support for the UN and for Sierra Leone. When it is safe to do so, we will continue with our programme of assistance to help train and build effective, democratically accountable Sierra Leonean armed forces that we announced in April. We will also continue to contribute military observers to the UN mission, and if required, technical advice to UNAMSIL.

I have made it clear that we are committed to the safe evacuation and protection of our nationals and to supporting the UN in its mission to restore stability in Sierra Leone. The deployment of British forces for a limited period on those tasks is a model of the rapid deployment concept that was at the heart of the strategic defence review. It has been much admired and acknowledged by all concerned. Our armed forces are doing an excellent job, which is acknowledged all around the world. However, there is no question of the UK taking over the UN mission or of being drawn into the civil war.

Mr. Iain Duncan Smith (Chingford and Woodford Green): Let me reiterate our support for the Government in this respect: our thoughts are definitely with the service men and their families at this incredibly difficult time. Conservative Members offer them our full and unstinting support in whatever lies ahead for all of them. The whole House will be suitably proud of how they have operated, and of how we anticipate that they will operate, however long they are in theatre.

We in the House have a duty to give our forces clear objectives as well as support. In that, the Government have, so far, been found wanting. The undertakings given

to my right hon. Friend the shadow Foreign Secretary last week were different from the position in which we now find ourselves, which goes beyond the withdrawal of British nationals. The Government cannot allow that to continue and, to that extent, the statement is long overdue. We believe that it should have been made last week.

As I have pointed out, it now appears that, whatever reservations we have, British troops are in de facto full support of the UN forces and President Kabbah. Regardless of what others have said about us not being part of the UN mission, the reality is that we are in complete support of it and President Kabbah. Reports over the weekend show that British troops are patrolling Freetown and manning road blocks. We hear that special forces are operating in the countryside and that British officers are, to all intents and purposes, running the day-to-day operation of UN forces.

What role does the Secretary of State envisage for the Royal Marines, who are currently on board HMS Ocean? What can they be expected to do given the fact that, if they sit on board ship for four weeks, some of their capacity may deteriorate? Their deployment would widen the operation.

Will the Secretary of State confirm whether British air assets, which are currently on board HMS Invincible and HMS Ocean, will take part in any operations? Are Harrier aircraft, for example, likely to be used for reconnaissance or even close air support roles for the UN?

Regardless of our concerns, the objective now must be to make sure that British troops can operate untrammelled by any political indecision. Major-General Ken Perkins, who wrote to *The Times* today, said that the political masters must "not impose ridiculous constraints" on the forces.

The Government cannot artificially separate British combat troops from other British activities in theatre. Clearer rules of engagement are needed to allow British forces the flexibility to operate as the circumstances require, and to ensure that they are not locked into an artificial self-defence mandate that risks repeating the mistakes that were made in Bosnia, Srebrenica and even in Sierra Leone itself with the UN. The Secretary of State was not clear on that, so I urge him to clarify the position of our troops, which was too vague in the statement. Will he state what the rules are and how wide they can be stretched?

On the commitment to withdraw our troops within four weeks, last Wednesday, the Prime Minister spoke about deploying them for up to seven days. On Thursday, however, the Foreign Secretary moved that figure to four weeks. That slippage must be explained. Furthermore, it leaves us feeling rather cynical about the Government's capacity for decisiveness in the matter. When the Government said that they will withdraw our forces within four weeks, presumably they had in mind circumstances in which they could be withdrawn. In his statement, the Secretary of State referred to the build-up of UN troops. *[Interruption.]* Labour Members do not want to listen to questions, and seem to think that they have a God-given right to do what they like with our forces. However, that is not the case.

I have a simple question for the Secretary of State. Will he tell us whether the build-up of UN troops to 11,500 is the factor limiting the time for which we will be out there? Will our troops stay out there to complete that build-up, or do the Government expect to withdraw them if those conditions are not met? The Secretary of State must surely realise that the real worry will be how we appear to be making the UN dependent on British forces in Sierra Leone, with all the risks that that entails.

If nations due to transfer soldiers to the UN are led to believe that the UK will stay longer than four weeks, as seemed to be the case from the statement, is there not a danger that they will feel under less pressure to meet their obligations early on? What categorical statements has the Secretary of State had from nations due, as he said, to produce troops for the operation?

On overstretch, the commitment puts our rapid reaction force into Sierra Leone. What reserve does the Secretary of State have and, should difficulties erupt in places such as Kosovo, Iraq or even Zimbabwe, is he content that it is sufficient not to stretch us beyond our capability to follow those up?

The Foreign Secretary has been less than frank throughout the whole deployment. As a result, he has put our service men in difficulties, with varying statements from the Foreign Office and the Ministry of Defence creating problems. There are serious questions about the Government's role, which remain to be tackled at a later date. Today, however, the Government must stop all the sliding and messing around and give our troops a clear sense of what they must do, making plain that they may operate flexibly within the terms given to them in a way that will allow them to meet their objectives without any more shilly-shallying.

Mr. Hoon: I thank the hon. Gentleman for supporting our troops' position, but—I too have a "but"—it is regrettable that he has chosen to try to make party political points this afternoon and, indeed, in several newspapers this morning. My statement today was wholly consistent with the statement made by my right hon. Friend the Foreign Secretary. It is a matter of considerable regret that the hon. Gentleman has talked about our service men and women being in difficulties, as there is simply no evidence of that. He has asserted that to make a rather poor political point which, on reflection, he may well regret.

The hon. Gentleman invited us to set out clearly our objectives. That has been done by my right hon. Friends the Foreign Secretary and the Prime Minister. I have repeated those precise objectives, so there really is no difference between them. If the hon. Gentleman and his colleagues examine what was said last week and study the text carefully, they will discover that what my right hon. Friend the Foreign Secretary said is precisely the same as what I have said today. There has been no change in the objectives.

On the specific concerns raised by the hon. Gentleman, he ought to know better than to ask about the deployment of special forces. He has supported the Government in the past. He knows full well that it is well established practice that Governments never comment on the deployment of special forces.

We have made it quite clear that the Royal Marines on HMS Ocean are there as a precautionary measure. They are to give forces on the ground greater flexibility, should they be required. Again, that is a wholly sensible deployment on advice of the chiefs of staff.

[Mr. Hoon]

There is no need to go into greater detail on the rules of engagement. Our forces have been given robust rules of engagement that will allow them to defend themselves and ensure that they can do the job on the ground effectively. That is what the House would expect. I assure the House that those are the rules of engagement that were given—again, in complete agreement with the chiefs of staff and subject to the advice and consent of the commander on the ground.

We have made it clear that the build-up and reinforcement of UN troops will take place over the next month. We have discussed that carefully. The Jordanians already have forces in theatre. We expect further Jordanian forces to arrive very soon. Indian forces are under way and we anticipate contributions from both Bangladesh and Nigeria. That is a substantial programme of reinforcement of both people and equipment. We are confident that that will add significantly to the ability of the UN force to deal with a difficult situation on the ground.

Overstretch has become one of the hon. Gentleman's themes. We have tackled the problems of overstretch faced by the Army during the Kosovo campaign, reducing the Army's commitments from 47 per cent. at the height of the Kosovo campaign to 27 per cent. He knows that that has been done. He should also know that the spearhead battalion is specifically to deal with such emergencies; that is what it is there for. Indeed, we have already allocated a further force to act as the spearhead battalion in the event of that being necessary. He really should know that that has no impact whatever on the alleged overstretch of our armed forces.

I am extremely disappointed that, right across the weekend and continuing today, the hon. Gentleman has sought party political advantage from the situation. It has been a tradition that the Opposition support British forces in the field, and that means supporting those who take the decisions as well.

Mr. Menzies Campbell (North-East Fife): May I add my congratulations to the forces that have been deployed in and around Sierra Leone, and of course the support of myself and my right hon. and hon. Friends for those who are in the field? However, is it not clear that a week is a long time in Sierra Leone and that United Kingdom forces are now doing much more than was predicted last Monday, to an extent that an early withdrawal would be deeply destabilising?

Is it not also true that the role of the United Nations is no longer that of keeping the peace? Should we not recognise that the presence of UK troops, whether by accident or design, has become essential to the success and credibility of the United Nations effort in Sierra Leone? In those circumstances, subject to there being no prejudice to our commitments and to obtaining from the UN Security Council a much more robust and effective mandate, should not Her Majesty's Government offer UK troops as part of the UN force in Sierra Leone?

Mr. Hoon: I repeat that the UK forces are doing precisely what my right hon. Friend the Foreign Secretary said that they would in his statement this time last week. He said that they were present to ensure the evacuation of British nationals by securing the airport, in the process allowing for the reinforcement of the UN contingent in Sierra Leone. That is precisely what they have been engaged in and precisely what has been happening over the past week.

On the contribution that the forces have made to the UN in Sierra Leone, as I said in my statement, the situation on the ground has clearly enormously improved as a result of the presence of British forces, which has, for example, freed other UN forces for other tasks elsewhere in Sierra Leone by undertaking the responsibility of securing the airport. That has been an advantage. Certainly British forces have boosted the morale of the Government forces in Sierra Leone, which have had a good deal more confidence in going about their task in the past week than previously. The presence of our forces has contributed to that. However, we do not anticipate that British forces will become part of the UN force in Sierra Leone.

Mr. Donald Anderson (Swansea, East): Does my right hon. Friend share my suspicion that some of those who are asking for clearer objectives are really saying, "Mission accomplished, let us fold our tents. Evacuation is complete, let us depart." If we had done that, the inhabitants of Freetown would have been left to an awful fate, and the UN would have been discredited. As Kofi Annan showed in his warm thanks to the Government and to our forces, had we not been there, the UN would have found it extremely difficult in future to launch such an operation.

What longer-term lessons does my right hon. Friend draw for the relationship of the United Kingdom and our armed forces with the UN in terms of training, communications and in ensuring that the UN is properly strengthened to carry out tasks in Africa and elsewhere?

Mr. Hoon: My hon. Friend has asked me questions of a long-term nature that would probably be better addressed to my right hon. Friend the Foreign Secretary. However, the operation demonstrates the importance of ensuring that the UN has sufficient effective force and equipment in a theatre to enable it to do the job that was contemplated. One of the difficulties that the UN has undoubtedly faced in Sierra Leone is not having the authorised numbers—the numbers planned by the UN—available at the start of the operation. The actions of British forces have been designed to ensure that those numbers can be reached. Securing the airport will allow reinforcements to arrive relatively quickly.

Mr. Tom King (Bridgwater): Is the right hon. Gentleman aware that he is entitled to the support of the House, as are our forces in Sierra Leone and offshore, at this difficult time? However, may I suggest that it does not help if he claims that the operation is a tremendous success for the strategic defence review? He is drawing on the particular capabilities and qualities of especially the Parachute Regiment, the Royal Marines and associated arms, which have been built up over decades by successive Governments.

The right hon. Gentleman rightly and unsurprisingly gives evidence to the House that the contribution of British forces has helped to support the morale and confidence of President Kabbah's forces. However, one of the real difficulties resulting from any early withdrawal from Sierra Leone is that it will have exactly the opposite

effect. I do not expect a detailed reply because it is clear that General Guthrie's report will be critical in this respect, but I hope that when considering what General Guthrie says about the actual military situation, the right hon. Gentleman and the Foreign Secretary will consider further what can be done to sterilise as far as possible any support going to the RUF from adjoining or other territories.

Mr. Hoon: If I gave the right hon. Gentleman the impression that I was claiming for the SDR the virtues of this rapid deployment, I apologise to him and to the House. However, the reality is that the SDR set out to build on the capabilities previously established. The deployment demonstrates—we have had discussion about the potential availability of both maritime and air assets—the importance of being able to deploy rapidly ground troops and supporting forces of a joint nature. The significant point about the SDR is that the conflicts that we face in future will most likely require rapid deployment.

I spoke to General Guthrie this morning, and I understand that he has had the opportunity of travelling round part of Freetown and seeing the British forces that are deployed there. I accept that his advice will be critical as to how the military campaign is continued. I anticipate that he will speak to representatives of countries that will be likely to deploy further force into Sierra Leone. When he returns to the UK, which will be shortly, we shall take further decisions in the light of what he has to report.

Mr. Mike Gapes (Ilford, South): Has my right hon. Friend seen the outpouring of support from the Sierra Leonean community in this country and the pictures and reports from that country, showing how delighted people are at the role that Britain is playing to restore and defend democratic government in Sierra Leone? Would it not be appalling if any politician in Britain, by omission or commission, gave the impression that we were interested only in saving the lives of white Europeans, and that we could not care less about black Africans?

Mr. Hoon: I am grateful to my hon. Friend. In addition to the Sierra Leonean community in the United Kingdom, President Kabbah spoke personally to my right hon. Friend the Foreign Secretary to thank him for the contribution that Britain has been able to make. In the plans for evacuation, I want to make it clear that we had a responsibility not only to British nationals, but to all the countries, particularly Commonwealth countries, that did not have diplomatic representation in Sierra Leone, for which we undertook consular responsibilities. It was never our intention, even as part of the evacuation process, simply to evacuate UK citizens.

Mr. Edward Garnier (Harborough): What were the characteristics of Mr. Sankoh, the leader of the RUF, that commended him to the Government last year, and how has he changed since?

Mr. Hoon: The United Kingdom did not make a judgment last year about the character of Mr. Sankoh, and would not do so now. He is responsible for breaching the agreement that he entered into last July. It was not a perfect agreement, but it offered the prospect of peace and stability in Sierra Leone. It was not a perfect solution; it was the best on offer. For the purpose of trying to preserve peace and security in Sierra Leone, at least it offered some respite from the appalling civil war.

It is Sankoh who has gone back on that agreement. He and his forces are responsible for the appalling bloodshed that has occurred since, and that is why the international community, through the United Nations, must take the action that it is taking now. We made no judgment about his character last July. It was simply the best offer that was available.

Mr. Dale Campbell-Savours (Workington): My right hon. Friend will have read reports in the media that the Sierra Leonean Army and the Revolutionary United Front have been involved in some appalling atrocities, against each other and against the civilian population. Can he assure us that when the training programme finally begins after the immediate conflict is over, the SLA will be fully trained in the need to treat troops and civilians decently?

Mr. Hoon: My hon. Friend touches on a picture in Sierra Leone that is quite different from the one that we are used to when we think about disciplined armed forces. In Sierra Leone, bands of people are loosely attached to particular leaders and can switch from one side of a conflict to another at a moment's notice. It is an extremely uncertain, unstable, volatile situation. That is why it is important that we announce the need for effective training. Part of that training will undoubtedly be to provide the necessary discipline and commitment to the decisions of a democratically elected Government. Those are the kind of contributions that I believe that British trainers can make to the armed forces in Sierra Leone.

Mr. Julian Brazier (Canterbury): In his statement the Secretary of State made much of the role of the strategic defence review, and in an earlier answer said that the operation had had no significant impact on overstretch. Given that the SDR envisaged three parachute battalions, two of them in role, can the right hon. Gentleman tell the House how many soldiers are left in the other two parachute battalions, and how long it would be before one of them could be used in a similar operation? How long would it take to stand them up?

Mr. Hoon: I am sure that the hon. Gentleman understands that the designation of the spearhead battalion is not necessarily and solely a designation given to a parachute battalion. The designation rotates around the armed forces that are in a position to complete the job. That is why, in answer to the question about the impact of overstretch, I made it clear that in the short term there is no impact on overstretch. The short-notice availability of the spearhead battalion is designed to deal precisely with such an emergency situation. That is the purpose of the battalion. The question of how many other members of a parachute battalion are available does not arise in the context in which the hon. Gentleman puts it.

Dr. Phyllis Starkey (Milton Keynes, South-West): Does my right hon. Friend share my anxiety that the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), the Conservative spokesperson, appears to express dissent from the idea that United Kingdom forces should be acting in full support—I use the hon. Gentleman's precise words—of the United Nations? Does my right

[Dr. Phyllis Starkey]

hon. Friend agree that it is not in Britain's interests that the United Nations mission should fail? That would be good neither for the future for Sierra Leone and the region nor for the ability of the United Nations to act elsewhere in the world on our behalf and that of other United Nations member states.

Mr. Hoon: I invited the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), who speaks for the Opposition on such matters, to reflect more carefully on his words. I am confident that when he reads what he said about the United Nations, he will have some further thoughts. Clearly, all hon. Members support the United Nations and its efforts to preserve stability around the world. It had and continues to have our support for the difficult decisions that it made and tried to enforce in Sierra Leone.

Mr. Bob Russell (Colchester): The Secretary of State rightly referred to our armed forces' professionalism, which all hon. Members will endorse. He specifically mentioned the 1st Battalion The Parachute Regiment. Will he join me in praising the 230 members of the 2nd Battalion The Parachute Regiment from the Colchester garrison who are in Sierra Leone, along with 130 men and women from support units? How much longer will our forces have to act as the policemen of the world? Overstretch and back-to-back tours need to be tackled. I invite the Secretary of State to say that we will call upon other countries to put in their forces.

Mr. Hoon: I commend all British forces that are involved in the operation and, indeed, all British forces wherever they are deployed. They are rightly regarded as the best of their kind in the world and they are in constant demand. I acknowledge that; my job often involves saying that there is a limit to what we can do. We were consequently able to reduce the overstretch that resulted last year from the Kosovo operation. Those decisions have already been made. As I said in my statement, we are encouraging other countries to reinforce their existing contingents in Sierra Leone. We are wholly confident that they will do that.

Mr. David Winnick (Walsall, North): It should be a matter of satisfaction that British service personnel are upholding the authority of the United Nations and international law. The Opposition may criticise, but the majority of Labour Members are proud of what is being done. Why should we allow a bunch of outright murderous criminals and torturers to take over Sierra Leone? There is no reason for that to happen, and I hope that it can be avoided at all costs.

Mr. Hoon: I know full well from the reports that I have regularly received from those forces deployed to Sierra Leone that they are determined to do an excellent job both on behalf of the British Government and in terms of what they perceive to be the right action for their service careers. I am confident that one of the reasons for the current success of recruitment to the armed forces is the excellent job that our armed forces do as a force for good around the world.

On my hon. Friend's second question, we support the efforts of the United Nations to uphold the charter and the principles that guide this country as well the international community.

Mr. Gerald Howarth (Aldershot): Since the 1st Battalion The Parachute Regiment is based in Aldershot, the Secretary of State will not be surprised if I express my admiration for the professionalism with which the spearhead battalion has undertaken its obligations. It is led by Colonel Paul Gibson, who distinguished himself in Kosovo. However, families obviously want to know when the episode is likely to conclude. Does the Secretary of State have genuine confidence in the United Nations' ability to deliver an effective force to Sierra Leone by the middle of next month? As my right hon. Friend the Member for Bridgwater (Mr. King) asked, what happens when British troops leave? Will the situation go pear-shaped again? In that case, we shall see television pictures that will horrify the British people. That will lead to demands to keep British troops in place, as the hon. Member for Walsall, North (Mr. Winnick) would like.

Mr. Hoon: I am grateful to the hon. Gentleman for the supporting forces based in his constituency. I am also grateful to him for raising the issue of families, because we all tend to emphasise the contribution that the forces make, but perhaps sometimes overlook the fact that they have families at home who, understandably and rightly, worry about the circumstances in which their husbands, generally speaking, are deployed. He is right to mention that and, certainly, much effort has gone into ensuring that the families are properly briefed on the circumstances in Sierra Leone.

On the withdrawal, we anticipate that reinforcement of the UN contingent in Sierra Leone to its authorised level will continue to produce the stability that we have seen very recently. I said, "for the moment" during my statement, because I recognise that the situation in Sierra Leone has been especially volatile, but we anticipate that the level of reinforcement—of both people and equipment—available to the UN will make a significant difference on the ground.

Mr. Tam Dalyell (Linlithgow): May I express a certain unease in the genuine hope that my right hon. Friend will satisfy it? What is the analysis of where the rebels come from and where they get their support? Is not it true that Freetown and the rest of Sierra Leone are two different communities—Freetown very much being made up of the descendants of those who were involved in slavery? There is a rather different community up-country. Are we certain that the rebels—undoubtedly very cruel people—have not got a good deal of support up-country? On the question asked by the hon. Member for Aldershot (Mr. Howarth), what will happen when we exit? The two communities are very different, so how can we be certain that trouble will not continue?

Mr. Hoon: My hon. Friend raises important questions about the nature of the rebel force. During the past few weeks, I have certainly tried to understand what motivates the rebels, whether ethnic divisions exist and whether there are intellectually definable reasons why the rebels are active at present. The reality is that they appear to be motivated by no more than greed and a lust for power.

They do not control large parts of the country; they are extraordinarily unpopular in most areas. They control parts of Sierra Leone, but by no means all of it. It would be a false picture—if my hon. Friend sees it like this—to suggest that the area around Freetown is somehow controlled by the Government and the remainder is controlled by the rebels. The rebels control only parts of Sierra Leone and they have achieved that by ruthlessly intimidating the population, which is why they are so thoroughly detested.

Mr. Michael Howard (Folkestone and Hythe): In the light of the Secretary of State's previous answer and his earlier response to my hon. and learned Friend the Member for Harborough (Mr. Garnier), and in the context of the Government's so-called ethical foreign policy, will he explain the basis of their distinction between Mr. Sankoh, whom they imposed on President Kabbah as Vice-President and Minister of Mineral Resources, and Senator Pinochet, whom they proposed to extradite to Spain?

Mr. Hoon: The right hon. and learned Gentleman makes a very dramatic, but completely erroneous comparison. The reality is that we did not broker last year's agreement, which was the best arrangement that the international community thought acceptable for Sierra Leone. Mr. Sankoh was not imposed on Sierra Leone; an agreement was entered into, but Sankoh has breached that agreement and plunged the country again into a destabilising and savage civil war. It is vital that we are able to secure a situation in which that agreement is upheld.

Jane Griffiths (Reading, East): I fervently hope that the deployment of troops and, ultimately, the UN mission will be successful. Does my right hon. Friend agree that, to be sure that we can stem the tide of conflict zones not just in Sierra Leone but in many parts of Africa, we must address the politics of the diamond trade, which is fuelling conflict and scarring the heart of Africa?

Mr. Hoon: My hon. Friend is right. My right hon. Friend the Foreign Secretary made that point in his statement last week. I referred a moment ago to what appears to motivate the rebels, and undoubtedly greed and the diamond trade is uppermost in their minds.

Sir Peter Tapsell (Louth and Horncastle): How many British subjects are still in Sierra Leone who wish to be evacuated?

Mr. Hoon: None who wish to be evacuated are in Sierra Leone at the present time. We cannot be entirely sure how many remain. An estimate would be in the order of 400. Some will have made their own way out of Sierra Leone, so there may be less than that. As on previous occasions, not only in Sierra Leone but in other crises, our experience is that many people prefer to remain where they perhaps have a home and a business, and tough it out. Although we have strongly advised that British citizens should leave, I realise that a number of them will remain throughout the crisis.

Mr. Jeremy Corbyn (Islington, North): Although British troops went in with a clear mission to extract Commonwealth and European nationals, their objective seems now to have changed to that of a support mechanism for the United Nations. Why cannot British troops be placed under UN command, so that it is clear that they are part of the UN? Is there not a danger that, if they remain separate from the UN, they may be asked by President Kabbah's Government to undertake economic objectives, such as securing the diamond-producing areas for his Government? We need serious clarity on what the British troops are there for in the longer term.

Mr. Hoon: There is clarity, and I am sorry that my hon. Friend believes that, somehow or other, the mission has changed. The mission has not changed. It was made clear by my right hon. Friend the Foreign Secretary last week that the purpose of deploying British troops to Sierra Leone was to secure the evacuation of Commonwealth and European nationals, and at the same time to secure the airport for the reinforcement of the UN contingent. That remains the position, so nothing has changed. Those British troops have a particular and limited objective, which is precisely why they will not come under the control or command of the United Nations.

Mr. Martin Bell (Tatton): Is the Secretary of State paying attention to the lessons of other and earlier peacekeeping operations, which are that we either get all the way in or stay all the way out, that there is no third way, and that half measures risk lives unnecessarily? There is a case for a full commitment, but that could involve two fully equipped armoured brigades, which we do not have, or do not have available, after successive defence cuts. Bearing that in mind, is he happy with the situation in which we have a battalion plus of our finest soldiers in an African civil war without a single armoured vehicle?

Mr. Hoon: Although it is important that we learn lessons from earlier conflicts, it is equally important to recognise that no two conflicts are ever the same. It is important that we make judgments in the light of the particular conflict with which we are having to deal. For the moment, I do not anticipate the circumstances in Sierra Leone in which a substantial armoured brigade would be of any great assistance in the limited role that we have set for British forces, which is to protect and secure the airport, and to allow for the evacuation of British and other nationals. That is a precise role, and I disagree with the hon. Gentleman's view that it is impossible to find a middle way to deal with these issues, provided that we indicate clearly and precisely what we expect of British forces. We have done that, and I am confident that they can complete that mission successfully.

Mr. Jim Murphy (Eastwood): Given the uncertainty that my right hon. Friend has again spoken about this afternoon, may I discourage him from following the Leader of the Opposition and tying himself and our forces, who are doing such a marvellous job, to a specific time scale for withdrawal, but rather to remain committed to the specific tasks? Furthermore, in light of the rapid deployment of our personnel, will my right hon. Friend put more effort into the continuing discussions to establish a Europewide rapid reaction force, so that we can operate in concert with our European neighbours in such crises and civil wars?

Mr. Hoon: I will heed my hon. Friend's warning, and ensure that I do not follow the strictures of the Leader of the Opposition.

[Mr. Hoon]

I think this deployment demonstrates the importance of a concept for which Opposition Members have expressed some support—that of rapid deployment: sending forces quickly to a particular crisis or theatre. The importance of that was recognised at European level in the setting of the Helsinki headline goal. Obviously, the more all the European nations can fulfil that role, the more even will be the distribution of the burden—specifically that between Europe and the United States—and the greater will be the contribution that European nations can make.

Mr. John Maples (Stratford-on-Avon): The Secretary of State did his best to excuse the Foreign Secretary's misjudgment in the Lomé negotiations, but no Member should doubt that it was the Foreign Secretary who insisted that the unspeakable Mr. Sankoh be released from detention, that his death sentence be lifted and, furthermore, that he become a Minister in President Kabbah's Government.

Does the Secretary of State accept that, although nearly all of us—indeed, probably all of us—wholly support the use of British troops to evacuate British citizens and people for whom we are responsible, and although I would support the giving of financial, technical and logistic assistance to President Kabbah, I do not believe that British troops have any business fighting in a civil war in Africa? They are coming very close to that, and the Secretary of State for Defence will find it a lot more difficult to get them out than the Foreign Secretary found it to get them in.

Mr. Hoon: I shall deal with the hon. Gentleman's last point first. This was the final point that I made in my statement. We are not involved in a civil war; we are not taking sides in a civil war. Moreover, the Lomé accord was the result not of a British negotiation, but of a negotiation entered into by the parties. Those parties accepted that it was better, albeit difficult, to involve Sankoh in the process of government as the price that they must pay for peace and stability, rather than the continuation of an appalling civil war. It was a very difficult decision, and no doubt, with the benefit of hindsight, we might say that it possibly was not the most sensible decision; but at the time it was the best offer that was available.

Mr. Nicholas Soames (Mid-Sussex): Will the right hon. Gentleman pass my congratulations to the forces on their astonishing skill at arms in so quickly making a profound difference to the military situation in Sierra Leone?

Will the right hon. Gentleman also answer two questions? First, does he intend to retain logistic support for the United Nations from the Royal Fleet Auxiliary ships after the main forces have departed? Secondly, will military advisers left by the Government and the United Nations be United Nations badge troops?

Mr. Hoon: We have already given the United Nations some logistic support, and a number of requests have been made to us. We assisted, for instance, in flying the Jordanian reinforcements from Lungi to Hastings, another airport where the main body of the Jordanian battalion is located. We have engaged in logistic operations of that kind, and will continue to do so. I cannot give the hon. Gentleman a specific answer, because it will depend on all the circumstances as events unfold, and it would not be right for me to give such an undertaking at this stage.

As for the training forces, I do not expect circumstances to arise in which they will necessarily be UN cap badged. I made it clear in my earlier remarks that we would allow such a contingent to go into Sierra Leone only when we judged the circumstances to be safe, and it is plainly not safe at present for it to engage in training when a large number of people are still determinedly engaged in a civil war.

Sir David Madel (South-West Bedfordshire): A major plank of Government defence policy is close co-operation with France. Have the Government made a request for help from the French Government? If so, what was the response?

Mr. Hoon: We co-operate with a number of countries—with France, and with other countries around the world. In particular, we are currently co-operating with countries that have offered airlift, for example, to get reinforcements into Sierra Leone. We are discussing on a daily basis with countries such as Jordan, India and Bangladesh what kind of forces they will send into the theatre. That is a regular communication.

I know that a number of Opposition Members have become obsessed with the position of France. France is an important partner of the United Kingdom in a number of different organisations, and will continue to be so.

Mr. Keith Simpson (Mid-Norfolk): The Secretary of State has outlined the difficulties that the Government face. Having listened carefully not only to his initial statement, but to his replies to my hon. Friends, I find him slightly complacent. It seems to me and, I think, to many hon. Members, that the key to the seriousness of the matter is the fact that we have sent the Chief of the Defence Staff to Sierra Leone for four days. What will he do there? He has obviously not gone there to conduct a drill parade, or to inspect the Navy, Army and Air Force Institutes stores. Presumably, he has gone there to evaluate seriously the extent to which we will make a major commitment there. If his advice to the Government is that we must make such a major commitment, what will the Government's action be?

Mr. Hoon: I would be a lot more persuaded by the hon. Gentleman's assertions of complacency if he backed them up. He has just had the opportunity to say why he thinks the Government might be complacent, but he singularly failed to do so. Such rhetorical flourishes assist no one.

The Chief of the Defence Staff was already due to visit Sierra Leone. *[Laughter.]* I am sorry that right hon. and hon. Members on the Conservative Benches appear to believe in the conspiracy theory of politics. It is obviously something that they have been nurturing over their three years in opposition. The reality is—I repeat it for their benefit—that the Chief of the Defence Staff was due to visit Sierra Leone. Before he set off on that visit,

we discussed whether it would be sensible for him to go. He was keen to go there to see British forces in action on the ground—and quite right, too.

Mr. John Burnett (Torridge and West Devon): The Royal Marines on HMS Ocean have been off the coast of west Africa for three or four days now. The Secretary of State said earlier that that was a precautionary measure. I well remember that, after the Aden withdrawal, I spent some weeks off the coast of Aden cooped up in a commando ship. It is pretty frustrating. What plans does he have to get those troops ashore?

Mr. Hoon: I have to say that those troops have not been there for three or four days, but they are ready and available as a precautionary force, should we require them. However, there are no specific plans at this stage to reinforce the existing forces on the ground. We shall look at the situation as its unfolds, but, if it continues as it is, we might not even need those forces. They are there to provide greater flexibility to the force in Sierra Leone, should we require them.

Mr. Crispin Blunt (Reigate): When the situation in Sierra Leone is juxtaposed with the Prime Minister's speech in Chicago last year, it is almost a classic case of where intervention, on the Prime Minister's terms, should take place. The RUF is supported by Liberia, which sells the diamonds that the RUF controls in Sierra Leone. Otherwise, they are a bunch of gangsters who hold their position in the country by force of terror. As President Kabbah was democratically elected, there is a classic case for intervention.

Our troops are now on the ground. Unless the Government grasp the nettle of making the decision to get out, having discharged their obligations to the British national interest, surely they must, if they are going to take on a wider national interest, make up their mind to commit fully to a United Nations mandate, with the UK, in effect, leading a UN operation to sort out the source of the problem: the RUF's control of the diamond fields.

Mr. Hoon: I have had tide of the fax which the hon. Gentleman helpfully sent to the Ministry of Defence in urging the Government to commit British forces to a UN contingent. I am afraid that he has had no more success in persuading me than he has in persuading his own Front-Bench team.

We do not judge that it is appropriate to commit British forces to the UN contingent simply because they are contributing successfully to the UN mission by ensuring the security of the airport. That valuable task is providing the UN force with enormous confidence. It is a task that they are deployed to continue and to complete.

Mr. John Wilkinson (Ruislip-Northwood): Now that British forces have fulfilled their primary role in an exemplary fashion—namely, the evacuation of those British nationals who wish to leave—can the Secretary of State tell us who is paying for the enterprise? Is the money coming out of the sorely pressed defence budget, or is there a special account from which he can draw in the Foreign Office, labelled ethical foreign policy perhaps? Can he say what conceivable British interest, beyond the extrication of our nationals, merits putting British service men at risk over a prolonged period?

Mr. Hoon: We are keeping a close account of the costs—which, for the moment, are additional costs. We should bear in mind that some of those forces were already deployed on other exercises, so that they were already being paid for. Consequential costs are still being identified. We have agreed with both the Foreign and Commonwealth Office and with the Treasury that we shall continue to monitor those costs, and that we shall decide later their attribution between different Departments.

As for the hon. Gentleman's final comments, the reality is that we are there supporting the United Nations. We are there to ensure the evacuation of British personnel, and to fulfil our responsibilities as part of the international community. Those seem to be objectives that most hon. Members, at any rate, ought to support.

Point of Order

4.30 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. Madam Speaker will be thankful that this is not one of those points of order to which she has to say that she has had no request for a statement from a Minister. It is on a matter that I believe concerns the House of Commons.

Over the weekend, and not least in today's edition of *The Times*, there has been ample comment on the legal aspects of the Lockerbie case as it pertains to the Crown Office. We all understand that the Foreign Office and Ministry of Defence aspects of the case are matters for the House. I am concerned about the Crown Office aspects—which, incidentally, are the matters of the greatest contention. It is now argued that those matters are, of course, for Holyrood and the Scottish Parliament, and that the House of Commons has no locus whatever in discussing matters pertaining to the Crown Office in Edinburgh.

If Lockerbie had happened yesterday, it might have been a clear-cut case. However, as it happened 12 long years ago, and as it has been a matter of continuing comment, particularly in relation to Mr. Boulier and to Mr. Lumpart, his engineer, of Mebo, may I ask you, Mr. Deputy Speaker, to reflect—or to ask Madam Speaker to reflect with her advisers—on the issue of whether, if developments go forward as anticipated by serious members of the press, this is purely a matter in which the House of Commons has no say whatever? Some of us might think that, whatever view one takes, the House of Commons definitely has a locus in the issue.

Mr. Deputy Speaker (Sir Alan Haselhurst): I am sure that I am as grateful as Madam Speaker would be that, in this case, it is not a matter of giving the stock reply to the hon. Gentleman. However, I think that the matter tends to be more a matter for debate. Nevertheless, I shall of course ensure that Madam Speaker notes the hon. Gentleman's point of order, and, if a ruling on the matter can be given by the occupant of the Chair, undoubtedly it will be given. At first sight, however, it does not seem to be such a matter.

Fur Farming (Prohibition) Bill

Order for Second Reading read.

4.33 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I beg to move, That the Bill be now read a Second time.

The whole history of fur farming in the United Kingdom has not been a very happy one. Since its introduction, it has been dogged by escapes from fur farms that have resulted in very large public sums being spent on eradication programmes. The coypu eradication programme cost about—in today's figures—£4 million. Attempts to eradicate mink after escapes from mink farms, when they were established in the United Kingdom, cost about £1 million. Therefore, about £5 million has been spent on trying to deal with the consequences of escaped animals from United Kingdom fur farms. With the associated escapes have come environmental damage, damage to indigenous wildlife, damage to stock and feeding birds, and the unquantified cost of trying to deal with them by trapping and control.

A range of welfare concerns, about how animals are reared and kept in fur farms, has been expressed by the Government's own advisory body, the Farm Animal Welfare Council, and in independent research. There are also complaints from people who live adjacent to fur farms about smells, nuisance and flies.

The history of fur farms is not happy. The Government announced the introduction of the Bill on 22 November to fulfil our pre-election pledge to prohibit fur farming.

Mr. Desmond Swayne (New Forest, West): I acknowledge the strength of what the Minister has said, particularly in respect of the New Forest. The end to that environmental hazard is welcome, as is the end to a cruel practice. However, will he explain why, to achieve that desirable end, it is considered necessary to introduce into law what many of us feel is an obnoxious principle: that it is acceptable to farm for food, but not for pelt or fur? Could not the desirable objectives have been achieved at a lower cost?

Mr. Morley: No. I am well aware of the problems in the hon. Gentleman's constituency. As long as fur farms exist, there is no guarantee that there will not be further escapes and further environmental damage for all sorts of reasons. That is why his local authority strongly supports the Bill and is keen for it to progress. The leader of his local council, who is a Conservative, has written to me in support of the Bill.

Mr. Andrew Hunter (Basingstoke): Are we to understand that the Government justify their proposals on economic and environmental grounds and that they have abandoned the argument of public morality?

Mr. Morley: The principal reason is public morality. I have been rather generous in taking interventions before I have been able to set out the case and our justification for the ban.

A combination of factors make fur farming a matter of public morality. We believe that it is wrong to keep animals solely or primarily to slaughter for their fur.

Fur farming is not consistent with a proper value and respect for animal life. Animals should not be destroyed or bred for destruction without a sufficient justification of public benefit. Our detailed consultation and the many representations that we received from the public and other organisations showed that the majority of the public share that view.

Fur farming is distinct from food production. If the primary purpose of keeping animals is the production of food, that provides a sufficient public benefit to justify breeding them for slaughter. That is so even if the production of fur or hide is a secondary purpose to the keeping of the animal. That does not mean that high standards of welfare should not be applied in any rearing system.

Animals are live creatures. It is one thing to breed and kill them for food, because we have to eat to survive. In the balance between respect for the dignity of animal life and our survival, we put our survival first. We do our best to make sure that the animals that we slaughter for food are well treated.

Animals should not be killed for the sake of it or just for the business of stripping their skins off their backs—not in the 21st century. It is not the Government's philosophy. We also share the concern that many have for the welfare of farm mink. That is not our principal motivation for introducing the Bill, but we have sought to ensure the highest possible standards as long as fur farming continues.

Mr. John Bercow (Buckingham): Denmark, Finland, Italy and Spain have made observations and France has volunteered a detailed opinion about the Bill. When do the Government intend publicly to reply to those representations?

In the interim, will the Minister cease to advance the public morality argument, in the evident absence of a credible precedent for its use? Would not it be helpful in informing the debate if the Government published the legal advice they have received that apparently enables the Minister confidently to assert that the Bill conforms to the European convention on human rights?

Mr. Morley: I can certainly repeat that assertion. The hon. Gentleman may be aware that it is a convention that the Government do not publish their legal advice—a convention to which Conservative Governments have adhered in the past. The Government's response to the observations he mentioned is imminent, and we shall ensure that the European Union receives that response. While it is true that France submitted a detailed observation, including objections to the Bill, the hon. Gentleman did not mention that the Netherlands has made a submission that supports our position and backs our arguments. I stress that it is the Government's view that the Bill is compatible with the treaty of Rome and the European convention on human rights.

The Bill will make it a criminal offence, in England and Wales, to keep animals solely or primarily for slaughter for the value of their fur or for breeding progeny for such slaughter. It will provide a winding-down period extending at least until the end of 2002, and will allow the Minister to make a scheme providing for compensation for certain categories of loss. I understand that the Scottish Executive will introduce legislation to ban fur farming in Scotland. Consultation in Scotland revealed unanimous support for such a measure.

Mr. Owen Paterson (North Shropshire): The Minister is responsible for ensuring that a raft of European Union and British law on the welfare of caged animals is properly enforced. How can it be that rabbit A, kept in one cage under those regulations, can be raised and slaughtered for its fur legally, but—if the Bill is passed—the keeping of rabbit B, in an adjacent cage under the same conditions and monitored by the Minister, would attract a £20,000 fine for the person responsible, if he or she were caught? How can that possibly be logical?

Mr. Morley: The hon. Gentleman takes a simplistic view of the matter, which is unfortunately not unusual. It is our intention to end the fur farming of all species in this country. Cases in which the animal is not farmed predominantly for their fur, but in which the fur or hide is a by-product, will not be affected by the Bill. If we argue that we are against the breeding of animals for fur on moral grounds, we cannot have exceptions for certain species. The legislation must apply to all species. In the past, some species farmed for fur have clearly been kept in conditions that were not acceptable under any welfare standards in the modern age. Other species could be farmed in the future in this country, unless we have such a prohibition in place. Therefore, there is a sound and logical argument for applying the Bill to all fur farming in the UK.

Mr. James Gray (North Wiltshire): The Minister will be aware that because of the current state of the sheepmeat market some sheep are kept specifically for the purpose of producing sheepskin. Will that be banned?

Mr. Morley: I am not aware that sheep are skinned in the production of wool. The skins are a by-product of the slaughter industry, and sheep are not kept predominantly for that purpose. Sheep have no bearing on the Bill.

At present, only mink are farmed solely or primarily for their fur in the UK. There are currently 13 licensed mink farms in England and none in Wales. Other animals which can be farmed for their fur include arctic fox, chinchilla, raccoon dog, sable and fisher.

It is not intended to prohibit the keeping of animals where the primary purpose is the production of meat, with fur production as a secondary purpose, as is generally the case, for example, with the farming of rabbits, as I have already stressed. Nor—in response to the point made by the hon. Member for North Wiltshire (Mr. Gray)—will the Bill ban the production of fur or wool which can be clipped or shorn without slaughtering the animal, for example, the fur of angora rabbits or alpacas.

Mr. Gray: I am very grateful to the Minister for giving way a second time, and I am sorry that I did not express myself more clearly earlier. I was not referring to sheep that are shorn for their wool, but to the substantial number of sheep that are kept specifically to be slaughtered so that their skin can be used for such things as sheepskin coats. I hope that I have spelt that out sufficiently clearly for the Minister, who obviously did not understand me before. Will that practice be banned by the Bill?

Mr. Morley: I am not aware of any farmer who keeps sheep with the primary or sole purpose of producing

[Mr. Morley]

fleeces. Sheep predominantly are reared for meat. They are sent to slaughterhouses, and fleeces are a by-product. In that respect, they will not be caught by the Bill.

The import and export of fur products will not be affected by the Bill, as they are outside its scope.

The Bill has seven clauses. Clause 1 creates a primary offence of keeping animals primarily for slaughter for the value of their fur, or for breeding progeny for such slaughter. Moreover, I can tell the hon. Member for North Wiltshire that a sheep farm set up for no other purpose than to produce fleece coats would certainly be prohibited by the Bill.

It is immaterial whether the keeper or another person carries out the slaughter. Clause 1 also creates the secondary offence of knowingly causing or permitting another person to keep animals for the prohibited purpose. Both offences can be committed by a company or an individual.

A person who keeps animals partly for slaughter for the value of their fur and partly for another purpose will be guilty of the offence only if slaughter is the primary purpose for keeping the animals. Under no circumstances that I know of does that happen in relation to sheep.

The definition of "value" is the commercial value of the fur. We anticipate that there will be relatively few cases in which a person is guilty of the secondary offence. An example would be where the director of an overseas company might have caused the company to have committed that offence. For both the primary and the secondary offences, the penalty on conviction is a fine not exceeding £20,000.

Clause 2 gives the court power to make an order for the forfeiture and destruction or other disposal of the animals following conviction for either the primary or secondary offence. A person claiming to have an interest in the animals may apply to the court to resist the making of a forfeiture order.

Clause 3 deals with the effect of a forfeiture order. It provides a right of appeal to the Crown court for anyone claiming to have an interest in the animals being forfeited.

Clause 4 gives a power of entry and inspection to enable the evidence of an offence to be gathered, and gives a power to enter premises to carry out a forfeiture order. Intentionally obstructing or delaying any person in the exercise of either power of entry will be an offence. The maximum penalty for such offences will be a fine not exceeding level 3 on the standard scale, which at present is £1,000.

Clause 5 requires the Minister of Agriculture, Fisheries and Food to make a scheme for paying compensation to fur farmers who incur losses as a result of the banning of fur farming. The clause also allows the National Assembly for Wales to make a compensation scheme.

Mr. John Burnett (Torridge and West Devon): The Minister will recall that he and I discussed compensation and other matters in relation to the original Bill. Will he elaborate on that point later in his speech?

Mr. Morley: I can deal with that point now. The original Bill was put forward by my hon. Friend the Member for Liverpool, Garston (Maria Eagle). I pay tribute to the work that she did in bringing the Bill forward and exploring many of the arguments. The original Bill did not provide for compensation for income forgone. When that Bill was being considered in Committee, I gave an undertaking that the Government would consider an amendment that would not rule out the provision of compensation for income forgone. Provision for potential compensation for income forgone has been made available as part of the detail of the Bill.

Mr. Burnett: Given the draconian nature of Bill, surely it is only fair that people should be compensated on an arm's-length basis? That means that they would receive the market price for a business sold as a going concern.

Mr. Morley: The Bill contains provision to set up a compensation scheme. There will, of course, be consultation with interested parties about the nature of the scheme, and about how it should be constructed. There will also be provision for independent arbitration, and a reference to the Lands Tribunal. I think that that covers the hon. Gentleman's point.

We are trying to be as fair as possible about this. That is why the Fur Breeders Association of the United Kingdom has written to the Government saying that although the abolition of fur farming would not of course be its preferred option, it wants the Bill to progress. There has been an element of doubt and uncertainty in relation to their members' businesses, which, it is quite right and proper, should be addressed as speedily as possible by the House.

Mr. Burnett: I am extremely grateful to the Minister for giving way again and to right hon. and hon. Members for their patience. Some of the dwellings on fur farms are covered by planning conditions restricting the use of those dwellings as ancillary to fur farms or agricultural use. Will the Minister confirm that instructions will be given from the Department of the Environment, Transport and the Regions to local planning authorities to allow them to overcome the restrictions and be sympathetic to lifting them?

Mr. Morley: This is rather a detailed point which has to do with the structure plans and planning priorities of local planning authorities. They will have their own views on this matter. There are alternative uses for fur farms, which are agricultural. Therefore, the provision for the house would not change in relation to some of those uses.

I want to be helpful to the hon. Gentleman, and I do not doubt that once we start detailed consultation on the compensation schemes, planning will be discussed. I will be more than willing to consider and discuss that issue to assist existing fur farmers in diversifying into other businesses. I can give the hon. Gentleman that undertaking.

Mr. Hunter: I recall that in the Standing Committee considering the private Member's Bill last year, the Minister stated that detailed discussion of compensation was under way. Are we to understand that there has been no advance on that discussion in the light of the failed private Member's Bill last year?

Mr. Morley: No, with respect to the hon. Gentleman, I do not recall saying that detailed discussion was

under way. There cannot be detailed discussion on compensation without this Bill, which puts in place the mechanism for compensation. This is an enabling Bill: the compensation scheme will follow, after statutory consultation and the laying of a statutory instrument. We cannot have detailed discussion until then. It is certainly true that we have been giving thought to how it will work, but we cannot finalise the details until we have had a chance to have a proper discussion and consultation with those who are affected.

Such a scheme will provide for compensation to be paid, whether or not the fur farmers are still in business when the ban comes into force. The details of the compensation package are not contained in the Bill, as I said, but will be the subject of secondary legislation once the Bill becomes law. Only licensed fur farming businesses in existence on 2 March 1999 will be eligible to claim compensation. Fur farmers were reminded on 30 November 1999 of that cut-off date, which was originally announced when my hon. Friend the Member for Garston presented her private Member's Bill in the previous Session. No compensation will be payable for expenditure on assets acquired after that date. Existing fur farmers have been notified of that.

It is envisaged that the scheme will be used to pay compensation where assets cease to have a use and the investment cannot be recouped by resale. I will decide whether to compensate for income after the consultation exercise, and the form that compensation will take.

Principal assets of fur farming are the land, buildings and equipment, breeding stock and young-stock for slaughter. No compensation should be required for the land, as it has alternative uses. Compensation may be required for buildings and equipment that do not have alternative uses. Compensation may be required for wastage of some livestock over a winding-down period of two to three years. Disputes over compensation claims would be settled by arbitration or the Lands Tribunal.

Clause 6 provides that the power to authorise a person to exercise the power of entry and the power to make a compensation scheme rests with the Minister of Agriculture, Fisheries and Food in England and the National Assembly for Wales.

Clause 7 requires the Minister to make a commencement order for the ban to come into force. That may not be done before 1 January 2003. The Bill will thus provide a winding-down period extending at least until the end of 2002.

Mr. Burnett *rose—*

Mr. Morley: I think that I may be able to answer the hon. Gentleman's point. The purpose of delayed commencement is to give fur farmers an opportunity to adjust their affairs and wind down their businesses in advance of the ban. In particular, it provides an opportunity to slaughter any existing stocks of animals; to give notice to employees; to make arrangements for future employment and the future use of land on which animals are currently kept; and to avoid incurring new capital expenditure, other than any incurred for the purpose of complying with any statutory obligation.

Mr. Patrick Nicholls (Teignbridge): Would the Minister clear up a point for me? Since neither the eating of meat nor the wearing of fur is essential to human life, what is the moral distinction between the two?

Mr. Morley: Meat is a food source. I recognise that some people do not eat it, but they are in a minority in our society, which depends on meat production as an important food source. There is a clear distinction in that sense.

The power to make a compensation scheme will come into force two months after the Bill receives Royal Assent. The power can be exercised to enable compensation to be paid to fur farmers who close their businesses in advance of the date on which the ban comes into force.

The Government's view is that the Bill is compatible with the treaty of Rome and the European convention on human rights. The Government consider that, although the ban arguably has an equivalent effect to a quantitative restriction on imports, it is lawful under European Union law, being justified by article 30 of the EU treaty on the ground of public morality. As I have just outlined, there will be a winding-down period before the ban comes into force. Together with the payment of compensation for certain categories of loss, that will ensure, in the Government's view, that the Bill is compatible with the convention.

Many people have pressed the Government to introduce this Bill. I am glad to be able to move its Second Reading. There is considerable support for it in the country, and the fur farmers themselves want an end to a period of uncertainty. They want us to proceed with this measure in order that they may begin detailed discussions on compensation and phase fur farming out in a reasonable and orderly way.

I am convinced that the keeping of animals solely for fur is not justified on moral grounds in today's society. The Ministry has been involved in prosecutions in relation to welfare problems associated with fur farms. I will be happy to make available to any hon. Member who wants them the details of those prosecutions, including video and photographic evidence.

This reasonable measure has long been awaited, and I hope that it commands support from all right hon. and hon. Members.

4.58 pm

Mr. Malcolm Moss (North-East Cambridgeshire): The Bill sets a precedent, and an unwelcome one. Never before have a Government proposed an outright ban on a particular form of farming. We do not believe, and our view is endorsed by the National Farmers Union, that any Government should introduce legislation that seeks to criminalise the legitimate farming activities of a section of farmers. The Bill goes far beyond measures taken by successive Governments to regulate and enforce, but not dictate, what farmers can and cannot do in a free society.

The Minister has claimed that the NFU and fur breeders support the Bill. That is not strictly true. Many fur breeders are frankly desperate after years of harassment by animal rights protesters—perhaps a better description is animal rights terrorists. Faced by a Government with a huge majority who are intent on closing them down, those fur breeders are only too happy to throw in the towel, provided—the main point—that there is fair

[Mr. Malcolm Moss]

compensation. In no way can their capitulation be described as support. There has been coercion, in tooth and claw.

The Bill does not have the support of the National Farmers Union, either. Most of the farmers affected are NFU members. If there is a legitimate welfare concern, the NFU would support measures to underpin the delivery of high standards of animal welfare through regulation. However, that is not the Government's intention.

Angela Smith (Basildon): I am interested in the hon. Gentleman's comment that the NFU would support measures to improve the welfare of mink on mink farms. What measures has the NFU supported to date?

Mr. Moss: It is not for the NFU to introduce legislation to control mink farming. The Government could have introduced such restrictions and regulations, but they have not done so—they have proposed a complete ban. However, I shall develop my argument on that point later.

Mr. Gray: Perhaps I can help my hon. Friend, as he may not have the relevant briefing to hand. The NFU strongly supported, among other provisions, the Mink (Keeping) Regulations 1975, the Mink (Keeping) (Amendment) Regulations 1997, the Agriculture (Miscellaneous Provisions) Act 1968, the Welfare of Animals (Slaughter or Killing) Regulations 1995, and the Council of Europe convention on the protection of animals kept for farming purposes, dated 1991. The NFU supported all those measures for the improvement of standards in mink keeping.

Mr. Moss: I am grateful to my hon. Friend for those details. The Government have completely ignored the NFU's recommendations.

The Government do not intend to introduce regulations. They hardly bother to justify their actions by reference to the welfare of mink on those farms. They know only too well that conditions are not wholly unacceptable; many farms are operating on lines identical to those of their European competitors. However, if there was an overriding animal welfare case for more stringent regulations and tighter controls, those measures would find acceptance on this side of the House, with the NFU and—I suspect—with fur farmers.

Why do the Government not take that road? One cannot but conclude that they are hung up on some warped ideology and skewered on the peg of political correctness.

The Bill is poorly drafted. Despite warnings during proceedings on the private Member's Bill last year, it is still not clear whether other farmers could inadvertently be caught by its provisions. There is a potential problem for farmers who breed rabbits for both meat and fur; they could find themselves on the wrong side of the law, if—when the value of the fur exceeded that of the rabbit meat—they could be accused under clause 1 of keeping animals

> solely or primarily . . . for slaughter . . . for the value of their fur.

That problem could be overcome if the measure specified the species of animal to which it applies, rather than introducing a generalised catch-all. One is left feeling puzzled as to why the Government have not tried to rectify that anomaly.

Not only is the Bill poorly drafted, it is conceptually and legally flawed. Its conceptual flaw is that no reasoned justification has been given—although the Minister had ample opportunity to give one in his opening remarks. Its legal flaw is that it appears to run counter to European Union legislation.

A most telling contribution to the debate, and to discussion of fur farming in general, lies in an illuminating and interesting memorandum, dated 7 December 1999, from the legal experts of COPA—the Committee of Agriculture Organisations in the European Community—and COGECA—the General Committee for Agricultural Co-operatives in the EU—on the legality of national welfare measures from an EC perspective.

The key legal position is set out in Council directive 98/58/EC, which aims to establish common minimum standards for the protection of animals kept for fur farming. Under the directive, a member state can apply stricter provisions for the protection of animals kept for farming purposes within its own territories, but that opportunity is limited—this is the important point—by articles 28 and 29 of the EC treaty, as well as by the general principles of Community law; for example, the principles of proportionality and non-discrimination as defined by the Court of Justice.

Articles 28 and 29 refer to changes in the national production of certain products, including a ban that would influence trade between member states and could thus be construed as having an effect equivalent to quantitative restrictions. As for non-discrimination—one of the fundamental principles of Community law—comparable situations should not be differently treated unless the difference is objectively justified. The Commission's memorandum states:

> It is difficult to justify objectively stricter national measures or even a national ban when, at European level, scientific evidence suggests this kind of production.

Perhaps the most telling judgment in the memorandum is that which refers to proportionality. In the view of its authors:

> A national ban of a certain type of production would be considered disproportionate if it could be shown to have been "manifestly inappropriate in the aim of animal welfare".

Furthermore, the authors point out:

> Stricter national measures or even a ban motivated by ethical or political grounds, not limited to genuine or justified animal welfare, seem to be incompatible with the principle of proportionality.

Those are truly damning indictments. There can have been few, if any, Second Readings of a Bill on which the Minister involved has given such a totally unsatisfactory and poorly reasoned justification for legislation as that given by the Minister today.

Maria Eagle (Liverpool, Garston): If I have caught the tenor of the hon. Gentleman's remarks correctly, he seems to be suggesting that the Opposition will oppose the Bill. Will he explain why, in the previous Session when I was the Member in charge of a Bill that was almost exactly similar, the Opposition did not oppose it?

Mr. Moss: The hon. Lady will have to wait until the end of the debate to find out what will happen. In the main, we oppose the Bill, but we shall not vote against its Second Reading; there will be a free vote.

Mr. Nicholls: My hon. Friend, whose researches have obviously been legion, will recall that, when I was the

Opposition spokesman on this subject, I said that the previous Bill's supporters had to answer a number of questions. To the best of my knowledge, those questions have yet to be answered. Is that not the answer to the hon. Lady's point?

Mr. Moss: My hon. Friend's point is well made.

Last year, on the Second Reading of the previous Fur Farming (Prohibition) Bill, which was promoted by the hon. Member for Liverpool, Garston (Maria Eagle), the Minister spoke of the Government's determination to end fur farming, primarily on animal welfare grounds. The Government's emphasis now, in justifying this Bill, has been on the grounds of public morality. They have said—the Minister reiterated these points today—that they remain

> convinced that no moral justification exists for fur farming in the U.K.

and that

> there are over riding moral arguments in favour of a ban and a general public interest in removing this particular source of livelihood.

However, as I have pointed out by quoting from the Commission's memorandum, the public morality line—lifted, it would seem, by a rather desperate Government from article 30 of the EC treaty—would certainly be challenged, and would most likely fail, under the tests of non-discrimination and proportionality. As my hon. Friend the Member for Buckingham (Mr. Bercow) pointed out, Finland, Italy, Spain and Denmark have written to the Commission about the Bill and sent in their observations, while France, as the Minister confirmed, has submitted a detailed opinion. Because a detailed opinion has been sent, it is my understanding—perhaps the Minister could confirm this when he winds up—that the Government cannot approve the Bill until June. Meanwhile, they are obliged to respond to that French detailed opinion. The Minister confirmed that the Government have not done that yet, so it may help us to know when the Government propose to ask for the detailed opinion from France.

So that there is no doubt as to what is covered in directive 98/58/EC, I make it clear that its definition relates to all animals

> bred or kept for the production of food, wool, skin or fur or for other farming purposes.

However, the memorandum to which I referred earlier points out:

> With the adoption of Directive 98/58/EC concerning the protection of animals kept for farming purposes, a national ban on certain types of production of animal species which are covered by this Directive and covered by common Organisations of the Markets is no longer possible.

The Minister's own advisers and the other civil servants in the Ministry of Agriculture, Fisheries and Food must have serious reservations about the Bill. If they are so confident that it conforms to European law, why did they think it necessary to notify the Commission about it? Why was it also deemed necessary to include in the Bill a statement from the Minister of Agriculture, Fisheries and Food on his interpretation of the European convention on human rights? That is certain to be tested in court, as the Bill appears to breach a fundamental right guaranteed under protocol 1, article 1, which states:

> every legal person is entitled to the peaceful enjoyment of his possessions.

Of course, in law, possessions include farm animals. The Bill may also breach article 14, on discrimination.

In light of the Minister's failure to address those legal questions, we—along with the National Farmers Union—call on the Government to publish the legal advice from which they concluded that the proposed ban was compatible with EU law.

Given the sheer weight of that legal opinion from the EU, one is horrified and perplexed by the Government's attitude. Why are they blindly pressing ahead with the Bill, which was not a manifesto commitment, although it was mentioned in Labour party dispatches? It will not influence the wearing of fur—which, apparently, is now on the increase—or affect fur farming elsewhere in the EU. The Bill will simply hand an increased market share of fur production and trade to our EU competitors. As I have said, it has already provoked a reaction from other fur-producing countries, which are now committed to taking the Government to the European Court.

If the Bill is passed, compensation to producers—to which I shall return later—will entail a cost to the taxpayer. Sums ranging from £500,000 to £5 million, which could be much better spent on other Government services, will be involved. What are the Government's priorities? What is one to make of a Government who set as a priority for parliamentary time a Bill that will, on the spurious grounds of public morality, rob of their livelihoods 13 innocent farmers who are operating legally—especially as regards EU law?

The issue is no longer one of animal welfare. The living conditions of mink on fur farms are not in question. The Bill demonstrates the Government's fixation with presentation, which they put above substance, and with populism, which they put above the rights of minorities.

Mr. Morley: In my opening remarks, I explained that animal welfare was one of several issues relating to morality. A recent report from Nimon and Broom outlines welfare problems with the keeping of mink, stating:

> The high level and pervasiveness of stereotypies among farmed mink and the incidence of fur chewing and even self-mutilation of tail tissue, suggest that farmed mink welfare is not good.

Mr. Moss: That is hardly a public morality issue of the kind that the Government seek to use to justify the Bill. Indeed, it is an animal welfare issue, and, as we have just said, animal welfare is no longer at the forefront of the Bill.

We welcome the fact that improvements to the earlier private Member's Bill have been incorporated in the Bill. It is proper that consultation should take place with fur farmers under clause 5(3), and that disputes should be referred first to arbitration under clause 5(4)(b) or for determination by the Lands Tribunal under clause 5(5). Frankly, that procedure is so painfully drawn out and laborious that the provisions are hardly worth the paper on which they are printed.

The restriction in the private Member's Bill excluding losses of income from any compensation scheme has now been dropped, but there is still no guarantee in the Bill that claims for losses of income will be eligible. It is important for all concerned, and in the interests of natural justice, that the Minister, in his wind-up speech, give an assurance that compensation will cover loss of income.

[Mr. Moss]

The industry genuinely fears that the Government intend to cheat it. Paragraph 26 of the explanatory notes speaks of compensation costs of £400,000 for assets,

and perhaps four times that amount if income were to be compensated.

That £1.6 million would be totally inadequate, given the size of claim from one producer alone of some £5 million.

Fair compensation—this point has already been raised—should be the value of the fur-farming enterprise at an open market sale price in the context of a willing purchaser under current European legislation. Anything less will be seen as robbery and a reneging on a verbal agreement given by the Government.

A cynic might well conclude that, having failed in their manifesto commitment to ban fox hunting—effectively caving in to a perceived backlash from the countryside—the Government have cast around for some other issue to satisfy the demands of the animal rights lobby—which, lest we forget, gave £1 million to the Labour party before the election. Bingo, there on the shelf was the Fur Farming (Prohibition) Bill, promoted by the hon. Member for Liverpool, Garston. It was the only animal rights issue on the shelf.

Mr. Gray: I have a small correction. My hon. Friend gave the impression that there was a Labour party manifesto commitment to ban fox hunting. There was of course no such commitment; there was a commitment merely to a free vote on the issue. Equally, however, there was no Labour party manifesto commitment to ban fur farming.

Mr. Moss: I agree with my hon. Friend's second point.

The real reason for the Bill before us is a Labour party commitment to the animal welfare lobby, from which, of course, it received a handsome payment. It is a pay-off to that lobby, despite the fact that it is certain to be challenged in the European court, will incur considerable costs, and sets out to crush the legitimate interests of a tiny minority. This Government are blundering on with specious legislation because of their vindictive political correctness.

5.16 pm

Mr. Gerry Steinberg (City of Durham): I am delighted that the Government are at last taking action to end one form of animal cruelty and to fulfil a pre-election pledge—not before time. It has taken them three years, but better late than never. I have long hoped that such a Bill would become law. Indeed, I tabled an appropriate early-day motion way back in June 1997, which had considerable support from hon. Members. I am therefore delighted at this Second Reading.

Today's debate allows the House to decide whether the welfare implications concerning farmed animals, and public concern over the breeding and killing of animals for no more than fur, are sufficient grounds to outlaw the legal practice of fur farming. Doing so is a responsibility that I take very seriously. Under the United Kingdom's constitution, we may all do what we like unless there is a law against it. That means that, as law makers, we must carefully consider when overall liberty should be curtailed. Having considered that issue, I reached the conclusion many years ago that fur farming should definitely be banned.

I am sure that my view reflects that of the majority of people in the United Kingdom—even, I understand, representatives of the National Farmers Union, who have not asked hon. Members to vote against the Bill. The NFU has certainly not contacted me, even though when it wants something desperately, it normally ensures that it makes contact.

The Government have justified their support for the Bill on the ground of public morality—we have just heard the argument. My support for the ban is based predominantly on animal welfare grounds—and I make no bones about that. The downright cruelty that fur farming generates must be stopped.

At this time of year, mink in fur factory farms are giving birth. After six months of hell in small cages, their offspring will be killed, ultimately by gassing—in order, frankly, that some pretentious person may end up wearing a mink coat. I find that totally objectionable. In this morning's edition of the *Financial Times*, an article headed, "Attempt to ban fur farming may go to European Court", was accompanied by a photograph of a fur farmer in Finland, showing the cages in which the animals are kept.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Steinberg: In a minute.

The cages are not even big enough for the animals to turn round. That is absolutely disgusting, and it is one reason why I firmly support the ban.

Mr. Nicholls *rose—*

Mr. Gray *rose—*

Mr. Steinberg: I give way to the hon. Member from—

Mr. Gray: From where?

Mr. Steinberg: From Teignbridge.

Mr. Nicholls: The hon. Gentleman makes his point about the cruelty caused to animals, well knowing that current legislation could deal with that in any event. Will he comment on the Parliamentary Secretary's remark that the moral distinction between eating meat and wearing fur is that only a minority wear fur? Does the hon. Gentleman accept that analysis?

Mr. Steinberg: Yes, absolutely. I make no apologies for saying that I find the practice of farming and producing animals purely for cosmetic value to be distasteful and disgusting. I agree with my hon. Friend the Minister, but my view is clear as well.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Steinberg: No. I shall continue for a little longer and then I will let the hon. Gentleman intervene.

Mr. Morley: Will my hon. Friend give way?

Mr. Steinberg: Yes, certainly.

Mr. Morley: I am grateful. I am sure that my hon. Friend would not want the hon. Member for Teignbridge

(Mr. Nicholls) to misrepresent my remarks. I did not say that the difference between meat and fur was that one was a minority interest and the other was not. Food production is an essential part of our society, but the production of fur in this country is non-essential, because there are many other options.

Mr. Steinberg: I am delighted that my hon. Friend has made the point clear for the *Hansard* record. As I have said, my view is clear as well. If an animal is produced purely for cosmetic value, that is a disgraceful industry that should be stopped.

Fur farming is not a huge industry in this country. We are all well aware that there are about only 13 farms breeding mink. The animal is not indigenous to the UK, and it needs an environment that is difficult to replicate in the caged conditions of a fur farm. Mink were brought here only for the purposes of the fur trade. Poor husbandry led to inevitable escapes into the countryside, and most hon. Members know that mink cause considerable damage and havoc when let loose.

Concern about the poor standards on mink farms led to mink-keeping regulations being passed by Parliament. Those led to an improvement over the years, but by the 1950s and 1960s the United Kingdom had an established population of feral mink. Such was the Ministry's concern that during the 1960s it financed an attempt to obliterate mink from the countryside. However, numbers had grown so large that the campaign had to be abandoned.

In more modern times, mink escapes have been due to inadequate husbandry and to the actions of various animal rights groups. Their concern about the conditions in which animals are kept and about their ultimate fate is undoubtedly well meaning, but the impact of releases has been devastating in the areas upon which they have been inflicted.

Mink may be here to stay in the UK, and the legacy that fur farming will leave in the countryside will need managing for some time. Ironically, some research shows that mink numbers are being reduced in areas where otter numbers are increasing and otters are reclaiming their natural aquatic environment. The irony is that otter numbers have risen in part because of a ban on their being hunted by dogs. That method has also been used to control mink numbers, but in a rather unsatisfactory way, because of the damage caused to sensitive riverbank environments. It is an argument for another day, but it is worth noting that mink have been better controlled by a ban on hunting with dogs than they were by the other legislation.

It is the semi-aquatic environment needed by mink that is so difficult to provide on a mink farm. Indeed, there is no attempt to provide it. We have all had the opportunity to see footage of the conditions in which mink have been kept in this country. They have been inadequately housed and there have been poor welfare standards. There are signs of cage madness in their behaviour, and even cannibalism. It is not a pretty sight, and it is unacceptable.

I expected Conservative Members to ask, "Have you been to a mink farm?" The answer is that I have not. However, no one can deny that the conditions that we have seen on film are wrong. Nor can the fairly recent convictions for cruelty on fur farms be disputed.

My hon. Friend the Member for Brigg and Goole (Mr. Cawsey), who chairs the parliamentary group on animal welfare, is in hospital, but he hopes to come to the House tonight for the vote. He debated the point on Radio 5 with a fur farmer. I remember him asking for the opportunity to visit the farm. He was told by the fur farmer that he could come by all means, but only if adequate prior notice of his visit was given. That tells us much about fur farms in the United Kingdom.

Some hon. Members will undoubtedly argue that if the problem is one of standards, we should pass legislation to deal with it. I cannot agree. I do not believe that adequate standards for creatures such as mink will ever be in place in fur farms.

Mr. Julian Brazier (Canterbury): Does not the hon. Gentleman see an inconsistency between admitting that legislation on fur farms is already in place and has led to convictions in some cases, and supporting a Government who allow the free import of meat from many parts of the world, including other parts of Europe, where animal welfare standards are abysmal?

Mr. Steinberg: I entirely agree with the hon. Gentleman. I only wish that the Government had the power to prevent such meat from coming into the country. We do not have that power, but we have the power to prevent mink farming. That is within our jurisdiction. If he wants to introduce a private Member's Bill to stop the imports that he describes, I shall support him vigorously.

Mink farmers have had the entire 20th century to meet the standards, and have not done so. That answers the hon. Gentleman's point. Under existing legislation, convictions for cruelty still take place. Clearly, that legislation has not worked.

Mr. Gray: I am grateful to the hon. Gentleman for giving way. It is a tragedy that many people in Britain are cruel to their pet dogs. Plainly, the legislation to prevent cruelty to pet dogs is not working. Would he argue that we should ban the keeping of pet dogs, because some people are cruel to them?

Mr. Steinberg: I would certainly ban some people from keeping pet dogs. Again, if the hon. Gentleman wants to do something about that, I shall support him. I entirely agree that there are many people in this country who are irresponsible and should not be allowed anywhere near a dog, let alone be allowed to keep one.

Every chance has been given to stop cruelty to mink, without success. The end product is by no means a necessity. It is not a by-product of a farm that is producing food or fulfilling any useful need. I cannot support the continuance of what might be described as vanity farming, considering all that the animals go through so that what some people consider a superior item of clothing can be produced.

Over the years, there have been many campaigns on the issue, with many memorable slogans. Perhaps the one that most people remember is that fur coats are worn by beautiful animals and ugly people—a powerful statement, but perhaps a little unfair. It should say ugly, naive and uninformed people, but the general point is strong.

As for compensation, I have heard the argument that there should be none, as fur farmers have exploited the animals for long enough and made enough money out of it not to be compensated. However, I do not accept that. If the ban is successful, there is a legitimate need to

[Mr. Steinberg]

compensate those who will lose their livelihood as a result of the legislation. All fur farmers are entitled to compensation, but it will not be automatic. The Bill should make it automatic.

I understand that some kennel owners wanted compensation after the introduction of the passports for pets scheme, but were unsuccessful on the grounds that that was only part of their business. For some fur farmers, that is their entire business. Compensation will help them to get out of the industry or to diversify into some other form of farming or trade.

For many people in this country, fur farming is an awful, unnecessary trade. However, those who undertake it are currently entitled to do so by law. They should therefore be reimbursed accordingly. I understand that even the Fur Breeders Association wants the law sooner rather than later, because the current uncertainty makes life hard for those who are left in the business.

I hope that hon. Members will support the Bill. It is said that the extent to which a country is civilised can by judged by its treatment of animals. In many ways, we should be ashamed of ourselves. Let us consider my part of the country. The Royal Society for the Prevention of Cruelty to Animals recently conducted a survey, which found that some people in the north-east of England treated animals disgracefully. I wish that we could stop all cruelty.

Tonight we have a duty to show an example and make it clear that animal cruelty cannot be condoned in any form, regardless of where it takes place. I am confident that hon. Members will support the Bill vigorously, and that it will not be long before we are back again to abolish another obscenity—fox hunting. We are a civilised country; I presume we are a civilised House. Let us prove that by walking through the Lobby together tonight and ending the awful, unnecessary trade of fur farming.

5.31 pm

Mr. Norman Baker (Lewes): I welcome the fact that the Government have finally found a slot in their timetable to discuss the Bill. I introduced a measure to outlaw fur farming in the 1997 Session. It was vetoed by the Labour Whips, allegedly because it was badly drafted. However, they made no attempt to improve it.

We are considering an issue that affects few people in this country. Mink were first introduced to the United Kingdom by fur farmers in 1929. Forty years later, there were more than 600 farms. However, several high-profile campaigns and a clear change in the public mood meant that, by 1982, there were only 68 farms. Now there are only 13.

Public disquiet is not felt only by animal welfare "terrorists" as the hon. Member for North-East Cambridgeshire (Mr. Moss), the Conservative Front-Bench spokesman, rather unwisely and unfortunately called them. The majority of the public—75 per cent. in the most recent MORI poll—believe that fur farming should be banned. We must take that view into account. The Farm Animal Welfare Council, which is the advisory body to the Ministry of Agriculture, Fisheries and Food, condemned fur farming and refused to issue guidelines for the welfare of the animals.

Our debate is not about the fate of 13 individuals or fur farms. Thirteen is such a small number that the Treasury should be able to find sufficient compensation for those farmers. I hope that the Bill will provide for proper compensation. The farmers are currently undertaking a legal activity, which they will be unable to continue when the Bill is passed. They should therefore be compensated.

The debate is about when it is right to ban a legal activity. Parliament should be careful before taking such a step. We are considering when it should be right to impose such a ban. That gives rise to genuine philosophical divisions, not necessarily on party lines. The Minister made an interesting distinction, which I have not heard him make previously, between animals that are reared for food production and those that are reared for what he described as non-essential production. On that basis, the Government should introduce a Bill to ban fox hunting and other forms of hunting. If that is the Government's basis for outlawing fur farming, we must ask why they are not introducing a measure to ban hunting. If they want to be consistent, they should. They have not done so, but if they do, I imagine that those who run hunt kennels will be compensated. Our approach to such matters should be consistent.

Mr. Hunter: I, too, am fascinated by the Government's argument, but perhaps the hon. Gentleman could widen his thoughts. Why should a distinction be drawn between what is essential and non-essential only in farming? For example, I am tempted to say that homosexuality is non-essential, so why do not the Government ban homosexuality?

Mr. Baker: The Bill does not have 28 clauses, so I shall sidestep that intervention, which takes us a long way from fur farming. I am sure that you would rule me out of order, Mr. Deputy Speaker, if I attempted to deal with that point.

The genuine debate is about the extent to which animals have rights. People talk about animal rights or animal welfare, but they are not quite the same. Animals have rights and we, the human race, have to ensure that our behaviour does not remove their basic freedoms. I fully respect the fact that that is not the view of other hon. Members.

Mr. Bercow: Does the hon. Gentleman accept that rights are always and everywhere the converse of obligations?

Mr. Baker: I think that I would, if I fully understood the legal term that the hon. Gentleman uses, but rights apply to those who are in charge of a situation and to those who are subject to it. Therefore, our role—and subsequently that of the courts—is to balance that. If we accept that animals are not the same as agricultural goods, we have to deal with them differently.

Animals were defined as agricultural goods in the treaty of Rome, but that definition was subsequently changed so that they are now classed as sentient beings. I am very glad about that change, which was the result of pressure from a range of people, including members of my party. Animals should not be regarded in the same way as potatoes, so it was unfortunate that the hon. Member for North–East Cambridgeshire suggested that animals are possessions. That is out of line with EU definitions.

We should recognise that animals can feel and that they suffer if certain basic requirements are not met. They are not the same as inanimate possessions, so we are in different territory, which is why it is right to consider banning activities that are detrimental to animals and why I favour a ban, even though it is not the natural Liberal inclination to ban things. This is a difficult conundrum, but it is clear that such a ban is justified.

I have mentioned public perception. The latest poll shows that, as well as 75 per cent. of British people thinking that fur farming should be banned, only 4 per cent. ever wear fur and 85 per cent. think that the trapping of animals for fur should be banned. We should take account of public opinion, and it is clearly on one side of the argument.

The hon. Member for North-East Cambridgeshire made some interesting points on the legal position and I hope that the Minister will reply to those genuine questions.

Mr. Nicholls: The polls show that between 65 and 80 per cent. of the British public want capital punishment to be reintroduced. Does the hon. Gentleman agree with that?

Mr. Baker: I agree that Parliament must always give weight to public opinion; it is not the determining factor, but it must be taken into account when decisions are taken in the House.

I understand that Britain is not alone in introducing such legislation. Switzerland effectively ended fur farming in 1978, bar allowing animals such as mink and fox to be kept only under zoo conditions. In 1998, the Netherlands began a 10-year phase-out of fox and chinchilla farming. The last mink farm in Austria closed following a ban in 1998. If that is the case in the Netherlands and Austria, I should be interested to know—I hope that the Minister will tell us—whether the bans in those countries have been challenged by other member states. According to the Conservatives, there is a plethora of objections to the United Kingdom proposal, so it is odd that we have heard nothing about the situation in the Netherlands and Austria, where bans have already been introduced.

There is slight inconsistency in the Conservatives' approach to the EU—there generally is—in that they suggest that other EU countries are clamouring to register objections to the Bill, presumably because they want our fur farms to continue. However, they also said that the Bill will provide a wonderful opportunity to take our business, which is a slightly odd juxtaposition of arguments.

Mr. Gray: It may be worth clarifying the precise position of foreign countries. The hon. Gentleman may not have realised that Switzerland is not a member of the European Union, so it does not come into the argument. No other European country has banned mink farming. The only exception is the Netherlands, which has banned fox fur farming. A number of provinces in Austria and Germany have banned mink farming, but I think that I am right in saying that no country has banned it outright.

Mr. Baker: I have explained the advice that I have been given, and I shall wait for the Minister to give us his version of events. Even if provinces of Austria and Germany have banned mink farming, they are subject to the same EU rules as the country as a whole, so that is a red herring. Fox and chinchilla farming are covered by the Bill, so that is also a red herring. Nevertheless, I am grateful to the hon. Gentleman for his intervention.

I mentioned the philosophical dimension to this issue, which is perhaps the most important, but there is also an animal welfare aspect. That is why interest in this matter has built up over the years. It is accepted by both sides that mink are wild animals and should not be kept in cages. No one has defended that, but perhaps someone will do so tonight. They are solitary animals and should not be kept in groups. They defend their territories through patrolling, scent marking and aggression, and unfamiliar adults put in the same cages have exhibited that aggression.

In the wild, mink reside in a large territory and have a larger range in which to hunt: it can be up to 22 acres. The best animal welfare conditions in our mink farms have not provided solitary mink with 22 acres each, or anywhere near that. They have much less territory, so their natural behavioural patterns have been severely curtailed by farming.

Mink are semi-aquatic and need water in which to swim, as the hon. Member for City of Durham (Mr. Steinberg) said. Studies show that they spend much of their time in or close to water, and they often hunt and play in water. They have semi-webbed feet, which shows that as they have evolved they have spent a significant amount of time in water. They have no opportunity to swim in fur farms, so that environment is hardly ideal for their welfare.

By all means let hon. Members have the philosophical debate, but the welfare conditions in which mink are kept are clearly out of line with their requirements, and it is difficult to see how even the most conscientious mink farmer in the country could change them to make them satisfactory. That is probably one of the thoughts underlying the legislation.

Other aspects of fur farming must be considered, including the strains of mink. Captive mink can display a wide variety of pelt colours, including rarer colours that reach a premium price. The colours are controlled by a sequence of 18 genes that can be manipulated by selective breeding. It is possible that financial pressure on mink farmers has led them to produce rare colours. Breeding has concentrated on the colour of the coat and not on the other implications, including the health of the animal. The white coat is produced by a line of mink who are congenitally blind.

Killing methods also leave something to be desired. Animals are harvested without spoiling their pelt. The most widely used method of killing them is by gassing. Carbon monoxide or carbon dioxide is supposed to reduce the availability of oxygen to the animals, and lead to unconsciousness followed by death. Carbon dioxide is a colourless gas, but has an acrid smell. It is claimed that 100 per cent. carbon dioxide can kill mink in 19 seconds, but it is also shown that the mink react to its presence and suffer extreme stress by being forced into such an environment. Being semi-aquatic, mink can hold their breath for extended periods, so it is not a particularly quick death. Of the 15 mink farms in the United Kingdom in 1997, 14 used gassing—10 of them with carbon monoxide and four with carbon dioxide—and one used barbiturate injection.

[Mr. Baker]

When we consider animals, we must bear in mind their five freedoms and consider to what extent existing and proposed future practices conform to those accepted freedoms. They have been proposed by the Royal Society for the Prevention of Cruelty to Animals, and I think that they are generally accepted without dispute. They are freedom from thirst, hunger and malnutrition, freedom from the need for appropriate comfort and shelter, the prevention or rapid diagnosis and treatment of injury, disease or infestation, freedom from fear, and freedom to display most normal patterns of behaviour.

Those conditions should be met in any activity that we permit involving animals, and we should measure existing practices against them to see how far they are met. If they are not being met, we should raise standards. If they cannot be met, as I am not sure they can be in mink farming, we should ban mink farming. There is also a debate about whether it is right to use animals at all—or, as some might say, exploit them—if they are not being reared for food purposes. The Minister made that point at the outset.

The Liberal Democrats believe that fur farming and trapping animals for their fur cause unnecessary suffering, and we shall therefore support the Government if there is a vote.

5.46 pm

Maria Eagle (Liverpool, Garston): I am particularly pleased to speak. As the Member in charge of the Fur Farming (Prohibition) Bill presented in the last Session, I have more than a passing interest in the fate of this Bill, and am even more determined than usual to ensure that the Government get their business through as soon as possible.

I congratulate the Government on their wisdom and good sense—although I would say that, I suppose—in supporting the arguments put to them by me, and by a number of my Bill's supporters, at the end of the last Session, when it became clear that the Bill would not proceed beyond Report. It would have been easy for the Government then to think of it as a small measure, and to let it drop. I am grateful to them for picking it up and turning it into a Government Bill. Let me say in parenthesis that I am even more grateful that it will not be my job tonight to protect the legislation, and to ensure that enough Members turn up to vote it through.

I appreciate that it is never easy to persuade a Government that an essentially small measure such as this, affecting a limited number of people, merits their full attention and deserves to be included in their legislative programme—especially, I suspect, when it requires public expenditure. I am glad that my small Bill has survived those pitfalls, and I am certain that that is partly due to the eloquence and persistence of my hon. Friend the Minister in arguing against doubters who must have suggested that other measures should have a prior call on both parliamentary time and public spending.

I believe that the fact that the Bill is before us again constitutes a recognition of the essential argument of principle, and of the moral case that can be made that seemingly small Bills can be symbolic, important and worth pursuing. The argument that I think goes to the heart of the Bill is the animal welfare argument, namely that it is unjustifiable, cruel and obnoxious in a civilised society such as we purport to have to allow wild animals to be kept in extremely small cages that prevent them from exhibiting their natural behaviour, to their evident distress, merely to collect the commercial value of their fur, which is something that we can all do without.

I believe that that practice is so obnoxious and repugnant that it should be stopped, and that it is appropriate for the law to be used to stop it. That is why I support this Bill, and why I presented my own Bill. I am sure that the strength of the argument helped my hon. Friend the Minister when, along with the rest of the Government, he claimed that the Bill should constitute a priority.

Mr. Nicholls: On Second Reading of her Bill, the hon. Lady said that she had not had time to visit a fur farm. I think we all accept that that is fair enough, but, given what she has said about animals' inevitably being in deep distress and therefore presumably being incapable of being handled, has she yet had an opportunity to visit a farm?

Maria Eagle: My aim was to visit more than one, but I could not visit more than one, partly because some farmers' advisers at the time were preventing access to the more notorious farms. However, I was able to visit one during the last Session, after Second Reading of my Bill, and found it extremely informative and interesting—although it did not change my basic view that it was not appropriate to keep wild animals in small cages.

It is surely right that one way in which we may judge the extent of our civilisation and the quality of our society is to look at how we treat our fellow sentient creatures. Do we respect them? Do we do our best to avoid treating them with unjustifiable cruelty, or do we view them merely as a commercial opportunity to be exploited for the fullest profit that may be extracted from them, to the exclusion of all but the most extreme considerations of humane treatment?

I, the Bill's supporters and the Government say that it should be the former. The British Fur Trade Association—which purports to represent the fur farmers, but which, in fact, does not—and many members of the Conservative party who oppose the Bill say that it should be the latter. They are willing to put the freedom of people cruelly to exploit wild animals above any obligation to show humanity and avoid excessive suffering, which keeping wild animals in small cages inevitably causes.

I agree with the hon. Member for Lewes (Mr. Baker) that it is impossible to devise humane standards in intensive farming for the keeping of mink. In fact, the Farm Animal Welfare Council came to that conclusion 11 years ago when it refused to set standards that could be called humane for the keeping of mink.

The Bill extends to all fur-bearing creatures, but in practice it is mink farming that we are concerned about. The hon. Gentleman has already made some remarks on the basic facts about mink farming. There remain 13 mink farms in England—there are none in Scotland or in Wales—down from some 700 in the 1960s. The market for fur has declined in Britain by 99 per cent. since 1980. Despite what certain elements of the industry say, all the evidence is that the market is still declining.

Mink are not indigenous to Britain. They are essentially wild, which, indeed, is a key part of my argument for the Bill. If they were domesticated, it might be possible for

humane welfare standards to be introduced, but when the wild animal is solitary, territorial, ranges over territories of one to three miles and is semi-aquatic, it cannot be right for it to be kept in cages that are no longer than a person's forearm. The cages are no longer than a person's forearm because the mink retreat when anyone approaches the cages—they must be no longer than that, or they could not be fetched out of the cage.

It is a fallacy to argue, as it was argued on Second Reading of my Bill, that a species can be domesticated in only 70 years. A wild indigenous animal cannot become a domestic animal in only 70 years. Most of our domestic animals took hundreds or thousands of years to become domesticated.

The key argument that suggests that mink are still wild is that, when they are released—however that may happen—they immediately become feral. They are immediately able to cope, to live and to thrive in the surrounding countryside without any trouble. That is why there are feral populations of mink thriving around all but one of the remaining fur farms in England, destroying indigenous wildlife such as voles and certain birds. Therefore, it would not be possible to devise acceptable standards to keep such creatures in intensively farmed conditions. The animals are denied their natural behaviour and respond by showing clear signs of distress. They become apathetic and resort to performing repetitive, stereotyped movements. They mutilate themselves and others. They may even kill their young.

As I have said, 11 years ago, the Farm Animal Welfare Council made it clear that appropriate standards could not be set. That is still true today. In those circumstances, the only alternative that takes account of animal welfare considerations is a ban.

It is not only in this country that the debate is proceeding. Scotland has already decided to legislate. It took the decision in December last year and a Bill is expected. In Northern Ireland, action was being considered prior to the suspension of the Stormont institutions. One hopes that, if and when they are restored, consideration can be resumed.

Fur farming is effectively banned in Austria. It is not actually banned. The Austrian Government increased the standards of welfare expected to such a level that all the farmers went out of business. Where we have a small and struggling industry that could not possibly adapt and start to put in pools and three-mile territories for all its mink, rather than drive them out of business by increasing welfare standards, it is right and proper to compensate them for leaving the industry.

A Bill before the Italian Parliament offers aid to fur farmers to convert to other forms of agriculture. In Sweden, the agriculture minister has signalled her intention to ban mink and chinchilla farming. Fox farming has already been banned. In the Netherlands, where there are many fur farms, fox farming is being phased out. The Dutch Parliament has voted to ban mink farming. The debate is going on throughout Europe. We can give a lead by taking the decision and supporting the Bill tonight.

My Bill last year did not simply facilitate a debate about the issues of principle. It promoted negotiation between the fur farmers and the Government that has resulted in agreements in several areas.

Private Members' Bills, as anyone who has had the fortunate experience of coming high in the ballot will tell the House, always require consensus to proceed. That is probably the biggest lesson that one learns as a Member in charge of a Bill with sufficient priority. I spent at least as much time in the previous Session trying to broker an agreement between the Government and the fur farmers as I spent trying to overcome the hurdles that were placed in the path of my Bill to get it through its parliamentary stages.

The Government Bill as currently drafted reflects a number of agreements between the Government and the fur farmers on time scales and principles of compensation, for example. As far as I am aware—the Minister will tell me if I am wrong—those agreements still stand. As a result of those, the fur farmers themselves are content for the Bill to proceed. So is the Fur Breeders Association of the United Kingdom, which represents all the fur farmers that remain in the industry. So is the National Farmers Union, which does not oppose progress of the Bill. It represents some of the fur farmers who remain in business.

Mr. Gray: The hon. Member for City of Durham (Mr. Steinberg), who has now left the Chamber, also asserted that the NFU was not opposed to the legislation. That is not quite correct. The letter says:

> It has been asserted incorrectly that the NFU supports this legislation. On the contrary you will appreciate . . . that we strongly dislike the principle of introducing a . . . ban.

Maria Eagle: I am grateful to the hon. Gentleman for bringing the letter with him. I know from my discussions with the fur farmers, and the NFU represents them, that they do not oppose the progress of the legislation. That is what I have been told by fur farmers, who presumably give their instructions to the NFU because it represents them. Similarly, the Fur Breeders Association of the United Kingdom, which represents all the remaining fur farmers, has made it clear that it wants the Bill to proceed.

The British Fur Trade Association, which is sometimes taken as representing fur farmers, is vocally opposed to the Bill and becomes more strident as time goes on and the closer the Bill gets to the statute book. However, it no longer represents any of the fur farmers. That is because every one of them, I am told, resigned from the association after they formed the view last year that it did not have their interests at heart, so its views should not be said to reflect the wishes of the farmers; they simply do not.

I wish the Bill to proceed as speedily as possible because, since last year, conditions in the industry have deteriorated. The price of fur fell by 31 per cent. at the Copenhagen auctions last year. Another fur farmer is being subjected to a private prosecution in the English courts for cruelty. Last year, one of the farmers was found guilty of 15 counts of cruelty and fined £5,000, with costs of £15,000, yet he still farms mink.

Despite claims to the contrary, in the past year, one of the only remaining fur retailers in London has closed and one of the very few remaining fur processors is in liquidation. The industry is dying. We should help it on its way. The sooner the Bill is enacted, the better. I commend it to the House.

5.59 pm

Mr. Andrew Hunter (Basingstoke): I have listened to the debate so far, just as I have listened to the wider debate on fur farming, with growing incredulity. No one,

[Mr. Andrew Hunter]

let alone the Government this evening, or the hon. Member for Liverpool, Garston (Maria Eagle), has yet convincingly complained why it is wrong to farm animals for their fur, but acceptable to farm them for their meat. I think the reason why we have not yet heard that convincing explanation is that there is none. There is no moral distinction whatsoever; the practices are essentially the same. On that most fundamental of all points, attempts to justify the Bill fail.

We heard my hon. Friend the Member for Teignbridge (Mr. Nicholls) intervene on the Minister. Opposition Members, at least, understood the Minister to say that the Bill's justification included the fact that meat farming supplied a majority demand, whereas fur farming supplied only a minority demand—

Mr. Morley: No.

Mr. Hunter: The Minister later corrected that and said that, contrary to our understanding, he had in fact said that the justification for criminalising included the fact that fur farming was non-essential. If I have incorrectly reported his comments, I shall give way.

Mr. Morley: No; in his latter comments, the hon. Gentleman has made the position clear. I should like, however, to make the point absolutely clear. As tomorrow's *Hansard* will reveal, when I mentioned minorities, I was referring to vegetarians.

Mr. Hunter: I did not catch the Minister's last word, but I believe that he is sticking with his belief that there is some justification in criminalising an activity because it is non-essential. Such a position is mind-boggling.

The simple truth is that there are no scientific or welfare grounds for criminalising fur farming. Fur farming is highly regulated. Fur farmers are bound by regulation. As with all animal husbandry, regulations can be tightened and made more demanding if there are sound reasons for so doing. Most significantly, in this case, the industry readily and willingly agrees with that. If changes are needed, the way to proceed is through tightening or making more demanding regulations.

As we have heard, last year, the Government supported the private Member's Bill promoted by the hon. Member for Garston, which sought to criminalise fur farming on spurious animal welfare grounds. I played a small part in opposing the passage of that Bill, and I am glad that I did. The animal welfare-based argument made last year in support of criminalisation was fundamentally and inherently flawed, as is the Government's argument this year.

Both nationally and as a European Union member state, our approach to animal welfare is well established. Acceptable standards of animal husbandry are established in both primary and secondary legislation—by statute, order or regulation. When it comes to the welfare of pigs, for example, we do not criminalise; we introduce legislation that bans tethering. When there is outcry about the export of live animals, we do not criminalise; we improve standards of transport and encourage other countries to do the same. That is the agreeable and sensible approach.

Today, the Government and the hon. Member for Garston have yet again totally failed to explain convincingly why the criteria used systematically in regulating every other aspect of animal husbandry cannot be applied to fur farming. The proposed ban on United Kingdom fur farming will eliminate a sector of agriculture that is not only legitimate and responsible, but highly regulated. If objective, properly researched scientific analysis concludes that welfare standards should be more demanding, that is the way forward. The industry agrees with that and will comply.

The European Union farmers federation, the EU farm co-operatives federation and, as my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss) said, several other organisations and individuals have demonstrated that criminalisation is very probably contrary to EU law. The Commission's own Scientific Committee on Animal Health and Welfare is drafting a report on welfare, preparatory to producing a directive providing for the future of fur farming. The Government themselves fully supported the June 1999 Council of Europe recommendation on the keeping of farmed fur animals.

As my hon. Friend the Member for North-East Cambridgeshire said, it may very well be that the Bill breaches the European convention on human rights, despite the Bill's declaimer—which I suspect, and hope, will be contested in the courts. It will be argued that the Bill is contrary to Council directive 98/58, on the protection of animals kept for farm purposes, and to articles 28 and 29 EC—formerly articles 30 and 34—which rule on freedom of movement.

The Bill is little other than an expression of prejudice and intolerance. It is an unjustified and extreme measure. Among other things, it establishes a potentially dangerous precedent for criminalising other farming activities for no good reason. The Government's justification of "public morality" is a truly terrifying concept, and I wonder whether Labour Members have really thought it through. I suspect that some of them may not have done so.

The Bill justifies the persecution of minorities and minority interests to satisfy a prejudice of the majority, thereby taking political correctness to terrifying limits. That the Government should decide what is publicly moral, pronounce what is morally acceptable or unacceptable, and criminalise accordingly is truly terrifying. It offends every liberal instinct and principle and undermines the concept and practice of individual liberty. It is a repugnant denial of freedom.

For the Government to criminalise on the basis of public morality is highly dangerous. It echoes the ugly intolerance of Calvinist theocracies, and—for a fictional parallel—it has undertones of Orwellian thought-police. It is also strikingly inconsistent with the position that the Government adopt on so-called moral issues—on which they seek to be inclusive, rather than exclusive. The Government have become ostentatiously permissive in matters of personal and private morality. In this Bill, however, morality is reduced to fashionable posturing. Where is the morality in destroying the livelihood of a small group of hard-working, successful farmers operating in a viable, unsubsidised and well-regulated sector? We wait in vain for a credible answer to that question.

As other Opposition Members have already said, what is happening is that the Government are bowing to an animal rights lobby—which, shortly before the previous

general election, in the form of the political animal lobby, donated £1 million or thereabouts to Labour party funds. As we learned from the Ecclestone and Formula One saga, we have now moved firmly into the era of cash for legislation.

I have no particular constituency interest in any aspect of the fur trade, and I certainly have no personal interest, pecuniary or otherwise, in it. I happen to believe that the Bill is an ugly, dreadful measure. By all objective criteria of judgment, it is at fault and it fails. It is a vile expression of hypocrisy, intolerance and prejudice, and we should have nothing to do with it.

6.9 pm

Angela Smith (Basildon): I shall not speak for long. I feel as though I have been here before, having spoken on Second Reading of the Bill of my hon. Friend the Member for Liverpool, Garston (Maria Eagle) some time ago. That was also an excellent Bill, which had the overwhelming support of Members of Parliament and should have become law.

I am particularly pleased to speak again tonight because this is a Government Bill, which fulfils a long-standing Labour party commitment to animal welfare. The Bill was a Labour pre-election pledge and I hope that it will send a message to all those who campaign on animal welfare issues that there is a point in engaging in political processes, lobbying Members of Parliament and making representations to the Government, because that is what brings about change. That success brings great rewards. The comments of the hon. Member for North-East Cambridgeshire (Mr. Moss) from the Conservative Front Bench about animal rights protesters and terrorists did him no credit. We should encourage people who protest to make their point through the democratic process. That is what is happening tonight.

The reappearance of the Bill tonight also shows that Labour Members will not be diverted or put off by the nonsense that we saw in the House on 19 January. I would be ruled out of order if I suggested that anyone had been filibustering on that occasion. We had riveting debates for hours and hours, which included discussion on the meaning of the word "and". We will not be put off and we will come back time and again to ensure that we have proper welfare standards and meet our responsibilities to wildlife.

The Bill is also a tribute to the attitude to animal welfare of Ministers at the Ministry of Agriculture, Fisheries and Food. In a busy parliamentary Session, it sends the message that the Government have listened to those who want fur farming to be banned. Even though it is a small measure that will not change the world overnight, it is an important step forward. Fur farming is cruel, outdated, unnecessary and an incredibly unfashionable way to service the fashion industry. It should be banned.

We all have our reasons for reaching that conclusion. My main concern is animal welfare. I am concerned about the way in which mink are farmed. It is an insult to farmers who are genuinely concerned with animal welfare to describe the way in which mink have been kept as farming. When we consider the behavioural characteristics of mink, it is difficult to see how the conditions in mink farms could be less appropriate. With the best will in the world, it is not possible to replicate the conditions that mink need to ensure that they are treated humanely.

In the wild, mink swim for up to 60 per cent. of their waking time. They hunt live quarry, they climb, they dive, they travel between two and five dens, sometimes as much as 2 km apart. In fur farms, they are kept in rows of small wire cages approximately the size of the Dispatch Box in front of us. In those conditions, they cannot replicate any natural behaviour.

In those wire cages, mink spend a quarter of their waking hours performing endless, repetitive motions. They mutilate themselves with pelt and tail biting. They cannibalise each other. Mortality among the young mink—the kits—is high. They carry out what is known as sham feeding, including rising up and head circling. In the words of leading mink expert Dr. Nigel Dunstone, they are confined to a life of "sedentary torture". I object to the keeping of wild animals in small, barren cages.

A University of Cambridge study that examined the social behaviour of mink said that if mink farming were to continue, a radical rethink on housing would be needed. As I said on Second Reading of the earlier private Member's Bill, the conditions prevalent in mink farming would not be allowed in a zoo, where they would be under public scrutiny. I find it incredible that Conservative Members defend those conditions, but suggest that we could pass legislation to improve them. They are suggesting that mink farms should be forced to make such enormous investment that they would be put out of business. The Bill is honest and straightforward in allowing compensation. The aim is not to ban mink farming by the back door. The hon. Member for Basingstoke (Mr. Hunter) talked about morality. We should be proud of the honesty of the Bill.

The Zoo Licensing Act 1981 specifies that mink should be

> provided with space and furniture sufficient to allow such exercise as is needed for the welfare of the particular species.

Where in a fur farm do we ever see items such as nesting boxes, pools or branchwork to aid natural behaviour? In a natural habitat, mink would have at least a 40 sq m pool. Where do we see that in a fur farm? Where do we see natural soil or sand and gravel? Where do we see the hollow logs and rocks that would at least be an attempt to recreate a natural environment? If those basic minimum requirements were provided, it would not be economic to breed mink for their fur and the industry would collapse. Is that what Conservative Members are arguing for?

I have never been described as a fashion victim. Dedicated followers of fashion do not need animals to suffer for their style. The only fashion victim in this case is the mink.

Given the average age of Members of Parliament, I suspect that we have a few Doris Day fans in the Chamber.

Mr. Eric Forth (Bromley and Chislehurst): Yes.

Angela Smith: The right hon. Gentleman may be interested to know that Doris Day has said how embarrassed she is when she looks back at her films to see how often she wore fur. She now campaigns against the breeding of animals for fur. I hope that that does not spoil the right hon. Gentleman's fantasies.

The Bill will ban fur farming—not just the keeping of mink, but the possibility of a return to arctic fox fur farming. It is a measure whose time has well and truly

[Angela Smith]

come. It has been delayed for far too long, during which time more mink have suffered and been killed as a result of the actions of the House. This a modern, compassionate move that will be warmly welcomed across the country. It will have the support of the majority of Members of Parliament and of people outside the House.

6.17 pm

Mr. Patrick Nicholls (Teignbridge): The Minister's speech deserves a wider audience. Let me save him at once from any embarrassment by saying that I did not mean that as a compliment. When I asked him to explain the moral distinction between farming for fur and farming for meat, bearing in mind that neither was essential to sustain life, he said, in effect—we will not have an argument about this, because *Hansard* will show what the Minister said and he will have to live with it—that the eating of meat was a majority habit, whereas the wearing of fur was a minority habit. Anybody with even the cursory knowledge of history that one might expect of a Labour Member of Parliament knows that parliamentary democracy developed in this country not by extinguishing minority rights, but by protecting them.

In contrast, the hon. Member for Liverpool, Garston (Maria Eagle) made a much better speech. I agree with her approach, although I disagree with some of her conclusions. The Bill is an animal welfare measure or it is nothing. If mink cannot be farmed humanely, that is the end of it, because the wearing of fur is not essential. In the same way, if animals raised for meat could not be farmed humanely, that would be the end of it.

Had the Government argued that there was nothing wrong per se with the farming of mink, any more than there is anything wrong per se with the farming of animals for meat, but that they wanted standards greatly improved, we could have understood. That would have enabled us to look at the issues in more detail. We hear stories about how mink are in deep distress when they are being farmed. Like the hon. Lady, I took the trouble to go to a mink farm. I deliberately went to the best one that I could find, because I wanted to see what could be achieved when the best was being adhered to. I saw animals that could be handled and were not in deep distress. They were no worse to handle than a ferret. They appeared to be content with their captivity. The argument that an animal cannot be domesticated in 70 generations is supported by the fact that when they go back to the wild, they adapt, but so will an ordinary domestic cat if it is entire when it goes back to the wild.

We need to get into the detail of that. If the Government had examined the issue and decided that higher standards were necessary, even if those standards put fur farmers out of business, I would have said "So be it". If humane conditions cannot be achieved, the practice should stop.

I really do wonder when I hear people talk about the fact that prosecutions take place and say that that is justification for abolishing the industry. The point has already been made that the convictions under the present legislation show that it is up to the job. If we need enhanced legislation, let us have it, but that is not the argument that has been made.

The Bill will have another practical consequence. At the moment, when Ministers go to meetings in Europe they can talk about the conditions in which mink farming takes place in the EU. They have a contribution to make. If Ministers simply say that we have abandoned mink farming, what standing will they have in the EU to discuss the subject? We should aim for higher standards, here and abroad.

The real motivation behind the Bill has been revealed time and again this evening—although not by the hon. Member for Garston, because she learned the lessons of her first attempt—and just a moment ago, the hon. Member for Basildon (Angela Smith) offered us her views on fashion to justify banning a legal activity. The hon. Member for City of Durham (Mr. Steinberg) had the naive gall to say that he found the wearing of fur pretentious. I find a group of new Labour glitterati wearing ill-fitting but expensive Armani suits unbelievably pretentious, but that is no reason for abolishing them. When the argument is reduced to that level, it is easier to understand the motivation.

The Bill is an animal welfare measure. We should have been listening tonight to an argument that justified the Bill because mink cannot be farmed humanely in any way. Instead, we have heard a load of guff about some convictions that, it is claimed, have contaminated the whole industry. Every now and again, the seeping class prejudice leaks out from Labour Members to try to justify this thoroughly illiberal measure. If the cause of animal welfare had to depend on that analysis, God help the animal kingdom, because this Government will not.

6.22 pm

Mr. James Gray (North Wiltshire): I hold no candle for the fur farming industry. There is none in my constituency, my wife owns no fur and, indeed, I own no fur, although I wish that I was rich enough to do so. I would happily do so if I could afford it. However, I am concerned by the fundamental illogicality of the Bill and the worrying principle that lies behind it.

I would understand it—although I would disagree—if the Government said that they believed the wearing, trading, farming and production of fur was immoral, wicked and distasteful, and that they intended to ban it. That would be a logical position, and indeed that is what many animal welfare activists would like the Government to do. The activists think that the wearing of fur is disgraceful and they are prepared to slash people's fur coats to prove it. They want the selling and farming of fur to be banned. That is a logical position, but not one with which I agree.

It would be equally logical to argue that the standards of welfare on fur farms should be raised to an acceptable level. If that cannot be done, as Labour Members have argued, the industry will disappear, not only here but in all those countries with which we have trade relations. However, there are 1,200 mink farms in the USA, which operate in the same way as ours. The US industry has 1,400 retailers, which turn over £1.5 billion a year. The United Kingdom trades 40 per cent. to 50 per cent. of the world's fur in London. It would be logical if the Government were trying to ban the trade, but they do not propose to do so. It will be legal for me to buy mink pelts in Calais and to sell them to retailers in this country and abroad. That is the first fundamental illogicality in the Bill.

The second was highlighted by the case of a farmer in Austria. He took the compensation offered by the Austrian Government for closing down his farm, and moved it

some two miles down the road to the Czech Republic. He still uses the same cages, animal welfare methods and production method as before. In the same way, the effect of the Bill will be to export the animal welfare considerations about which the hon. Member for Liverpool, Garston (Maria Eagle) and others are so concerned. We will have high standards of animal welfare here, but what about the situation in Mongolia, which I visited recently with the Inter-Parliamentary Union? That is where most of the fur comes from. What about the situation in Russia, China, the US, France, Germany and Ireland?

Maria Eagle: I am sure that the hon. Gentleman realises that we legislate for this country, not for Russia and Mongolia.

Mr. Gray: The hon. Lady is right, and I said the same thing when we legislated on pig stalls and tethers. We have put our pig industry out of business, but in Calais they use the methods that we are banned from using and export pork to this country. That is what will happen under this Bill.

Mr. Gordon Marsden (Blackpool, South): Will the hon. Gentleman give way?

Mr. Gray: I shall not give way to the hon. Gentleman, because he strolled into the Chamber at a late hour, presumably to try to get a mention in his local paper. We will export to Calais the animal welfare controls that we should have here. We should argue for high animal welfare standards for mink farms before the world, but just to ban fur farming here is as logical as the socialist borough of Islington going to some length to ban fox hunting in the borough. There has been no fox hunting in Islington for 300 years, but the socialists on the council wished to ban it for politically correct reasons. The Bill is equally politically correct.

The Bill will not improve the lives of mink anywhere in the world. It will not improve animal welfare standards at all. It will put a few people out of business, but it will not reduce the amount of mink sold in the world. I would not mind if there were no mink farms in the UK, but the Bill will not do what Labour Members want it to do. All they are interested in is the opportunity for some politically correct posturing. They can say, "We are brave animal welfare activists and we are going to ban 13 unfortunate farmers from making a living." However, hundreds of millions of pounds worth of fur will still be traded in London. Fur will still be worn here. We will still be able to buy fur from Mr. Al Fayed in Harrods. It will still be legal for hon. Members to wear fur coats in the Chamber, if they wish to do so.

All the Bill will do is ban the farming of fur, but it will still go on 22 miles across the channel and everywhere else in the world. That is illogical and illiberal. We are taking a politically correct, holier-than-thou stance. I mentioned earlier the issue of cruelty to pet dogs, but the hon. Member for City of Durham, who is no longer in his place, misunderstood my point. Some people are cruel to their pet dogs, and it is important that we have legislation to prevent that and under which we can prosecute the perpetrators. However, we do not say that because some people are cruel to their pet dogs we will ban the ownership of pet dogs. The Bill is the equivalent of that, and I shall seek to oppose it in the Lobby this evening.

6.28 pm

Mr. Owen Paterson (North Shropshire): I apologise for leaving the debate shortly after the Minister began his speech, but I had to attend a Select Committee. I am sorry that I missed some of the arguments, but I remember the debate on the private Member's Bill promoted by the hon. Member for Liverpool, Garston (Maria Eagle). We have not moved on from the extraordinary illogicality at the heart of the Bill.

No one has to kill an animal for anything. None of us has to eat meat to survive, because we could survive on grains and vegetables. Indeed, we would save much agricultural activity, because it takes seven kilos of grain to produce one kilo of beef. We eat meat because we enjoy it. It is as simple as that. If people enjoy wearing fur, as another by-product of animals, I do not see any logic in differentiating between that and eating meat.

A raft of legislation has been passed in connection with the industry—for example, the Mink (Keeping) Order 1992, the Mink (Keeping) Regulation 1975, the Mink (Keeping) (Amendment) Regulation 1997, the Agriculture (Miscellaneous Provisions) Act 1968, the Welfare of Animals (Slaughter or Killing) Regulation 1995, the Council of Europe convention on the protection of animals kept for farming purposes, and the EU directive on farm animal welfare.

The Minister is the man responsible for implementing UK and EU directives on animal welfare. If there has been cruelty in mink farms, or if high crimes and misdemeanours have been carried out in such farms, that is his responsibility but, as in earlier debates, he has completely failed to answer my simple question.

I said earlier that, under the raft of existing regulation, it is possible to rear rabbits to maturity and that, under the Bill, a rabbit could still be kept in a cage and legally killed for its meat. However, the Minister has never explained why its owner would be fined £20,000 if the rabbit in the adjacent cage were killed for its fur.

In fact, there is no real need to kill either rabbit. We do not need the protein from rabbit meat, or the warmth from rabbit fur, as both commodities can be found elsewhere. Keeping rabbits is not a necessity but if it is legal to keep them for one purpose, should it not be legal to keep them for another?

Assertions have been made about cruelty. I have spoken to people from Scandinavia who are involved in the business, and the Dutch Government have undertaken research into the matter. I refute what the hon. Member for Basildon (Angela Smith) said about cruelty. Dr. Georgia Mason of Oxford university's zoology department has said that, compared with other intensive farming practices, mink farming is the best example and gives the least cause for concern.

There is no logic to the Bill, but it is even more dotty that, on a day when we could have had a proper debate today about Sierra Leone, where British soldiers are engaged in a serious expedition to a troubled part of the world, the House should be discussing 13 fur farms, owned by 11 fur farmers. There are 6,000 fur farms in the EU, including the UK. Britain produced only 160,000 skins last year, compared with global output of 25 million.

[Mr. Owen Paterson]

My hon. Friend the Member for North Wiltshire (Mr. Gray) pointed out one of the nonsenses of the Bill. He described how, when a farm in Austria was closed, the owner moved the cages a few miles down the road to where he lived and in fact doubled the size of his operation. It is extraordinary that the Government should devote this precious parliamentary time to a measure that remains thoroughly unsatisfactory.

I managed to catch some of the opening remarks by my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss). I agree with him that the Bill sets an appalling and dangerous precedent, in that the whims of an urban Government can decide how people can make a living in the countryside.

Another dangerous precedent is that the compensation remains unclear. The explanatory notes that accompany the Bill suggest a figure of £400,000, but I regard that as mythical. In the Austrian case that I described earlier, the Austrian Government had to pay about £400 per pelt to the man whose business was closed down. The Government can expect many millions of pounds to be claimed in compensation as a result of the Bill.

Today, I have spoken to Torben Nielsen, the managing director of the Copenhagen Fur Centre, and to Wim Verhagen, the chairman of the European Furbreeders Association. They are convinced that the Bill is in clear breach of European regulation 827/68, which covers the common organisation of the market in certain products listed in annexe II of the European treaty. They also consider it to be in breach of European Council directive 98/58, concerning the protection of animals kept for farming purposes. They think that it breaches the general EU law principles of the right to property and the freedom to pursue a trade or business. Most importantly, they regard it as being in breach of articles 28 and 29 of the European convention on the protection of animals kept for farming purposes.

The industry is a significant one in Europe—for example, it makes up 4 per cent. of Denmark's gross domestic product—and those who oppose the Bill are determined to take it right through the European courts. The cost to the British taxpayer will be enormous.

So what is the Bill all about? What lies behind its introduction now? The Labour party took £1 million off the International Fund for Animal Welfare before the election. There are clear signs that the Government remain in cahoots with animal rights activists.

The trade has been trying to find out when national fur day would be held. It was held yesterday, in fact—interestingly, the day before this Second Reading debate. That information has been available on the internet site of the animal rights activists for two months. That simple fact explains why we are debating this extraordinary measure tonight.

The Bill will not increase the sum of mink happiness, as mink farming will simply move abroad. It will entail considerable expense, as the British taxpayer funds compensation claims and huge legal fees. The mink farmers are sure that they will win their case, and so even larger amounts in compensation may have to be paid.

The Bill is thoroughly flawed. It sets the unhappy precedent that farming enterprises should be closed down for so-called moral reasons, even though no moral case can be made. Finally, the compensation provisions are a disgrace: it is not clear how people will be compensated, and the amounts proposed are inadequate.

The head of the European fur farmers' organisation has said that people should not be able to buy legislation, but that is what has happened with this Bill, which I oppose.

6.37 pm

Mr. Peter Atkinson (Hexham): I shall be brief, but I begin by declaring an interest. I am a member of the National Farmers Union and of the Country Landowners Association, and I am also a consultant to the Countryside Alliance. In addition, one of my constituents, Mr. Peter Harrison, is a fur farmer.

The Minister has engaged in an extraordinary amount of ducking and weaving to get the Bill on the statute book. He said that his motive was predominantly one of public morality. However, the hon. Member for Wallasey (Angela Eagle) made a good speech—

Mr. Stephen Pound (Ealing, North): Right name, wrong constituency.

Mr. Atkinson: I beg the hon. Lady's pardon, of course I meant to refer to the hon. Member for Liverpool, Garston (Maria Eagle). I disagreed with what she said, but at least she made her views clear. Every Labour Member who spoke in support of the Minister based their support on the animal welfare argument. I believe that the Minister cannot use that argument, as to do so would cause him to fall foul of the European Court of Human Rights. That is why he has used article 30 of the European convention referred to earlier, which deals with public morality, as his main justification for the Bill.

My hon. Friends the Members for Teignbridge (Mr. Nicholls) and for Basingstoke (Mr. Hunter) have dealt with that, and I shall not pursue it. However, I want to ask the Minister to give some details about compensation.

Why could not consultation and discussion have started before the Bill came before the House? It is common practice to have an outline of a scheme before a Bill reaches this stage. My constituent Mr. Harrison has been described as one farmer who would be happy to take the compensation package, as he has been harassed by animal rights protesters for years. There have been court cases and arrests, and armed guards at one stage had to be stand guard over his mink farm.

Mr. Harrison is happy to leave the industry, but he does not know whether he will receive a paltry few thousand pounds out of the £400,000 on offer, or whether he will leave on the terms enjoyed by the Austrian fur farmer about whom we have heard. The Austrian received a substantial payment and was able to open another farm a few miles away in the Czech Republic. If fur farmers were to be compensated at the Austrian rate—based on the number of breeding females that they own—the Government would face a bill of £8 million or £9 million, compared with the £400,000 estimated in the Bill.

What happens if, as is inevitable, the Minister loses his case in the European Court of Justice? What happens if that court rules that the UK has acted unconstitutionally in this case? Will the fact that they have been put out of business illegally give fur farmers the right to seek further compensation?

Finally, it is a pity that the Minister will not be publishing the Government's legal advice. It is not always the case, but legal advice is sometimes placed in the Library. What will happen if the Minister loses that case? Will he resign?

6.40 pm

Mr. Moss: We have had a good debate on the issue, although we have covered much of the ground that was covered before in the Standing Committee considering the previous private Member's Bill. Without question, the argument has been won on this side of the House.

The Minister sought to justify the Bill on the basis of public morality, but I do not remember one other person supporting him on that basis. Most Labour Members returned to the old arguments of animal welfare. There is no question but that Conservative Members would support animal welfare provisions to improve the lot of mink on mink farms. The Government are not bringing forward legislation to provide for that, however—no, they are going the whole hog and imposing a ban.

As I said in my opening remarks, the proposed ban has no roots, that we can see, in European legislation. It was wrong for some hon. Members to refer to other countries having introduced a ban. Switzerland is not a European Union member, so that is irrelevant. Austria may have implemented the ban before it became a member and regional bans are not the same as a national ban.

The ban must have proper legal underpinning. We have already had submissions from other European Union countries that are going to take the matter to the highest court in Europe. It is likely, based on the legal advice that I and other right hon. and hon. Members have received, that the Government will find themselves with egg on their face. They will be forced on to retreat because they have not done their homework on the legal process.

Mr. Morley: Not true.

Mr. Moss: The Minister says "Not true" from a sedentary position, but he gave the House no justification of the legal basis for his public morality position. I submit that when this comes before the European Court of Justice, based on current EU legislation, this legislation will not reach the statute book. We will have a free vote on the Bill this evening, but our opposition to the Government is deeply felt, and we want the Minister to justify his stance in Committee.

6.43 pm

Mr. Morley: Some good points have been made in the debate, as well as some poor ones. I will address the more reasonable questions raised by right hon. and hon. Members on detailed aspects of the Bill.

The hon. Member for North-East Cambridgeshire (Mr. Moss) spoke about compatibility with European Union law. I repeat that the Government are confident that the Bill is compatible with EU law, and we have taken the appropriate advice on that. The hon. Gentleman was quoting from EU law that is not relevant to this legal point. We are talking about morality, but he was talking about EU law on welfare. The Bill deals not with animal welfare standards but the wider question of public morality. Directive 98/58/EC, which he quoted, is about welfare standards, and the legal opinion quoted is therefore not relevant to the Bill. On proportionality, if the aim is to stop the breeding of animals for fur, no less proportionate response could be introduced. I cannot see any element of discrimination on the ground of nationality in the way in which this is being applied as a United Kingdom measure.

The hon. Member for Lewes (Mr. Baker) said that a number of countries had taken action on fur farming. In answer to his question, I am not aware of any challenge taken against those countries.

My hon. Friend the Member for Liverpool, Garston (Maria Eagle) spoke eloquently on a range of aspects in relation to fur farming. She argued her case very well, as did my hon. Friend the Member for City of Durham (Mr. Steinberg). He made a sophisticated speech and dealt well with interventions—indeed, his rebuffs were devastating.

The hon. Member for Basingstoke (Mr. Hunter) put forward some quite strange arguments. If I understood him correctly, he was arguing that the Government cannot get involved in any issue of morality, and should have no role in introducing legislation on matters of morality. I do not know how that attitude squares with issues such as paedophiles and pornography. They are issues of morality on which the Government have a view in relation to protecting public morality and responding to the views of the people who put them forward. That argument was entirely spurious and should be rejected.

The hon. Member for Teignbridge (Mr. Nicholls), who is not in the Chamber at the moment, spoke about visiting fur farms. Well documented research on fur farms demonstrates that welfare issues need to be dealt with. The Government are arguing for a ban on the basis of public morality, but in my opening remarks I outlined a range of issues that are a part of public morality, including welfare, the effect on the environment and the cost of dealing with escapes. Many other issues are part of the wider issue of public morality, which is the overriding argument for banning fur farming.

The hon. Member for Hexham (Mr. Atkinson) made a number of perfectly reasonable points on behalf of his constituent. I acknowledge that right hon. and hon. Members on both sides of the House represent fur farmers. We must address the question of compensation, and how it will apply. During the process of my hon. Friend's private Member's Bill, we discussed these issues with the National Farmers Union and with individual Members of Parliament who contacted me to talk about their constituents, which is a proper democratic function of the House. I argued in Committee that we ought to take into account the issues raised in amendments. My hon. Friend worked very hard to bring together the different sides on this matter.

The Government are committed to bringing forward the Bill; it was outlined as a pre-election pledge on animal welfare. We have delivered on the majority of our pledges. Our policies on fur farming were published long before the donation from the political animal lobby was given. The political animal lobby decided that it would donate to the Labour party because it believed that the Labour party had the best policies on animal welfare and was committed to implementing them. The lobby was quite right in that respect.

As part of discussions that my hon. Friend had with the NFU, changes to the Bill were made in Committee. The hon. Member for Hexham, who served on the Committee,

[Mr. Morley]

will be aware of that. In the course of that Bill's progress, I gave some clarification on the details of compensation and of the issues that we would take into account such as the costs of demolition and legal advice that fur farmers may have to take. Every assurance that I gave on behalf of the Government to the NFU through the offices of my hon. Friend has been incorporated in the Bill. I have stuck to every assurance that I gave in Committee, even though this is now a Government Bill and we are not obliged to incorporate everything that was discussed in the Committee considering my hon. Friend's private Member's Bill. Nevertheless, we have stuck to our principles. Where we gave assurances, they have been written into this Bill.

I am a little disappointed in the NFU's response. I do not think that its representatives kept to the spirit of what they said to me in the course of those discussions. While it is certainly true that the NFU is not in favour of the Bill—I have never claimed that it was—it made it clear to me that because of the interests of its members, it is not opposed to the Bill progressing. Even in the brief quoted by hon. Members, which I have read, the NFU does not call for a vote against the Bill or say that it wants to stop the Bill.

Many of the fur farmers are having a difficult time financially. The Bill gives them an opportunity to exit from the industry with some compensation. A great many of them would depart anyway without that financial support. It seems hard-nosed of Opposition Members to imply that we should set standards that would bankrupt fur farms rather than dealing with them as reasonably as we are.

Dr. Peter Brand (Isle of Wight): Is it not in everyone's interest that the trade should cease as soon as possible because of the uncertainty and risks involved? Does the Minister intend that compensation may be made available before January 2003, or does he hope that a war of attrition will make constituents such as mine give up before it is available?

Mr. Morley: I can reassure the hon. Gentleman on that. Any fur farmer who chooses to leave the business before the date on which the Bill is enacted will find compensation available as part of its second stage.

The hon. Member for Hexham asked why we had not begun consultation with the affected fur farmers about the details of the scheme, and the answer simply is that there cannot be detailed discussions on compensation before the statutory consultation period, which may substantially change the nature of the compensation.

The Bill is an enabling measure, putting in place powers to make the compensation scheme. Consultation will take place on the nature of the scheme and the income lost. It is difficult to specify great detail about compensation at this stage. Some wild claims have been made about the compensation required, and it would be wrong of the Government to paint ourselves into a corner before we have considered the implications and the way in which compensation would be calculated. As soon as the enabling powers have been enacted and the consultation period begun, we will arrange for accountants to talk with individual fur farmers about income and profits. Then we can consider the nature of the scheme.

I have no doubt that there is wide public support for a measure of this kind. Public morality comes into that, and we are taking account of the views of the public. We have consulted a wide range of professional and welfare organisations to ascertain their views. We received 88 responses, only two of which were in favour of retaining fur farming. All the others, some from organisations that represent many people, made it clear that the most appropriate way forward was a Bill banning fur farming. That is what we have done.

We have made our intentions clear. We have been questioned about the morality of our approach. Morality is important when it comes to the treatment of animals. I shall repeat our view on the morality of fur farming. Fur farming is not consistent with a proper value and respect for animal life. Animal life should not be destroyed in the absence of a sufficient justification in terms of public benefit. Nor should animals be bred for such destruction in the absence of sufficient justification. That is the essence of our argument for applying morality to a Bill of this kind, and for justifying it under article 30 of the EU regulations. We are entirely entitled to do that, and the advice to the Government is that we are within our rights. We are confident that our measures are fully compatible with human rights legislation and the requirements of the single market.

Some Conservative Members have argued that the Government must justify the application of morality. I have done so. However, those Members should justify their argument that this is not an issue of morality. They should consider that animals are kept in intensive conditions, in cages. We know that there are issues of poor welfare. Some animals are being kept simply so that their skins can be removed from their backs to make clothes for which there are many alternatives.

Mr. Baker: Given the Minister's strong commitment to public morality, on which he has based this Bill, can he explain why the Government are not introducing a Bill to ban fox hunting?

Mr. Morley: That is a matter for my hon. Friends at the Home Office. The Government have, however, already given a commitment to investigate the matter, and the Prime Minister has given a commitment that hon. Members have a free vote. The question is how we take the issue forward, but that is a matter for the Home Office.

Mr. Steinberg: The hon. Member for Teignbridge (Mr. Nicholls) compared the pretentious wearing of fur coats to the wearing of Armani suits by Labour party poseurs. Can the Minister tell us how many Armanis it takes to make a suit, and how they are killed?

Mr. Morley: My hon. Friend makes a good point, although I have never heard of an Armani being skinned to make a suit.

We have heard a lot about morality, but where is the morality in Conservative Members arguing that the Government cannot introduce a Bill such as this because it would offend some people in other countries? Where is the morality in arguing that we cannot introduce a Bill because some people with a vested interest might take the Government to court? Where is the morality in treating animals in a way that simply is not needed in

modern society? Those are not the standards that people expect in the 21st century. The Bill is long overdue, it commands popular support and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

FUR FARMING (PROHIBITION) BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52,

That, for the purposes of any Act resulting from the Fur Farming (Prohibition) Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by a Minister of the Crown in consequence of any compensation scheme made under the Act.—*[Mr. Touhig.]*

Question agreed to.

6.58 pm

Sitting suspended until Seven o'clock, there being private business set down by THE CHAIRMAN OF WAYS AND MEANS *under Standing Order No. 20 (Time for taking private business).*

City of London (Ward Elections) Bill
(By Order)

As amended, further considered.

7 pm

Mr. John McDonnell (Hayes and Harlington): On a point of order, Mr. Deputy Speaker. I gave notice of my point of order earlier today. It relates back to previous points of order that I raised about the Bill's compliance with the Human Rights Act 1998. On 24 January, I said that we should be advised of the compliance of private Bills with the Act, section 19 of which states that when the Government introduce a Bill, the Minister responsible must state on the Bill its compliance with the Act. Madam Speaker made it clear that that did not apply to private Bills.

During that debate, I asked how Members of the House could be advised on that legal matter of compliance with the Act and thus with the European convention on human rights. In an intervention, the right hon. Member for Cities of London and Westminster (Mr. Brooke)—one of the Bill's sponsors—argued that the sponsors had sought legal advice and were satisfied that the measure complied with the Act and with the ECHR. However, they have not published that legal opinion, so—

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am grateful to the hon. Gentleman for giving the Chair notice of his point of order. I am well aware of the point he makes. However, he too will be aware that the matter has already been well aired and that it is not one on which the Chair can rule this evening. We should now deal with the amendments that he has tabled.

Mr. McDonnell: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: There is not much to add to that point of order.

Mr. McDonnell: I should like to clarify one point, Mr. Deputy Speaker. During that previous debate, it was asserted that the non-intervention of the Attorney-General on the matter was evidence of the compliance of the measure with the Human Rights Act. I want to clarify that non-intervention—

Mr. Deputy Speaker: Order. The hon. Gentleman is now starting to do what I said that we could not do this evening. Those are matters for the debate, not for a ruling from the Chair. I should be grateful if the hon. Gentleman would deal with his amendments.

Mr. McDonnell: May I—

Mr. Deputy Speaker: I have dealt with the point of order. I want to move on to amendment No. 3.

Clause 2

INTERPRETATION

Mr. McDonnell: I beg to move amendment No. 3, in page 2, line 10, leave out from 'there' to end of line 19.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 64, in page 2, line 12, leave out from 'director' to end of line 13 and insert 'or employee'.

[Mr. Deputy Speaker]

No. 65, in page 2, leave out lines 14 to 16.

No. 79, in page 2, line 19, after '1890' insert—

'or a church, religious body, voluntary sector or community organisation which has registered as a charity under the Charities Act 1993'.

No. 80, in page 2, line 19, after '1890' insert—

'or trade union certificated under section one of the Trade Union and Labour Relations (Consolidation) Act 1992'.

No. 26, in page 2, line 19, at end insert—

'''relevant employee'' means a person whose principal or only place of work on the qualifying date is ordinarily the hereditament in respect of which the entitlement to appoint a voter arises and who works for that qualifying body.'

No. 5, in page 2, leave out lines 25 to 28.

No. 34, in clause 3, page 2, line 42, after '£200' insert—

'and which has conducted a ballot of its relevant employees to determine the person to be appointed as a voter.'.

No. 37, in page 3, line 12, leave out from 'greater' to end of line and insert—

'number of employees of the qualifying body.'.

No. 16, in page 3, line 13, leave out from the beginning to 'the' in line 14 and insert—

'A qualifying body shall appoint as voters pursuant to subsection (1)(c) above'.

No. 17, in page 3, leave out lines 18 to 22.

No. 38, in page 3, line 20, after 'values', insert—

'the number of relevant employees.'

No. 40, in clause 4, page 3, line 28, leave out from 'shall' to end of line 30 and insert—

'conduct a ballot of all relevant employees to elect its voter or voters.'.

No. 48, in clause 5, page 4, line 17, leave out subsection (5).

No. 51, in clause 8, page 5, line 4, leave out 'appoint' and insert 'elect'.

No. 52, in page 5, line 7, leave out 'appointed' and insert 'elected'.

No. 25, in page 6, leave out schedule 1.

No. 53, in schedule 1, page 6, line 2, leave out 'appoint' and insert 'elect'.

No. 54, in page 6, line 7, leave out from 'scale:' to end of line 24 and insert—

Number of Relevant Employees	*Maximum Number of Persons whom that Body may Elect*
Up to 1,000,	1
For every 1,000 over the first 1,000	1 for every thousand relevant employees

No. 56, in page 6, line 28, leave out 'rateable value' and insert 'number of relevant employees'.

Mr. McDonnell: Although the matter of human rights is one for debate, it cannot be debated under any of the amendments, so I simply point out, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. That matter has been debated. If the hon. Gentleman does not intend to address his remarks directly to the amendments, I shall have to call him strictly to order.

Mr. McDonnell: I shall move on to the amendments, Mr. Deputy Speaker. We return to this debate with some amazement. Our argument thus far has been that the Bill is thoroughly undemocratic. The amendments have been tabled in an attempt to introduce some form of democratic legitimacy to the measure.

Although we are debating one group of amendments, it covers several separate principles, so I shall seek your permission, Mr. Deputy Speaker, to divide the House on more than one amendment in the group. The amendments have been grouped under the heading "Qualifying Bodies", but the individual amendments have different purposes, so I believe that we should have separate votes. The main thrust of all the amendments is to democratise the Bill. Although they are grouped, I shall seek leave later to divide the House on at least three sub-groups, and I shall now set out the arguments for that.

The amendments would ameliorate the Bill. In the previous debate, we urged compliance with some of the basic, democratic procedures of local government. The amendments would designate who can qualify to vote for a voter—who will be qualified to nominate a voter at future elections for the City of London.

Clause 3 currently proposes three groups. The first consists of people who are

in occupation . . . as owner or tenant.

That provision strikes at the core of the debate; it refers to physical occupation.

The second group refers to residents—as in any other local government or national election. We have just gone through a whole process of devolution; residence was a qualification in each measure that was introduced—for Wales, Scotland and Ireland.

However, through the amendments, we need to strike at the third category of residents, defined in subsection (c) as

a person appointed as a voter in writing by a qualifying body which is ordinarily in occupation for relevant purposes as owner or tenant of the whole or part of a hereditament situated in that ward which is shown in the local non-domestic rating list.

Dr. Norman A. Godman (Greenock and Inverclyde): I could be described as a semi-permanent resident of the City of London and a tenant of the City of London's housing department. Has my hon. Friend received any representations from the Barbican Association on this aspect of the Bill and on his amendments? I live in the Barbican and other residents have mentioned the Bill in passing, but I should like to know whether the Barbican Association itself has been in touch with my hon. Friend.

Mr. McDonnell: That is an important point. I have received no representations from tenants or residents in the Barbican. However, the City of London corporation has undertaken a range of consultations, although the House has yet to receive a report. I should be happy to give way to any hon. Member who would like to make such a report. Several meetings have been held in different areas of the City, but I do not know whether one was held in the Barbican estate.

Mr. Gerald Bermingham (St. Helens, South): Does my hon. Friend agree that, under the measure, an unelected, unsupervised, unaccountable person—perhaps a director of a major corporation—could nominate who

should have voting rights within the City, and that such nomination would be at the whim and fancy of that unelected, unaccountable person?

Mr. McDonnell: As I go through the amendments that have been tabled in my name and in that of my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen), my hon. Friend will see that they seek to deal with the potential of such abuse.

As I said, we have had debates on local government reform, and on devolution and the legislatures for Northern Ireland, Scotland and Wales. In all those cases, voting has been based on residential qualifications and in none of them was there the strange mechanism of a qualifying body based on the ownership of property. According to clause 2 the qualifying body is

a body corporate or an unincorporated body other than a partnership within the meaning of section 1 of the Partnership Act 1890.

I shall return to that point, because it is a bizarre piece of drafting. What do the words

within the meaning of section 1 of the Partnership Act 1890

mean? I checked and found that they are almost meaningless. Under section 1 of the 1890 Act, to which I shall refer in detail later, a partnership is a relationship between people, that seeks profit. Therefore, it is an anomaly that such partnerships are ruled out by the clause.

In effect, the problem with the Bill is that, although residents retain their right to vote and their votes are based on universal suffrage, those votes will be swamped by what is in effect the sale of votes to businesses and the votes based on property itself. This is the last area of political life in which votes can be bought in that way. As many know, we sought to reject that provision on Second Reading, and the Committee struggled with inadequate advice, so it sought more independent external advice. However, we are now left to press amendments designed to achieve two basic objectives.

First, the amendments would ensure that the business voter was physically present, or occupied, the premises in the City from which he or she, or the qualifying body, gains the qualification to vote. Secondly, if business votes are to be allocated, the qualification for those votes should be based not on property ownership, the value of the property or how much property a company or director owns, but on human beings—the employees who work for the company. That point is based on the assertion that the employees, or the workers, are the real generators of the City's wealth and that the City is their working environment. If anyone other than the residents should have a say in the City's management, it should be the employees. That is not a radical demand to make in this century.

With your permission, Mr. Deputy Speaker, I would be grateful if you would consider allowing us to divide the House on three or four different amendments in the main group because each addresses a different principle relating to the qualifying bodies.

Mr. Martin Bell (Tatton): Does the hon. Gentleman feel some surprise that, in the first year of a new century, a democratic assembly is debating the buying and selling of votes?

Mr. McDonnell: I was surprised when we debated that issue in the last century, too. Not only are we debating such issues, but the Bill is being forced through the House on the payroll vote. If it were left to a free vote, we would not have this travesty before us.

7.15 pm

A number of principles are covered by this group of amendments on the qualifying bodies. Each of those principles merits the consideration of a separate vote. For that purpose, I have divided the main group of amendments into smaller groups. The first smaller group aims at stipulating the physical presence of the qualifying body. It is made up of amendments Nos. 3, 65, 5 and 48.

The second group argues that, when the votes are allocated, a qualifying body should qualify on the basis of its employees—that is, human beings—not on the basis of the property it owns. That group is made of amendments Nos. 64, 26, 34, 37, 16, 17, 38, 54 and 56. The third group demands that employees must determine who will vote on their behalf. It contains amendment No. 40 and consequential amendments Nos. 51, 52 and 53.

The three groups that I have described strike at three distinct principles, and I argue for separate votes on that basis. The first group is about physical presence. A person's entitlement to vote should depend on the physical location of an individual within the geographical area in which the vote is to be cast and in which that vote will have its effect. That has been the basis of our democracy, for perhaps three centuries.

The second group is about qualification, and states that the quantity of votes should not be based on how much property is owned by an individual or company. If people do not live in the area, they should at least work in the area. The argument is that they, the employees, should have a stake—an argument that is almost new Labour.

My third group is about qualification. It argues that voters who gain a vote through a business connection should be elected by the employees of a firm or business. The votes of a firm should be cast following of a vote of its employees to determine whom they entrust to cast their votes and to fulfil that responsibility.

I have grouped the amendments in that way because they represent a sliding scale of democratic engagement. It would almost restore to the City corporation the traditions on which it was founded—workers coming together in the distinct areas where they live and work to govern those areas. The tradition is that those who work within the City's boundaries are stakeholders as much as, and as well as, the residents. Therefore, they should have a say in running the corporation and in the management of their area.

That is why I have tabled amendments on physical location and occupation, and those that would ensure that votes were based on employees. However, if the votes on those amendments fail, I would at least urge that we divide on whether the votes based on the property qualification should be exercised by voters who have been elected by the employees of a business that qualifies to vote. There is a logic to having separate votes on the amendments.

I suggest a fourth vote. It would be on the amendments that were tabled last week and which Madam Speaker accepted this morning. The fourth vote would guarantee that two further organisations that would qualify as qualifying bodies were included on the face of the Bill.

[Mr. McDonnell]

I draw attention to the amendments that argue that churches, voluntary organisations, community organisations and religious groups should be specified as qualifying bodies. It may be argued that they are unincorporated bodies, but I shall return to that point. I have sought legal and other advice, as the issue is not clear.

Mr. Robert N. Wareing (Liverpool, West Derby): This is the first time that I have spoken on the Bill, which seems to be fresh out of "Jurassic Park". Am I correct in saying that the City of London corporation is the health authority for the port of London? Would not it be right to include in the measure those who work on health for the port of London, including representatives of Unison and the dock workers?

Mr. McDonnell: The amendments would enable the employees of the City of London corporation and all the organisations that have a location in the City of London to have, if not a direct say, at least some say in who will cast their votes for corporation representatives. As my hon. Friend said, employees involved in all functions exercised by the corporation should be included in a vote.

Dr. Godman: My hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) raised an interesting matter. Is not Bart's in the City? What rights do the 300 to 400 people working in that famous hospital have under the Bill?

Mr. McDonnell: That is an interesting question, as I am not sure whether Bart's qualifies as an incorporated body—which is one reason why clause 4 needs to be clarified.

Mr. Stephen Pound (Ealing, North): On that note, there is surely no doubt that the vast verdant swathes of Hampstead heath and Epping forest that are in the City of London's iron fist are under the aegis of the incorporated body. Those unfortunate but honest artisans labouring in Epping forest and Hampstead heath have no democratic input into the terms and conditions of their service. How can that possibly be defended?

Mr. McDonnell: The amendments partly relate to that. Amendments were tabled that sought to bring Hampstead heath and Epping forest into the geographical area of the City of London, which would enable residents in those areas to vote. Those amendments were not selected for debate.

However, it can be argued that employees of the City corporation who are based outside the corporation, but work in such fields of activity, are located primarily in the City and could participate as employees under the amendments. If nothing else, we should at least agree, in a final vote, that the definition of bodies that qualify, as businesses do, for a vote in the City should include churches, religious organisations, voluntary organisations and community organisations.

It can be argued that the wording already allows for that. However, that is open to doubt and we must clarify the matter in the Bill. We should also vote on whether trade unions located in the City of London—in the sense that they are operational there and represent members' interests there—should be recognised as a qualifying body, thus enabling them to elect someone who would vote on the composition of the City corporation.

Mr. John Cryer (Hornchurch): My hon. Friend may not be aware that, before I came to this place, I was a journalist working on the daily paper *Lloyd's List*, as well as various left-wing publications such as *Tribune*, which my colleagues on the Front Bench know and love. Under the amendments, would the chapel of the National Union of Journalists have the right to elect voters?

Mr. McDonnell: There are two issues involved in that question, which is why I would like the details to be included in the Bill. First, does the organisation have a financial property base in the City of up to £200 rateable value? Secondly, is it a qualifying body as an incorporated or unincorporated body? The question is whether either of those factors is applicable.

In our discussion of the amendments, I want to demonstrate that the references to corporate and unincorporated bodies in the Bill are, in legal terms, almost gobbledegook. To give security to those organisations, we should name them in the Bill. As I said, one of my arguments concerns stakeholding. Bodies such as churches, trade unions and others contribute to the life of the City of London and to the quality of that life, so I believe that they should be entitled to vote.

With the approval of the House, I shall seek four separate votes on qualifying bodies. I accept that that is difficult, but we are dealing with a sliding scale of amendments which could improve the Bill. We should at least seek to include in the Bill an acceptance that churches and others would be recognised as qualifying bodies. I would welcome your advice on those votes and their time scale, Mr. Deputy Speaker.

I shall explain the meaning of the linked amendments Nos. 3, 65, 5 and 48. There should have been a further consequential amendment, which would have deleted clause 3(1)(c). Unfortunately, however, it was not tabled. Let me offer apologies on behalf of my hon. Friend the Member for Leyton and Wanstead, who tabled several of the amendments and is on parliamentary duties in Washington.

Mr. Pound: In Tyne and Wear?

Mr. McDonnell: In the United States.

I have added my name to several amendments tabled by my hon. Friend.

The Labour party's manifesto sets out the background to the amendments. We are seeking to abide by the commitments that we gave to the electorate during the election. We have sought to establish good local government, enabling people to have the powers within their area which they felt that they needed to improve their quality of life. The manifesto states that local government should work in partnership with local people, local business and local voluntary organisations. We argued that councils would have the powers necessary to develop partnerships and bring about greater accountability. We also said that we would try to introduce a general power of improvement for certain areas. The amendments seek to do that.

Our party leader's argument at a certain conference about the forces of conservatism was an argument in favour of democratic engagement. The House has established, within its Public Administration Committee, a Committee to examine innovations in citizen participation. Our amendments seek to ensure that we engage the citizens of the City of London corporation in their own government and management.

In the past, we have defined citizens, especially in relation to local government, as people living in a defined geographical area. However, there are exceptions, and overseas voters are included. The previous Government included passport holders as voters, but a local connection—even one from 20 years ago—qualified them for that. I believe that the present Government are reducing that period.

There are also proxy and postal votes to cover temporary absences, such as holidays and working away. However, despite further innovations to enhance democratic participation, it is still based on identifiable location. Hence the reforms that we introduced to increase opportunities to register, such as a rolling register right up to the weeks just before an election. That is unlike the previous system of registering, which was based on a date in the October prior to the election. However, even the rolling register is still based on physical presence, and depends on location in a constituency in a parliamentary election, or in a ward in a local government election. Even with proportional representation in the recent London mayoral elections, qualification was still based on living in an area, being located within a boundary—a geographical area of greater London defined by the Greater London Authority's area of responsibility.

Why is that so? It is because we have defined democracy as people who have a common interest—almost a physical interest in the area that they share—coming together in their shared life experiences. Democratic participation and votes cast should be based on the knowledge of that area.

7.30 pm

A voter in physical occupation is defined in clause 3(1) as an owner, tenant or resident, but, for the qualifying body, the Bill goes further. Clause 2 states that the qualifying body can be established in relation to occupation by

a director, officer, employee or agent of that body

and, in lines 14 to 16 on page 2, goes even further by adding

through a holder of any paid or unpaid office.

A person can be appointed as a voter under clause 3(1)(c) by a qualifying body solely because the organisation can have an agent present in that hereditament.

What does "presence" mean? How long will a person have to be present? Would it be solely on the day or night of the qualifying date—1 September of the previous year? If it is based solely on the presence of a paid agent or an office holder on 1 September, businesses will be able to vote if such a person physically occupies the premises for one day only.

We accept that clause 5 sets out that the voter's principal place of work must be in the City and that the voter must have worked for a qualifying body for 12 months previously, or, under the alternative conditions, that the voter's principal place of work must have been in the City for an aggregate period of five, or even 10 years. However, the business connection will have to be for only one day on particular premises.

The Bill's promoters have set out their views on what they consider to be its benefits. They say:

The entitlement extends to a qualifying body only if it actually occupies premises in the City for the purposes of carrying out a trade, business, profession or other occupation or calling, while the performance of the functions of any paid or unpaid office being functions for whose performance accommodation has been provided by the qualifying body.

That is a somewhat disingenuous allegation of physical presence. The qualifying body may acquire the rights of physical presence by a director's presence—not that of an employee or a major shareholder. So, the requirement that voters should have a connection with the City in order to gain a right to vote, as stated by the promoters, can be met by a qualifying body with a director—a tenuous connection.

There is an extraordinary circular logic to the promoters' argument. They argue that the qualifying body qualifies because of physical presence; but physical presence can be gained only by a director who is a member of the board of directors. Under clause 5(5), a director can be a person treated as having his principal workplace in the City, and therefore eligible to be a voter. Clause 5(5) states:

A person who on the qualifying date is a member of a board of directors or other governing body of a qualifying body shall, for the purposes of this section, be treated as having his principal or only place of work on that date, and for the period during which he has been a member of that board or governing body, at the hereditament (or part) in respect of which the entitlement to appoint by that qualifying body arises.

Mr. Bermingham: Would not one be faced with the absolutely ridiculous situation in which somebody who does not own shares in but is a director of Amusement Ltd., running a theme park in north Yorkshire but registering it in London, could become a qualifying voter in the City of London if so appointed?

Mr. McDonnell: There is a strong anxiety—let us put it no stronger than that—that the system will be open to abuse. The Bill is not only almost incomprehensible but unenforceable.

Mr. Pound: I apologise for interrupting my hon. Friend's flow, which is as ever illuminating and elucidating. He quoted clause 5(5), which refers to the presence of the person

at the hereditament (or part) . . .

What does he understand by part of the hereditament? Is it a shed in the garden behind the building, a priest hole beneath the stairs, a forgotten part of the attic, a cupboard?

Mr. McDonnell: Understanding the Bill requires an element of fervent study, Jesuitical training and a creativity of mind to enable enlightenment. I do not think that we have enough time for that.

Mr. Pound: I was educated by the Jesuits.

Mr. McDonnell: As someone who was educated by the de la Salle brothers, I suspect that my analysis of the

[Mr. McDonnell]

clause may not have reached the level of the Jesuits. I look for enlightenment from the right hon. Member for Cities of London and Westminster, the sponsor of the Bill, and my hon. Friend the Minister, who I am sure has a full and thorough understanding of the nature of hereditament and its parts from piloting through Committee this and other Bills. I defy any hon. Member to clarify how clause 5(5) would not result in a director of a company being able to do whatever he or she wanted in order to qualify to cast a vote. We are talking about becoming a voter and not about qualifying to choose a voter.

I shall cite a hypothetical example of someone wanting to abuse the system. If I were interested in shaping the policy of the City of London corporation because I wanted to sell off the assets to friends and reap rich rewards—God forbid—I would encourage my friends to register as a qualifying body by buying a small office or part of a hereditament. I would lodge an agent in that office on 1 September—perhaps for 12 months—or say that I was the company's director and therefore the office was my principal place of work, as clause 5(5) requires.

Not only would my organisation acquire the right to appoint a voter, but I could become that voter because I had been a member of the board of that company and the office would be treated as my principal or only place of work. That is a recipe for every carpetbagger who wants to join the City of London corporation gravy train. I genuinely believe that the matter needs reconsideration and I am surprised that the Bill has come quite so far without much amendment.

Amendment No. 5 would tackle the problem by deleting clause 2(2). Amendment No. 3 would delete further lines that pronounce on the need for physical location in the City of London area. It would delete the contortions in the Bill that will enable someone to qualify as a qualifying body and then as a voter.

Mr. John Cryer: It occurs to me that multinational companies, international banks and other such institutions might consider this putative legislation with some interest on the basis that, if the business vote in Britain can be extended, there is no reason why it cannot be so extended in other countries and in cities such as Tokyo or Toronto.

Mr. McDonnell: It is interesting that my hon. Friend cites Tokyo. I was interviewed over the Christmas recess by Japanese business journalists who were interested in the proposed legislation. They thought that it would provide a fascinating way in which a company could exert influence within a particular area, and was something that would want to be replicated elsewhere. The purchase, establishment and registration of a holder company within an area would enable voters to be chosen, and eventually the representatives could become voters themselves or become the casters of votes, and then move on to the City of London corporation.

Mr. Wareing: Recently there has been reference in the news to the proposal to merge the stock exchanges of London and Frankfurt. Is it possible that under the Bill someone living in Frankfurt could have a vote in the City of London, while a worker, a Londoner, living in the City of London would be denied that possibility?

Mr. McDonnell: It is important that we seek clarification from the promoters. They have issued a statement today, and I find it difficult that we are not able to respond to such statements. If I had received today's statement early enough, I would have wanted to question parts of it or to publish an alternative brief. The statement contains assertions that voters should have a connection with the City. It goes on basically to argue that whoever qualifies for a vote and casts a vote has a connection with the City. However, as clause 5(5) demonstrates, that connection can be fairly tenuous. It can be indirect, and it can certainly overcome some of the conditions that the Committee sought to include in the Bill to ensure that there would be a connection between those people who cast their votes and those who were elected—that being that they lived, worked and served within the City.

Amendment No. 5 would overcome some of the difficulty by removing the relevant subsection. I urge the House to examine the potential for voting for the amendment. As I have said, amendment No. 3 is designed to ensure physical location overall.

The qualification that a qualifying body will seek under the proposed legislation is physical presence by an officer. "Officer" is not defined in the Bill. What does it mean? What legal standing does "officer" have? What officerships are we including within the definition? Are they chair, vice-chair, secretary, treasurer, auditors, chief executive, president? What other functional officers may qualify? There is a strong argument for amendment No. 3, which would delete the provision that enables a director, officer or agent, or holder of any paid or unpaid office, of the body concerned to be present and therefore qualified to vote because it is in occupation.

As for other functional officers, how far does the provision extend and what is the relevant case law? For example, is it possible to designate more than one person to any of these officerships on a joint basis? If we had joint secretaries, could it be that only one of them would need to be present within a particular location to satisfy the condition of occupation? It seems that there has been no debate on the matter, and I would welcome assurances from the promoters and my hon. Friend the Minister that the matter has been or will be examined, and that we shall receive a statement.

The objective of my line of questioning is to ascertain how open the proposed legislation is to abuse and manipulation by the unscrupulous, or by those who do not wish to lose their less formal or perhaps ceremonial positions. An attempt may be being made to keep the free lunches coming. However, there may also be an attempt by some to manipulate the proposed legislation to enable other abuse at a later stage.

7.45 pm

Amendment No. 3 would eliminate the possibility of qualifying bodies enabling the agent to be present. We should be anxious about the concept of an agent. How is agency defined? Are there qualifications to be gained for someone to become an agent? If so, can I apply? What is the transaction that enables an agent to be appointed? Has a legal process to be completed to designate an agent? If so, what is it? Is there a documentation process to record the award of an agency? The issue is important because residents qualify for a vote as a result of residency, and that residency is recorded on the electoral roll. I take it that the business qualifies as a result of the hereditament,

and that is recorded also as a result of the ownership of property and the payment of council tax, business rates and other forms of evidence.

However, what documentation evidences an agency? If there is documentation, is it a matter of public record? Is it open to public inspection? Will it be covered by freedom of information legislation that we are promoting as part of local government legislation so that there will be access to information? Will there be an electoral roll that will be open to free examination by the public?

It is fairly clear what I am getting at. If anyone can be an agent, if any process can be followed, if there is no transparency, if there is no documentation and if there is no so-called electoral roll of agents, how can we test the bona fides of an agency?

Mr. John Cryer: It occurs to me that in this place at least we have a Register of Members' Interests. We know that when the Conservative Administration was in power, not all Conservative Members bothered to fill it in completely and honestly. Nevertheless, we have the register. Given the proposals in the Bill, we shall not see anything resembling a register of voters' interests.

Mr. McDonnell: My hon. Friend has raised an important point. If there is an issue of agency, the agency would enable the qualification of a qualifying body to appoint voters. Those voters would in turn elect the corporation representatives. My hon. Friend is right in suggesting that we should be aware of the interest of agents when they exercise that function. Amendments were tabled relating to the registration of masonic links, for example, which were not selected. Whatever the system, it is important that there is transparency. Why is that? It is because qualification is based on physical occupation. How is it possible to check physical occupation as in clause 2, if we do not know the name of the agent, the process of authorisation or who authorised the agent? How can we challenge the qualification of a qualifying body to vote on the basis of the occupation of the agent if the identity of the agent is not recorded along with the property that he is supposed to be occupying?

Mr. Bermingham: My hon. Friend is using the word "agent". I have scoured the Bill: what is an agent?

Mr. McDonnell: That was the first question that I asked. I would welcome a definition from the promoters and from my hon. Friend the Minister. If we are talking of a person acting on behalf of an organisation, it should be relatively simple to put him on some form of electoral roll. If the agent is an organisation, matters become more difficult. Who are the agents of that organisation? It becomes extremely difficult to define and is open to abuse because it is not transparent. I would welcome a clear definition of "agent" from the promoters.

Dr. Godman: The aim of amendments Nos. 3 and 5 may not be to protect the interests of existing voters. If my hon. Friend fails to persuade the House to vote for those amendments, is it likely that the present electors—the people who live in London—would become a minority in the new electorate established by the Bill? That is an important question. It may be an indirect consequence of the Bill that the present electors become a minority.

Mr. McDonnell: That is one of the issues that has been raised consistently throughout the debate and in Committee. Our concern is that if organisations, particularly businesses, are qualifying bodies under the clause and can therefore appoint voters, they will swamp the residential vote.

Assurances were given to the Committee that the promoters would introduce a wider package of reforming measures. Their statement today says:

> The Bill forms only part of a wider package of reforming measures, and the Promoters have given the Select Committee formal undertakings as to the implementation of the remainder. These can be dealt with by the Corporation's legislative mechanisms and do not therefore require Parliamentary powers.

Some of those measures would entail the re-warding of the City of London corporation to protect the resident voters. Although those assurances were given to the Select Committee in June last year and we received statements like the one today from the promoters in June, July, November and January, the reform package has not been completed. Therefore the protections that my hon. Friend seeks have not been secured.

That is why it is critical that we debate amendment No. 3 properly tonight. The amendment would go some way to providing that protection by deleting the passage from lines 10 to 19 which allows the manipulation of the system, making it possible to become a qualifying body by being a director, officer, employee and so on, or an office holder.

The amendment would also strike at the heart of the concept of "agent". It would resist this democracy by proxy, and the substitution of the elector by other nominees. It would require physical presence. Occupation of

> any hereditament, or part of a hereditament, means occupation by personal physical presence there.

That is what the amendment would achieve.

In addition to the words "director" and "agent", clause 2(1)(b) refers to the catch-all concept of office holder.

Mr. Kelvin Hopkins (Luton, North): The concept of physical presence is clearly important in elections, but in general and local elections we make provision for postal voting for those who cannot be physically present. Has my hon. Friend given any thought to that?

Mr. McDonnell: I tried to clarify that in previous debates. There is a distinction between those who are temporarily absent from their normal residence, and those who have no connection with an area. That is why this Government have tried to deal with the ridiculous provisions for the overseas vote introduced by the previous Government, whereby someone could vote in my constituency, for example, although he had not been there for 20 years. We have tried to restore the local connection. That is based on residence, either current or sometime previously. The Bill does not enable us to re-assert that principle.

Amendment No. 65 would delete lines 14 to 16 of clause 2, which relate to the concept of office holder. That is the final catch-all. If one is not personally, physically present to qualify, one can do so by being a director or officer, or one can appoint an agent. If that is too much trouble or costs too much, one can set up an office for an office holder. The beauty of that arrangement is that it avoids any payments to an agent, because it can be an unpaid office holder.

[Mr. McDonnell]

What is an unpaid office holder? That sounds like a member of the family. It sounds like some form of sinecure. What type of office is envisaged? I would welcome a response to these questions and a clear view from the promoters. Perhaps they can provide that in a future statement. Are the offices restricted? What is their range?

Let me give an example. Does any activity pursued on behalf of a firm enable the person pursuing that activity to be described as an office holder? If the office is unpaid, what is the relationship between the individual in occupation and the body that qualifies on the basis of his occupation? What is an office holder?

The wording suggests that the activities of the office holder

> for the performance of, whose functions accommodation is being provided by a qualifying body

are not irrelevant. Functions are performed within that accommodation, but the clause does not define what office that person or persons will hold in relation to the performance of those functions. The wording is extraordinary. On that basis, virtually anyone who passes through a venue, or who has some vague relationship to a company, can enable it to become a qualifying body, qualifying for votes in the City corporation.

The office holder does not necessarily have to be an office holder of that qualifying body. The clause refers to

> a holder or any paid or unpaid office for the performance of whose functions accommodation is being provided by a qualifying body.

It does not specify that that is an office holder of that qualifying body.

There may have been an error of drafting. I understand the intent, but it is not reflected in the content. A person operating from accommodation provided by a qualifying body may be unrelated to that body, may not be an employee of that body and may not be performing a function of that body. That is muddled drafting, which could open up a vista of abuse and manipulation.

The muddle continues into the next paragraph. What is a "qualifying body"? The drafting is unbelievable. I asked the House of Commons Library to provide advice. Amendment No. 3 would strike out this paragraph as well. In the words of my hon. Friend the Member for Leyton and Wanstead, it is gobbledegook.

The clause states:

> "qualifying body" means a body corporate or an unincorporated body other than a partnership within the meaning of section of the Partnership Act 1890 . . .

I want to explore what that means because it is almost meaningless as it is currently drafted. I have asked for a definition of "body corporate". It usually means a body that is incorporated under a public or private statute other than the Companies Acts. A good example is a private water company or, previously, the Post Office. It also includes companies that are incorporated by a royal charter and probably those that are incorporated by prescription. The City of London corporation is a good example.

Although the term "body corporate" is used to distinguish a body from companies under the Companies Acts, in general usage, it could include such companies. It may also include companies that are incorporated overseas. How much stakeholding can foreign companies have in the City of London corporation? That question was asked earlier. Under the definition that I have given, a body corporate could be a body that was incorporated overseas.

I asked the Library for a definition of an "unincorporated body". If we have at least some definition of a body corporate, what is an incorporated body? The response said that "unincorporated body" would probably cover almost every entity apart from an individual. That is startling. It means that almost everything apart from an individual is an unincorporated body. However, we cannot be sure because our advice from the Library states that the meaning will depend on the context because it can be further defined. The term that is used in the Companies Act 1985 is applied widely, but that measure contains no helpful definition.

"Unincorporated" could include partnerships, building societies, friendly societies, corporate and joint ventures, co-operatives and other mutual bodies, and unincorporated associations. It could even include such bodies as police authorities. The previous debate that we held about hospitals might therefore be relevant. The Library said that "unincorporated body" was a catch-all term. The clause states that a qualifying body is a body corporate or an unincorporated body. That is extraordinary. In other words, it covers anything apart from an individual.

However, for some bizarre reason, the clause excludes

> a partnership within the meaning of section 1 of the Partnership Act 1890 . . .

I tried to clarify that. As a Member of Parliament, stumbling through a private Bill, I believed that it should at least be comprehensible to us before we enacted it, if we enact it. I dutifully asked the Library to trawl through the definition of partnership in section 1 of the Partnership Act 1890. I challenge the majority of hon. Members to understand the relevance of the exclusion of such partnerships. Section 1 of the 1890 Act states:

> Partnership is the relation which subsists between persons carrying on a business in common with a view of profit.

I cannot understand why, having included bodies corporate and unincorporated bodies, the Bill excludes partnerships that are established to pursue profit.

8 pm

Mr. Bermingham: As a lawyer, I declare an interest. A partnership under the 1890 Act does not carry limited liability. Each partner is jointly and severally liable for the whole of the debts incurred. A corporate or unincorporated body can carry limited liability. If specific partnerships are permitted, what happens to those, such as me, who are members of chambers in the City of London, but are not in partnership with anyone? Every member of my chambers is entitled to vote in the City of London.

Mr. McDonnell: That is a good point, which I was going to make later. The Bill must clarify exactly who is entitled to vote. Clause 1, which is a quagmire of a provision, gives a vote to almost all those who want to wangle one if they own a certain amount of property. It is therefore bizarre that it isolates the partnerships for

which the 1890 Act provides. I understand the issue about limited liability. However, section 1 of the 1890 Act also states:

> But the relation between members of any company or association which is registered as a company under the Companies Act, 1862, or any other Act of Parliament . . . formed or incorporated by or in pursuance of any other Act . . . a company engaged in working mines within and subject to the jurisdiction of the Stannaries . . . is not a partnership within the meaning of this Act.

It is extraordinary that the Bill proposes the exclusion of partnerships that do not have limited liability, as my hon. Friend the Member for St. Helens, South (Mr. Bermingham), who has vast experience of the law, pointed out, and those that pursue profit. Why exclude them? The promoters should explain that. Surely the City corporation is not embarrassed about the pursuit of profit? If it is, the revolution is here.

Amendment No. 5 would delete subsection (2) of clause 2. As I explained, the amendments that are associated through trying to define "qualifying body" refer to the concept of an unincorporated body in occupation that is treated as the owner or tenant. Subsection (2) provides for the unincorporated body to be treated as owner or tenant

> whether or not the . . . owner or tenant . . . is in occupation.

Again, that is gobbledegook. What does it mean? If an unincorporated body is any organisation other than an individual, the provision is open to abuse. Subsection (2) provides that the

> unincorporated body which is in occupation of the whole or part of a hereditament shall be taken to be so as owner or tenant whether or not the person who is on its behalf the owner or tenant of that hereditament or part is in occupation.

Occupation goes out of the window.

The associated amendments deal with physical occupation. The Bill drives a coach and horses through the concept of physical occupation. My hon. Friend the Member for Leyton and Wanstead stated in a letter that one only has to read clause 2(2) to realise that it is gobbledegook, vague and not properly defined. He asks whether partnerships and other non-corporate bodies are included. He states that the provision is open to abuse, misuse or misinterpretation and that it is a lawyer's paradise. I agree, but the lawyers will be corporate lawyers, who will try to secure an interest for their company.

We have heard the interpretation of what is an unincorporated body. I suggest in amendment No. 79 that we should include as a qualifying body

> a church, religious body, voluntary sector or community organisation which has registered as a charity under the Charities Act 1993.

Those may fall within the definition of an unincorporated body, but there is no guarantee of that. I sought clarification and advice on whether their inclusion could be guaranteed. Unincorporated bodies can be interpreted in the context of specific legislation, a law or a particular case, but there is an element of uncertainty. We need to guarantee recognition of the role played by those key stakeholders, which must be able to qualify for votes.

I care about the fact that such organisations must be reputable. For that reason, I have included the safeguard that they should be registered as charities under the Charities Act 1993. There are guaranteed standards of transparency, probity and community support for voluntary or community organisations, which provide justification for their qualifying for a vote. There is no doubt that they are key stakeholders. There are numerous churches and a vast number of voluntary organisations in the City of London corporation area and I pay tribute to the enhanced role that the corporation has played in recent years, particularly through the Bridges fund, to develop community support in its area. The Bill should ensure that community organisations, especially those that have been enhanced by the corporation's support, are entitled to qualify at least for a vote on determining a voter.

Amendment No. 80, which also deals with qualification, recognises another stakeholder by suggesting that a

> trade union certificated under section one of the Trade Union and Labour Relations (Consolidation) Act 1992

should also be a qualifying body. That represents not a back-door route to workers' control, but recognition that trade unions, which have many members and a presence in the City corporation, are key stakeholders. The Manufacturing, Science and Finance Union and other unions that organise City employees have strong memberships and therefore should have a strong voice, at least as qualifying bodies that can nominate a voter who would then qualify for a vote that would help to elect the City of London corporation. The representatives of the organised work force would then be eligible to qualify for a vote.

Amendment No. 80 does not represent industrial democracy, but it recognises the role of trade unions as stakeholders and partners. It would open up the management of the City corporation to its own trade unionists as well as the trade unions based in the City that represent City workers. For example, it would enable trade unions such as Unison and the Police Federation, as an association, to have some say in the management of the City corporation as they would qualify for a vote for a voter. I welcome the promoters looking sympathetically on the engagement of those key stakeholders in the system.

The argument on these amendments is important to us because physical presence is critical; it has been at the heart of our democratic system throughout. Democracy, from the Greeks onward, has been founded on the rights of those living and working in a defined geographical area. Why? Because electors then have a direct interest in the management of their environment and the place in which they live and work, because they have shared life experiences that bind them together and because democratic participation and casting a vote should be based on living knowledge of the area that people seek to represent. They should know which issues need to be confronted and how best to address them. With your permission, Mr. Deputy Speaker, I should like a separate vote on physical presence.

8.15 pm

Dr. Godman: My hon. Friend rightly emphasises the need to protect the interests of the residential voters, but what assurances have the promoters given on the protection of the interests of residents who want to stand for office in the court of common council? Am I right that a number of the elected representatives on the court of common council live in the Barbican? Would his amendments protect their interests as elected representatives?

Mr. McDonnell: Again, the protections that my hon. Friend seeks may be present in the wider package of

[Mr. McDonnell]

reform measures that the corporation and the promoters suggest in their statement. However, until the measures are implemented, how can we ensure that those rights are guaranteed? That is a valid point and I am sure that those from the corporation who are listening to the debate would be willing to meet him to go through the details. They kindly saw my hon. Friend the Member for Leyton and Wanstead and the meeting was fruitful, if only in terms of discussing crossrail and how many more grants for his constituency could be pursued. They have also offered to see me. I apologise for being unable to make a previous meeting; it was to have taken place on the day of Bernie Grant's funeral so I could not attend. The corporation has been courteous enough to offer Members individual meetings to discuss protection and I urge my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) to take that matter up directly with it.

Amendment No. 64 is associated with amendments Nos. 26, 34, 37, 16, 17, 38, 25, 54 and 56, and I shall explain why they are all of a part. They are based on the simple premise that a body should have a physical presence in the area to qualify. We have considered how that can be distorted and contorted in the Bill, but now we must discuss another matter. Even if a vote is to be based on a business, a location or a commercial operation—not the stringent physical presence requirements that we want—the number of votes should be based not on the property holding, but on the number of employees at a particular firm or qualifying body. Those employees should be able to elect the voters who in turn, along with the residents, would eventually elect the City corporation. The electorate should comprise human beings, not properties, and electoral rights should be based on individuals and their role as residents, workers or employees.

Amendment No. 64 makes the first reference to the "employee" as having a physical presence in the hereditament to gain qualification for the qualifying body.

Mr. Bermingham: Has my hon. Friend considered the situation that could well arise in which a registered office is in a building occupied by firms of solicitors? He will no doubt have seen a sign listing company after company whose registered offices are in such a building. According to the promoters, under clause 3 they do not have to be separately rated. Does each of those companies, because the director and secretary are registered there, become a qualifying voter? If so, one block could have 50, 60, 70, 80 or 150 qualifying voters, all of whom would have a vote but none of whom would have any employees working in the block.

Mr. McDonnell: I understand my hon. Friend's point. I am not sure whether such contortion can be prevented. I would welcome the promoter's response to that point. Such multiple qualification could lead to abuse. It would be worth having a statement from the promoters about how that problem would be tackled. It may be tackled in the reform package that they have suggested, which falls outside the Bill. We may need to examine that problem in more detail.

Amendment No. 64 would identify the employee as the first reference and key to defining physical presence in the hereditament to gain qualification as a qualifying body. I accept that there are possibilities for abuse, as my hon. Friend suggested, either with or without employees, but we need to state the principle of the employee being the key element.

Amendment No. 26 would define "relevant employee" as

> a person whose principal or only place of work on the qualifying date is ordinarily the hereditament in respect of which the entitlement to appoint a voter arises and who works for that qualifying body.

I have chosen that definition to overcome some of the queries and concerns that hon. Members have previously raised. It is important that it is not a fly-by-night employee who is at that place of work for only a limited time and moves on, or who moves from place to place and can qualify various bodies simultaneously. It should be the employee's principal or only place of work. That would prevent a person from being hired as a transient or peripatetic employee to become the carpetbagger who enables individual companies to qualify.

There have been discussions about how difficult it would be to establish a company's employment resources. I appreciate the difficulties in establishing who the relevant employees are and whether a location is their principal or only place of work. I acknowledged that on Second Reading, but I think that we were too charitable because it is clear that companies can readily identify from their records who their employees are. Extensive employment records are required for statutory purposes, such as national insurance, taxation, tax avoidance, and health and safety. Employees can be traced, located, verified and associated with a particular company.

There is no difficulty identifying employees and relating them to firms. The difficulty is relating employees to fixed locations: that may be open to abuse. If so, we should perhaps introduce a location register similar to the electoral roll. It could be funded by companies seeking qualification. If they apply to be a qualifying body on the basis of having employees at a particular location, they could fund the registration of those employees with the City corporation. If the City corporation can produce an electoral roll for residents, I see no difficulty in ensuring an electoral roll for employees.

It is argued that, on the City corporation's estimate, about 250,000 employees commute to the City each day for work. That number of people would not be difficult to register. It may seem large, but it is the electoral roll of my borough and of most boroughs in London, so it is manageable. The onus should be on the companies seeking to be qualifying bodies on the basis of their employees. They should assist in the financing of an electoral roll based on employment.

Such a register would be verifiable, because anyone could compare the electoral roll of employees with national insurance, taxation or health and safety records. I do not accept the argument that it is an insuperable problem to define "relevant employee" and to ensure that that person has a principal or only place of work at that firm and that they are located within that hereditament.

Amendment No. 4 was not selected, so I shall pass it by. It would have excluded people associated with the sex industry. I am not sure why it was not selected, but I shall leave that to hon. Members' imagination. My hon. Friend the Member for Leyton and Wanstead wanted to show that the term "relevant employee" may have to be further

defined. We may want to exclude certain employment, and I understand that. We exclude people from the electoral roll because of their criminal activity.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman is doing what he knows perfectly well he must not do. He said he would pass the amendment by, and he must pass it by completely.

Mr. McDonnell: I have passed the amendment by, and shall now deal with amendment No. 34, which states that a qualifying body may only appoint—I detest the word "appoint" and prefer the word "elect", which is why I have tried to amend other parts of the Bill—

Mr. Pound: There is no future for my hon. Friend in the Labour party then.

Mr. McDonnell: I hope that you did not hear that, Sir Alan. It was almost a compliment.

Amendment No. 34 would require that a qualifying body could appoint a voter only if it had conducted a ballot of its employees to determine the person appointed as a voter. As it stands, the Bill provides that a person appointed as a voter would probably be appointed by a decision of the board or by a director or chief executive, but we do not know, because it is not defined.

Mr. Bermingham: Does my hon. Friend realise that that creates one of the most alarming anomalies in the Bill? Say that the board of X Ltd. decided to appoint my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) as a voter in the City of London and then by some mischance he gets himself elected to the corporation's board and the directors decide that they do not like him and take him off the voting list. He would lose his right to sit on the City corporation. Someone who is unelected and unaccountable would have disfranchised a human being and removed a councillor. I cannot see that being in accordance with the European convention on human rights.

Mr. McDonnell: I advise my hon. Friend not to stray into the issue of compliance with the European convention on human rights, because that may cause difficulties. The issue is about right of recall. Amendment No. 34 suggests that a ballot should be conducted to ensure that a person appointed as a voter is appointed on the basis of the wishes of employees in the relevant firm. As my hon. Friend says, under the Bill as it stands that person will be appointed on the whim of the firm, and his or her appointment can therefore be withdrawn on the same whim. Not only would that undermine the potential vote; it could undermine the individual's position and status if he or she were elected to the corporation of the City of London. It cannot be right for a company to have that power of veto and that right of recall.

8.30 pm

I am trying to ensure that there is an election by employees, because that would prevent an individual company from seeking to influence the corporation in respect of a point of policy that might have a direct bearing on its own operation. As far as I can see, the Bill as it stands allows companies to exert immense influence on the appointment of voters, and therefore on representatives of the corporation.

In earlier debates, concern was expressed about how, if we agree on a ballot of employees to nominate a voter, we can practically ensure that the ballot is fair, open and transparent and enables employees' will to be exercised fairly and democratically, without undue influence. It is always difficult to prevent the exercising of undue influence, but I do not believe that difficulties will be involved in registering the number of employees in a company in order to conduct a ballot to enable a vote to take place, either in the workplace or by post to employees' home addresses, so that those employees can decide who should exercise their votes and, in some instances, who should become members of the corporation.

The proposal relates to an earlier point, because it would be facilitated by a register of employees. It is not difficult to do that in the case of a population of 250,000, and it is surely not a problem to place such a duty on a company with a limited number of employees in order to ensure probity in the conduct of a ballot. It would remove the right to appoint from the chief executive or the board of directors, and would place that important right in the hands of those who work for the qualifying body.

Amendment No. 37 is consequential. The Bill suggests that if a hereditament spans more than one ward, it should be deemed to be in whichever ward contains the greatest part or structure. The amendment simply proposes that if a hereditament spans more than one ward, the decision on which ward it should belong to should be based not on the scale of the property holding, but on where the largest number of employees are. That would prevent a skewing of the balance.

Amendment No. 16 is also consequential. It suggests that the limitation in clause 3(6) is not necessary if the qualification is based on the number of employees, and would eliminate the limit on the number of votes that a company can exercise on the basis of the number of its employees. Amendment No. 17, in my name and that of my hon. Friend the Member for Leyton and Wanstead, would delete schedule 1, which, in its present form, bases the allocation of votes on property and is therefore superfluous. The amendment is slightly more radical than amendment No. 38, which would retain the schedule but would amend it to ensure that voters were appointed on the basis of the number of employees.

Amendment No. 40 would place a duty on the qualifying body to ballot its employees to elect the voter or voters. Amendment No. 51 would throw out the word "appoint". It is, I think, a reflection on the Bill that throughout it are references to appointing rather than electing. That is a stain on any Bill that purports to bring about democratic reform. The amendment would install the concept of election—the concept of democracy—where it should be. Perhaps in this debate it constitutes heady radicalism, almost reaching the heights of democratic socialism: it not only includes the word "elect", but would bestow the vote on the workers themselves.

Amendment No. 52, another consequential amendment, would remove the word "appointed" and insert the word "elected". Amendment No. 25 would abolish schedule 1. Amendment No. 53 would also remove "appoint" and

[Mr. McDonnell]

insert "elect". Amendment No. 54, a more moderate amendment to the schedule, would introduce a system whereby, rather than the current allocation of votes in relation to the value of property owned—£200 up to £20,000 of rateable value, over £20,000 but not over £1 million, and over £1 million—there would be an allocation based on the number of employees. I suggest that the association with rateable value should be replaced by a system of one vote for every 1,000 employees, and that they should be "relevant employees" physically based in the hereditament in which a company seeks to qualify for the vote.

It has been argued that the residential vote might be swamped. Given an electorate of about 250,000 commuters coming into the City, that will not happen: the 2,500 votes will be allocated to companies on the basis of the number of their employees, and, with 5,000 residential votes, there will be no such swamping. I do not think that linking the number of votes to the number of employees on the basis of one per 1,000 is in any way intimidating in terms of the residential vote; I also think that my amendment would secure a balanced approach to the number of votes employees should have, on which businesses can then draw.

Amendment No. 56 is a similar consequential amendment that removes the reference to votes based on rateable value and installs the reference to the vote based on the number of employees.

At its mildest, my argument throughout the debate on this sub-group of amendments is that, if votes are to be distributed, the employees themselves must have their say, and that their right to have a say has been denied them until now; there has been no say for employees within companies.

If we are—I mean it sincerely—to build a stakeholder society, we will need to ensure that all the stakeholders are thoroughly involved. The Bill does not do that. The amendments go some way to ensuring that stakeholders are identified and provided with rights. I accept that with those rights come responsibilities; there is a responsibility of service. If one votes for a body, one is also entitled at some stage to stand for that body and to provide it with a service.

We discussed the stakeholder theme before the last general election and it was seized on by the Government. We developed it under new Labour and as part of the third way following Will Hutton's book "The State We're In." That seminal work opened and developed a debate about what a just society is. A just society is one in which we all have a stake. It is one in which we can make a contribution financially, in employment terms or, as some of us do, by participating voluntarily through voluntary organisations. In any democratic reform, those stakes, those contributions, should be recognised.

The amendments go some way to acknowledging the stakeholder society within the City corporation area. Almost unlike any other area, the City corporation is ripe for a stakeholder approach. It has a combination of residents and, thanks to City corporation funding, a strong and developed voluntary and community sector. Religious organisations and churches, which have been with us since mediaeval times, have also developed there, and there is the business sector. However, what has been missing among all those groups of stakeholders has been the voice of the workers themselves—the people who spend most of their working day in the environment of the City.

Mr. Wareing: There is another group of people who perhaps deserve an amendment: the students, for example, at the London school of economics.

Dr. Godman: There is also the City university.

Mr. Wareing: Indeed, there is the City university, Goldsmith's college and various other higher and further education establishments.

Mr. Deputy Speaker: Order. Let us deal with the Bill as it is.

Mr. McDonnell: Thank you, Mr. Deputy Speaker. There is a way in which to acknowledge the role of students almost as though they were employees of a particular body within an organisation, but I shall not pursue that matter because I can see that you are not succumbing to that argument. I shall concentrate on the amendments in hand.

That set of amendments, which is linked to a further set that we may debate later or on another occasion—which establishes electoral colleges—seeks to establish a stakeholder concept within the City of London corporation.

Mr. Deputy Speaker: Order. No doubt inadvertently, the hon. Gentleman has started to repeat himself. That I cannot allow.

Mr. McDonnell: At this stage, then, I simply need to say that the amendments allow for the formation of the right of workers within the City to have a say over their immediate environment. Why is that important? Because they should have a right to have a say over how their immediate environment is managed and governed. What does that mean? It is not industrial democracy within a firm; it is not about workers' rights; it is about the right of the estimated 250,000 workers who commute to the City to have a say and to make their contribution. It enables development of a discussion whereby those people can say what they require and how their needs can be met within the City area.

Before I conclude, may I briefly put the following point? Residents have their say over what they feel they need. Businesses have their say over what they feel they require within that limited environment to ensure that they function as businesses. What is not heard is the voice of employees who come into the area, telling us what they need to function as employees. I give a few simple examples.

Mr. Deputy Speaker: Order. The hon. Gentleman has dwelt on that point to such an extent that I shall begin to think of invoking the Standing Order against him for repetition.

Mr. McDonnell: I understand, Mr. Deputy Speaker. I simply wanted to mention the example of nurseries, which would enhance the quality of employees' lives, and the need for out-of-hours schooling.

Mr. Deputy Speaker: Order. I have ruled on repetition. I do not think that the hon. Gentleman need fear that any of those people will feel that their views have not been represented.

Mr. McDonnell: Thank you, Mr. Deputy Speaker.

This group of amendments opens up a new agenda for the City corporation and asks new questions of all of us. It opens up a new horizon, giving us the opportunity to liberate the legislation, to make it truly democratic. I would not want such provision to be replicated elsewhere, because I understand the special argument about the City of London. I understand the special needs of businesses, employees and residents in the City, and how we have to combine those needs.

8.45 pm

Although I do not accept the Bill, if we are to compromise on it—that is what we are trying to do today—I urge hon. Members to accept this group of amendments. The amendments define physical presence, ensure that qualifying bodies are proper qualifying bodies and give a voice to employees.

Mr. Peter Brooke (Cities of London and Westminster): I once moved a group of 25 amendments, in Committee, in opposition on the Finance Act 1978, but I do not think that I have ever replied to a grouping of 20. I congratulate the hon. Member for Hayes and Harlington (Mr. McDonnell) on the stamina with which he spoke to the amendments, although I cannot necessarily agree with the content of his speech. I hope that he and the House will excuse me if I am rather briefer than he has been. Nevertheless, I shall concentrate on and cover his amendments. As the issues are complicated, however, I shall not hurry my objections to his amendments and to those that he shares with the hon. Member for Leyton and Wanstead (Mr. Cohen) in this group.

In replying to this group of amendments, I should like first to say a little about Labour Members' objections—on what might be described as grounds of general principle—to the Bill's reference to "qualifying bodies" before explaining the amendments' effect and why, consequently, I shall be inviting the House not to accept them.

As has been made clear in today's exchanges, many of the amendments in this group are prompted by objection in principle to the involvement of those representing businesses—qualifying bodies, in the terminology of this group of amendments—in the City's voting system in the way anticipated or, indeed, at all. The entitlement of individuals appointed by qualifying bodies to participate in City elections—which the amendments seek to alter—reflects, as the arrangements in the City have always reflected, the fact that the City is overwhelmingly a place for doing business rather than for living in.

Participation by business in City elections is not new, as all hon. Members will by now appreciate, but the voting system has been adapted over time to meet changing circumstances. The Bill continues that process. By way of illustration, in the 14th century, the qualification to vote in common council elections was solely a business one: voting entitlement was confined to members of the guilds. That arrangement was later expanded—*[Interruption.]*

Mr. McDonnell: Will the right hon. Gentleman give way?

Mr. Brooke: I shall give way in a moment. If the hon. Gentleman will forgive me—no doubt he had the same situation in his speech—it is easier if I reach the end of a sentence before someone interrupts me.

The arrangement was later expanded to enable electoral participation, partly by the City companies and partly by the wards. I give way to the hon. Gentleman.

Mr. McDonnell: The right hon. Gentleman is as courteous as ever. I urge him to recognise that, in those days, there was not the same distinction between those who had a company and those who did not. Those who lived and those who worked in the City were one—people worked in their area. I urge him—he has read as much of the literature as I have—to accept that.

Mr. Brooke: I understand the hon. Gentleman's intervention, but he will know—as I was saying a moment or two ago—that part of the objection to the process of this legislation and the City having a business vote has come back to the business vote, as such. However, I acknowledge what he has just said.

The principle of participation by both business and residential interests remains today, and it is reflected in the proposals that we are now considering and in which the concept of qualifying bodies is a key ingredient.

Much of what has been said on the amendments is informed by objection to the inconsistency between the electoral arrangements in the City and those elsewhere. That criticism overlooks the fact that, while local authorities are statutory bodies created since the 19th century, with boundaries determined in accordance with resident populations, the City's jurisdiction has always been based on its position as a centre of trade. As I have already said, its franchises have, over time, reflected that fact. I remark in passing that the City is the most notable centre in Europe for archaeological research, because there has been continuous commercial activity on the site for 2000 years.

The aim of the Bill is to ensure, through appointments made by qualifying bodies, that the range of interests in the modern City business community is properly represented. That aim is no novelty in the development of the City's local governance. It is axiomatic. An argument that local governance of the world's leading international financial centre—which, I remind Labour Members, includes the economic development brief—should be decided solely by 5,000 residents is surely misplaced.

The hon. Member for Hayes and Harlington has contended that the Bill would result in City business being given a disproportionate influence in the workings of the Greater London Authority, given the duties on the authority to consult the City's common council, as a London local authority. That point lacks substance, because the Greater London Authority Act 1999, on whose Committee the hon. Gentleman and I both served for many hours, imposes obligations on the authority to consult London local authorities and business interests in the capital. It provides that the business voice is to be heard, regardless of whether it is channelled through a local authority.

The notion that the City is a threat to the workings of the Greater London Authority does not seem to be shared by the hon. Member for Brent, East (Mr. Livingstone), now the mayor of London. His mayoral manifesto, "Ken for London" said, in its business section, "London: Business Capital of Europe", that he will

> work with the Corporation of the City of London and major City institutions to ensure London remains the financial capital of Europe.

[Mr. Brooke]

I shall address specifically the amendments tabled by the hon. Member for Leyton and Wanstead, whose absence I entirely understand and which the hon. Member for Hayes and Harlington explained. I shall then respond to the details of the amendments tabled by the hon. Member for Hayes and Harlington. The hon. Gentleman gave an accurate precis of the meeting that the City corporation and I were able to have outside this place with the hon. Member for Leyton and Wanstead since we last debated the Bill.

Amendment No. 3 would remove reference to directors, officers, employees, agents and holders of paid or unpaid offices from the definition of occupation in clause 2. That would define occupation as "personal physical presence" on premises, but without referring to the classes of people who might be included. It is a paving amendment for others in the group, to which I shall speak later. The result would not change the requirement for occupation, but it would create ambiguity as to which people were intended to be covered by the definition.

Amendment No. 5, to which the hon. Member for Hayes and Harlington has also appended his name, would remove clause 2(2). In consequence, unincorporated bodies, whose property must, as a matter of law, be held by individuals, would be taken out of entitlement if the individuals who acted as trustees or custodians of the property were not based on the premises. The main casualties of the amendment would be charitable and voluntary sector bodies, which are often unincorporated. Their property is frequently held through the permanent officers based in national or regional offices, with local premises used by voluntary staff or place workers.

Clause 2(2) was included in the Bill because it seemed to the promoters undesirable that such people should be excluded from participation in elections simply as the result of a legal technicality.

Mr. McDonnell: Does that mean that the right hon. Gentleman supports the amendment that would include churches, religious bodies, the voluntary sector and community organisations in the Bill?

Mr. Brooke: I shall come to that point. The hon. Gentleman has also tabled an amendment including trade unions, and I will deal with both points. To return to the point I was making, such a result seemed to the promoters arbitrary and contrary to the aim of ensuring that as wide a range of interests as possible are included in the new scheme.

Amendment No. 16 would remove the current restriction in clause 3(1)(b) on the number of individuals qualifying bodies may appoint as voters and would require City businesses to appoint as voters everybody working at the premises. As drafted, the amendment would not restrict the entitlement to employees working at premises in the City. That arrangement would increase substantially the electoral base that is consistent with the objectives of the Bill. Requiring entry on the voting lists of all those working for City employers, not necessarily in premises in the City, is questionable, and I suspect that it was not what the hon. Gentleman intended.

Even if the requirement is assumed to be applicable only to City premises, the consequences would mean that the City's resident voters would be completely swamped. The scheme now before the House has been developed mindful of the need to maintain the voice of residential voters, as I mentioned myself on Second Reading. That objective must mean that the voting entitlement of City businesses has to involve some process of selection. It might be said that the need to apply a mechanism to give the various interests of the City a voice on a representational basis, involving the selection of individuals, is one of the principal points of contention, but amending it by entering every City worker as a voter—I remind the hon. Gentleman that the City has a resident population of some 5,000 and a daytime one well in excess of 250,000—is not a practical solution.

Mr. McDonnell: The amendments would register employers as voters for voters, who would in turn elect the City corporation, in the same way that the Bill would register businesses to appoint voters for voters who would then take part in the elections.

Mr. Brooke: I do not wish to have a laboured exchange with the hon. Gentleman, but as I said a moment ago his intent is not always matched by the words he seeks to include in the Bill.

Amendments Nos. 17 and 25, tabled by the hon. Member for Leyton and Wanstead, are interlinked and would remove schedule 1. The result would be to delete the scheme for appointing voters by qualifying bodies by reference to rateable values. Acceptance of the amendments would leave the Bill in a highly ambiguous, indeed unworkable, state, because clause 3 would provide for appointments by qualifying bodies by reference to rateable values. I infer, however, that taken together the hon. Gentleman's amendments are intended to remove the appointments mechanism for qualifying bodies altogether. That would leave clause 3(1)(a) and (b) to define the qualifications of voters in ward elections. That definition is essentially a restatement of the existing business and residential franchise, which therefore means that the primary objective of the current Bill—to broaden the franchise—would be defeated.

Here I acknowledge that the hon. Member for Hayes and Harlington may deliberately have been seeking to reach that outcome, even though it is not the purpose of the Bill.

9 pm

I turn now to the amendments tabled by the hon. Member for Hayes and Harlington. Amendment No. 48 would exclude members of governing bodies of qualifying bodies who are not based at the premises to which the voting entitlement relates. Clause 5(5) was included in the Bill for those reasons.

First, as a matter of law, the directors or members of the governing body of an unincorporated business are regarded as the personification of the company. It would be somewhat odd if such people, who could be held personally responsible for a qualifying body, could not be appointed under the Bill. Clause 5(5) makes sure that the entitlement is conferred.

Secondly, it seems inequitable to exclude everyone working for a qualifying body from participating in the new scheme simply because the directors happened not to have offices in that building. I have referred already to a similar point with regard to amendment No. 5.

Thirdly, there was a specific desire to enable those who participate in the running of charities to involve themselves in the extended franchise. Charities often depend on part-time board members. Those public-spirited people may well have a very valuable contribution to make, and the City corporation has sought to facilitate that contribution by including clause 5(5) in the Bill.

Amendment No. 64 would exclude reference to officers and agents from the definition of occupation in clause 2. Personal physical presence as a requirement of occupation would remain, but the explanation of which classes of persons might satisfy the requirement would be removed. There would continue to be specific reference to directors and employees, but not to officers and agents. At the very least, the result would make the meaning of the word "occupation" less clear.

However, if amendment No. 64 were to exclude officers and agents from the definition, as the hon. Member for Hayes and Harlington may intend, the effect would be rather worse. For example, if the company secretary were based in the premises but the directors were based in another building, the whole work force at the former premises would be excluded from participation in the enlarged franchise. That would be a form of social exclusion.

The reference to agents was included by the promoters of the Bill because the conduct of company affairs through an agent has long been established as a fact of commercial life, and there appears to be no reason to exclude those working for companies from the scheme simply on the basis of those companies' internal management arrangements.

Amendment No. 65 would remove limb (b) from the definition of "occupation" in clause 2. That provides that occupation by personal physical presence includes the situation where holders of paid or unpaid offices occupy premises for the performance of their work. Amendments Nos. 79 and 80, with which I shall deal later, touch on the same subject.

The provision was included primarily to deal with religious organisations, which will, under the Bill, be able to participate even if the property in the City that they occupy is unrated. Premises used by holders of religious offices—those offices may well be unpaid—will not usually be owned by them. Instead, office holders will use accommodation made available by others, either for philanthropic reasons, or through a board or other intermediate body whose job is to provide accommodation throughout a given area or nationally for members of the religious organisation concerned. The clergy, and those connected with religious orders, are a relevant interest in the City community, as elsewhere, and the promoters of the Bill would not wish them to be excluded.

Amendment No. 79, about which the hon. Gentleman intervened on me, would exclude churches, religious bodies, and voluntary sector and community organisations registered as charities from the extended franchise. Amendment No. 80 would have a similar effect on trade unions. From the manner in which the hon. Gentleman spoke to those amendments, and from his recent intervention, I do not think that that was his intention in tabling them. However, that is the effect that they would have. The reason is that in both cases, the additional words proposed in the amendments follow the words "other than" in the current definition of a qualifying body in clause 2.

It will be apparent from what I have said already that the amendments run counter to the intention of the Bill, which is to include as wide a range of interests as possible in the new scheme. In the amendments, the hon. Gentleman—inadvertently, I am quite certain—would simply enlarge the number of people who could be excluded, by specific reference.

Mr. McDonnell: I am grateful to the right hon. Gentleman for pointing out what could have been a drafting error. Leaving that aside, would he, on behalf of the promoters, suggest that with a redraft the proposal could be brought back to ensure that the Bill provided for the inclusion of churches, voluntary organisations, religious bodies and trade unions?

Mr. Brooke: I am grateful to the hon. Gentleman for the spirit in which he put his question. I was not seeking to grind him—to use the phrase so often used by Ministers—about the amendments being defective. Those amendments are not so much defective as wrongly addressed.

I have alluded on two occasions to the importance of including charities and churches. The hon. Gentleman intervened on me in my first reference to that. It is the promoters' intention that churches and charities should be included. I will, of course, in the familiar phrase, make sure that the promoters are confident that their intent is fully reinforced by the way in which the Bill is currently constructed. I am grateful to the hon. Gentleman for reinforcing the need for that contribution.

Mr. McDonnell: May I also ask the right hon. Gentleman to extend his reference to trade unions?

Mr. Brooke: I am less well advised on trade unions, but I will certainly draw the issue to the attention of the promoters.

Amendment No. 26 would insert a new definition of "relevant employee" in clause 2. The definition is picked up in the substantive amendment No. 34, which would require a ballot of all employees to decide who is to be appointed. Selection by ballot, rather than by appointment, can be made to sound attractive—and if I may say so, the hon. Gentleman did so make it. That is, however, as far as the matter goes, as is apparent—at least, in my speech—once the practical implications are examined. I should like to spend a short while in that examination.

The hon. Gentleman has some knowledge of industrial ballots and referral under the Employment Relations Act 1999. He will know that a simple statement requiring a ballot is a very long way from the difficulties of the practice. As one of the leading independently produced handbooks on the subject says:

> the rules for industrial action ballots are notoriously complex . . .

It notes the description by the Master of the Rolls of the practice of ballots as

> a minefield in which it is all too easy to stray from the paths of safety and legality . . .

The hon. Gentleman may know of the survey conducted in 1998 by the Labour research department, a body whose findings may appeal more to him than they necessarily would to me. The survey revealed that balloting irregularities accounted for 45 per cent. of all employers'

[Mr. Brooke]

legal actions against trade unions since 1983. It is against that background that the hon. Gentleman's amendments must be judged.

The amendments do not provide anything like the level of safeguards that Parliament has set down as necessary to ensure fairness and propriety in the conduct of industrial ballots. That is particularly apposite when one considers the context of the amendments, which seek to address issues of democratic legitimacy. For example, there is no requirement for an independent scrutineer, and no control over how the ballot is to be conducted. In particular, there is nothing about whether the ballot should be secret, as is now required for all industrial action ballots. In fact, nothing is said about the procedure by which the ballots envisaged by the amendments would be conducted.

I do not seek in any way to get at the hon. Gentleman's amendments. If I may pay him a parliamentary compliment across the Floor of the House, I think that his 20 amendments—all of which were regarded by Madam Speaker as being within the rules of order—have provided us with a rich feast. The fact that one or two details may be missing at the margins should not be held against his achievement in constructing them.

The hon. Gentleman might quite properly say that he would envisage ballots being conducted as all others are, so that probity may be reasonably assumed. Once that point is accepted, however, one must also accept that statutory procedures and rules would need to be imposed, which is, to re-quote the graphic terminology of the Master of the Rolls, "a minefield". It appears to be generally agreed that—because, no doubt, of the procedural complexities—ballots are an expensive business. They are not embarked upon lightly, but the hon. Gentleman's amendments would require every business and other qualifying body in the City to embark on one. That seems tantamount to the creation of an obstacle guaranteed to ensure that City businesses did not participate, with the result that the Bill's proposals would come to nothing.

Mr. McDonnell *rose—*

Mr. Brooke: I shall give way, but the hon. Gentleman will understand, after what I have just said, if I animadvert to him in my subsequent remarks.

Mr. McDonnell: I am trying to sidestep becoming a parliamentary institution. On independent scrutiny, I have to tell the right hon. Gentleman that I made points about the ability of individual firms to fund proposals, the structure of balloting and postal balloting. That aside, will he advise me on what independent scrutiny there is of the registration of qualifying bodies under the Bill?

Mr. Brooke: I shall respond first to that point and then return to what I had intended to say. In answer to what the hon. Gentleman has just said, I must, if he will allow me, fall back on the ministerial prop of saying that I shall write to him. As for the references that he perfectly properly made in his speech, as his speech lasted in excess of 100 minutes, I should not wish to take an examination on the whole of it. I was seeking, as best I could, to ensure that I responded to his central points.

Before the hon. Gentleman intervened, I was about to say that I could not tell whether the fact that his references to ballots might drive a coach and horses through the City's intentions for the Bill was his ulterior and secret motive, but that I could say that that would be their effect.

Amendment No. 37 seeks to alter clause 3 to provide that hereditaments that cross ward boundaries are to be treated as located in the ward in which the majority of employees working at the hereditament concerned are located. The clause provides that cross-boundary properties are allocated on the basis of the ward in which the greater part of the building is located.

9.15 pm

The undesirability—if not the impracticability—of deciding location on the basis of where in the premises employees are located is not difficult to identify. Employees are not static, and an attempted assessment of the part of the premises in which the majority of them might be located at any given moment is likely to yield highly arbitrary results. Even if the amendment were read as implying reference to an additional parameter—such as where in the building the employees usually work—in deciding location, the results would be capricious. Allocation of the voting entitlement could, for example, end up being based on the position of office furniture in a room, and could be altered simply by moving the desks around.

Buildings have a degree of permanence, and the approach taken by clause 3 is consistent with that taken in other contexts, including, for example, the compilation of rating lists where hereditaments cross rating authority boundaries. That, I suggest, offers a much more practicable and precedented method of dealing with property that crosses ward boundaries.

Amendment No. 38 would add a reference to "relevant employees" in clause 3(7); it refers to schedule 1 and is consequential on amendment No. 26, to which I have already spoken. Amendment No. 40 would delete from clause 4(1) the requirement on qualifying bodies to ensure that the composition of the work force is reflected in the appointments made, and substitutes the requirement for a ballot. In speaking to amendment No. 34, I explained at some length why ballots do not promote a practicable way forward. Amendments Nos. 51, 52 and 56 are also consequential, as the hon. Member for Hayes and Harlington pointed out.

Amendment No. 54 again refers to relevant employees and thus back to the issue of ballots. However, it substitutes for the table in schedule 1 an entitlement for qualifying bodies limited to the appointment of one person for work places where up to 1,000 people are employed and one more for each thousand thereafter. The effect of that would be to limit the entitlement of the vast majority of City businesses to one person. Only the largest City businesses—less than 1 per cent. of the total—would be eligible to appoint more. For the vast majority of businesses, there would thus be no prospect of participation by a cross-section of the work force.

There would be an absence of proportionality. The retail kiosk would have the same level of representation as the business employing hundreds of people. Such representation would then be triggered only if businesses went through the ballot procedure. For the reasons I gave earlier, that is not a reasonable expectation.

In addition to those elements, even if—for the sake of argument—it is taken as realistic to assume that businesses would voluntarily go through a balloting exercise to appoint one person, the overall increase in the City's electorate, and thus the level of representation of the City's diverse commercial interests, would be small and distorted. That runs counter to the Bill's intentions.

I have responded to the amendments in some detail to demonstrate to the House why the Bill, and especially the process to which this group of amendments is directed, have been framed in their current form. I hope that also explains why I have to invite the House not to accept the amendments.

Mr. Pound: It is with a slight reluctance that I speak in opposition to the right hon. Member for Cities of London and Westminster (Mr. Brooke). Normally, to see his name as a Bill's sponsor is similar to seeing the old sign outside Lords cricket ground saying that admission was 6d, or a shilling if Dr. Grace was batting. The presence of the right hon. Gentleman is usually the imprimatur of acceptability to the broad feeling of the House.

As the right hon. Gentleman walks to the wicket for what he has described as his last season at the crease in this place, with his club tie around his flannels, perhaps a decent touring cap rakishly worn over one eye, and his bat tucked under his arm, the plasters around its base bearing witness to many past struggles, many of us on both sides of the House will think of the last innings of John Berry Hobbs, Hammond, or any other great batsman. We shall look with sentiment at what has been—and will continue to be—a most distinguished career. Be that as it may, tonight the right hon. Gentleman is wrong.

Mr. Brooke: I much appreciate what the hon. Gentleman has just said. However, given the metaphor that he is using, is he aware that a predecessor as Member of Parliament for my constituency, Mr. William Ward, accomplished in 1820 the ground record for Lords of 278 when he played for the MCC against Norfolk? That remained the ground record for 105 years.

Mr. Pound: Very few Labour Members are not aware of that fact. As has already been mentioned, my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) and I had the benefit of education from the de la Salle brothers and the Jesuits. In fact, many of us thought that Lords was the Catholic cricket ground. We have learned more about it tonight and we have been pleased to do so.

It is a shame that the right hon. Member for Cities of London and Westminster, as he takes guard at the crease in his last season, is faced, on the Labour Benches, by the rude mechanicals from west London. Although I have no doubt that, as ever, he will gracefully caress the crimson wanderer to the palings with the waft of the willow that has characterised his parliamentary style, he will, I trust, forgive some of us if we see ourselves as Eric Hollies to his Bradman, or even Lillee to his Edrich.

I pay tribute to my hon. Friend the Member for Hayes and Harlington. He is not yet my right hon. Friend although after tonight's tour de force, I have no doubt that the Cabinet beckons him. [HON. MEMBERS: "Which cabinet is that?"] Unfortunately, it is probably the cabinet of Dr. Caligari or the cabinet used by Harry Houdini.

My hon. Friend has attempted to do what I thought to be wholly impossible. He has attempted to make better a bad piece of legislation and he has attempted to bring daylight, clarity, sanity and logic into the most bizarre mosaic of mediaeval mummery that anyone can look at without doubting that their senses still rest between their ears. How on earth can one justify the Bill?

There is only one intellectually sustainable case to be made for the Bill. I have my views on the amendments and, in my opinion, the City of London is in many ways an extremely successful institution. It would be a glorious addition to the London borough of Hackney.

Mr. Jeremy Corbyn (Islington, North) *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am not sure which amendment the hon. Member for Ealing, North (Mr. Pound) is addressing. I would be very grateful if he would start to address one of them.

Mr. Pound: Yes, Mr. Deputy Speaker. I give way to my hon. Friend.

Mr. Corbyn: Before my hon. Friend goes into detail as to which amendment would extend the boundaries of the borough of Hackney into the City of London, will he remember that the borough of Islington also has a boundary with the City of London, as does the borough of Tower Hamlets? We do not wish the City to be annexed to Hackney to the exclusion of Islington and Tower Hamlets. Will my hon. Friend reflect on that point?

Mr. Pound: I thank my hon. Friend for so brutally and publicly correcting me. Although the resident population of the City of London is about one third the size of an average London ward, why should not the three adjoining boroughs be refreshed by the addition of new wards from the City of London?

On the generality of the 20 amendments before us—the overwhelming thrust of which is to seek to input an element of democracy, participation and accountability into the Bill—I do not think that even the inclusion of the ingenious proposals and propositions put forward by my hon. Friend the Member for Hayes and Harlington addresses the fundamental issue in the Bill. The problem is a yawning dichotomy in which a mediaeval structure, which is successful, does not have the courage to say, "We are remarkably successful. Yes, we are capitalist robber barons and we are something special."

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman again. However, he must differentiate between a Second Reading speech and dealing with the amendments. *[Interruption.]* Order. The hon. Gentleman must direct his remarks specifically to the amendment before the House.

Mr. Pound: I accept your criticism, Mr. Deputy Speaker, which is entirely justified.

I am especially concerned with amendments Nos. 79, 80 and 26, which seek to address the democratic deficit of the franchise proposed by the Bill for the City of London. It is perfectly possible to argue, as the right hon. Member for Cities of London and Westminster has done, that religious bodies and voluntary sector and community organisations

[Mr. Pound]

are already represented. Even if amendments Nos. 79, 80 and 26 are accepted—I do not doubt that they will be, as I have faith in the good nature, will and intelligence of the House—that will not resolve the issue, and will provide the City of London with no more than a fig leaf of democracy.

I am told that my hon. Friend the Member for Hayes and Harlington spoke for more than 100 minutes. Many hon. Members wish to speak, so I am reluctant to speak at that length. However, in considering the Bill we should ask ourselves—as has been said in an intervention—what legacy we wish to leave the people reading the history of the 21st century. In discussing amendments to a Bill in the House of Commons in the first year of the first decade of the third millennium, are we seriously considering a mediaeval formulation of property franchise, which is not based on any justifiable or defensible system anywhere in the world? Indeed, it is a modern artifice grafted on to a mediaeval structure.

When those who follow us read what we have said tonight, will they be able to understand why we were seriously suggesting that any democratic organisation—even a soi-disant democratic organisation—in this country could, seriously and intellectually, try to base its franchise on property value and the ability and skills of employers, whether at first or second remove, and nominate its staff to vote on its behalf? I cannot believe that future generations will regard that with anything but amazement and bemusement.

If there were a clause in the Bill abolishing the City of London it would gain support but, unfortunately, there is no such clause. We must therefore content ourselves with the 20 amendments tabled by my hon.—soon to be right hon.—Friend. His amendments address consistently the issue of appointment, which goes to the heart of the concerns that many of us have about the continued existence of the Baltic trading post that has grown and swelled into the vast City of London today. The 21st century is surely not the century of appointments. If it is anything, it must be the century of election, of democracy, of accountability, of the—

Mr. Edward Davey (Kingston and Surbiton): House of Lords?

Mr. Pound: I naturally exclude Labour's plans for the House of Lords, in response to that quiet aside from the hon. Member for somewhere south of the river.

We must avoid an appointments system that, as my hon. Friend the Member for Hayes and Harlington graphically demonstrated, is so open if not to misuse at least to misunderstanding. There is no accountability or transparency in it. How can one possibly attempt to structure a democratic model based on such appointments when any number of mechanisms may flow into the nomination or appointment?

9.30 pm

An election along the lines proposed in the amendments, the numbers of which have temporarily escaped me—I suspect that they will be whispered in my ear in a moment—

Mr. McDonnell: Nos. 3 and 40.

Mr. Pound: The numbers 3 and 40 come as if from the ether. The amendments would go a long way towards meeting the problem, filling the vacuum, providing that element of accountability. They may not provide the democracy that those who work and live in the City of London are entitled to demand, not as a privilege but as an absolute bounden right, but at least they would go some way towards meeting the need for accountability. It is for that reason—surely, no other reason is necessary—that hon. Members should support the amendments.

Mr. Robert Marshall-Andrews (Medway): On a point of order, Mr. Deputy Speaker. When my hon. Friend the Member for Ealing, North (Mr. Pound) strayed on to the issue of the Baltic exchange, some of us questioned whether he was really holding to the amendments. The House is entitled to know. Will you give us your ruling, Mr. Deputy Speaker?

Mr. Deputy Speaker: I shall obviously bring the hon. Member for Ealing, North (Mr. Pound) into line whenever I think it is appropriate.

Mr. Pound: I was going to thank my hon. and learned Friend the Member for Medway (Mr. Marshall–Andrews) for that intervention, but I shall in future have to refer to him as my hon. and learned former Friend. However, he makes a good point, which has occurred to many hon. Members. I can see eyes glazing over and the laser-like glare of the Whips drifting in my direction.

I implore the House to take the amendments very seriously. There may seem something farcical about the Bill—almost a Gilbert and Sullivan, comic-opera aspect to it. I mean no disrespect to the right hon. Member for Cities of London and Westminster, the Bill's sponsor, or to the representatives of the City of London, although there is something strange about people who wear fur hats and carry on at the Mansion house in the way that they do—

Mr. Deputy Speaker: Order. I suspect that the hon. Gentleman has almost run out of things to say about the amendments.

Mr. Pound: In conclusion, although there are comic aspects to the Bill—that is undeniable—I ask right hon. and hon. Members seriously to consider the amendments and simply to address themselves to the one fundamental question at their heart: will they make the Bill better, or is the Bill fundamentally flawed in the first place? We need to consider that. My contention is that my hon. Friend's amendments would make a bad Bill better. They would make it not defendable, but less indefensible.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): Perhaps it would be helpful if I clarified the Government's position on the amendments.

As we have made clear, the Government welcome the fact that the City is beginning to face up to the need to put its governance on a more modern footing. We believe that its proposals are a step in the right direction. I remind the House that many of the City's proposed reforms do not require parliamentary legislation. There is the

abolition of the aldermanic veto, the introduction of a shorter term of office for aldermen, improved qualifications for aldermanic candidates, a reduction in the size of the court of common council, normalisation of the term of office for common council men and the better allocation of members between wards. The City also gave an undertaking in Committee to adjust the boundaries of the four residential wards to preserve their residential character, and to review the number of members returned by the residential wards to ensure that they retain the same proportion of the overall membership of the common council as at present.

The proposals for a corporate franchise as expressed in the Bill are based on electoral systems introduced recently in Melbourne and Sydney, so they are precedented elsewhere. The Bill's provisions serve to double the number of voters involved in elections in the corporation from about 19,800 to about 40,000.

In general terms, the Bill provides for a report to be brought to the House after four years for further consideration of the progress that has been made under the current provisions and, I dare say, for consideration of other changes.

The amendments would make major changes to the Bill's core provisions. They would alter the basis on which voting entitlement would arise and restrict the ability of companies to appoint voters in a manner that is appropriate to their own way of working. The City corporation considered a franchise based on the work force in its initial consultation but concluded that that was not a reasonable basis on which to proceed because of the impracticalities of such a system.

Mr. John Cryer: My hon. Friend might know that in Havering, the borough that covers my constituency, there are thousands of City workers. A few of these workers are higher paid but many of them are low and medium earners. Is there not a justifiable case for arguing that they should be entitled to some say in how the corporation is run, rather than, for example, bankers sitting in a boardroom in Tokyo or Frankfurt?

Mr. Hill: I am grateful to my hon. Friend for that thought. However, it is not for me to get sucked into the detail of the proposals that are before us. Many different and fascinating proposals have been discussed this evening during an important and interesting debate, one of the main lessons of which has been my discovery of the pronunciation of "hereditament". My hon. Friend makes an interesting observation but not one on which I wish to be drawn.

For all the reasons that I have enunciated, the Government cannot support the amendments. We had a substantial debate on many of the matters raised by them when we began consideration of the Bill on Report in July 1999. Those earlier amendments were rejected and I hope that the House will not support them this time around.

Question put, That the amendment be made:—

Hon. Members: Aye.

Hon. Members: No.

Mr. Deputy Speaker: I think that the Noes have it.

Amendment negatived.

Mr. McDonnell: I beg to move amendment No. 66, in page 2, line 24, at end insert—

'"business electoral college" means a body comprising voters appointed under section 3(1)(c) with responsibility for electing the business voters entitled to vote in ward elections.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 67, in page 2, line 24, at end insert—

'"employees' electoral college" means a body comprising voters appointed under section 3(1)(d) with responsibility for electing the employees voters entitled to vote in ward elections.'.

No. 75, in clause 3, page 2, line 38, leave out from 'person' to 'ordinarily' and insert—

'elected from the business electoral college comprising voters appointed by the qualifying bodies which are'.

No. 71, in page 2, line 42, at end insert—

'(d) is a person elected from the employees' electoral college comprising voters who are employees of a qualifying body which is ordinarily in occupation for relevant purposes as owner or tenant of the whole or part of a hereditament situated in that ward which is shown in the local non-domestic rating list as having a rateable value of not less than £200.'.

No. 76, in page 2, line 42, at end insert—

'(1A) the employees' electoral college shall reflect the range of occupations operating within the City of London, and shall comprise relevant occupational constituencies for which an employee must register based upon his/her principal occupation as defined under the DFEE Standard Occupational Classification Major Groups; and the proportion of voters to be elected from an occupational constituency shall be determined in proportion to the number of employees registering for a particular occupational constituency in relation to the total registrations.'.

No. 77, in page 2, line 42, at end insert—

'(1B) the business electoral college shall reflect the range of business activity within the city, and shall comprise relevant business operational constituencies for which a qualifying body must register based upon its principal business operation; and the proportion of voters to be elected from a business operational constituency will be determined in proportion to the number of qualifying bodies registering for a particular business operational constituency in relation to the total registrations.'.

No. 72, in page 2, line 42, at end insert—

'(1C) The number of business voters elected from the business electoral college shall be no more than 2000.'.

No. 73, in page 2, line 42, at end insert—

'(1D) The number of employee voters elected from the employees' electoral college shall be no more than 2000.'.

No. 78, in page 2, line 46, at end insert—

'(2A)—(1) For the election of voters to represent the business operational and occupational constituencies within the electoral colleges, each vote in the poll shall be a single transferable vote.

(2) A single transferable vote is a vote—

(a) capable of being given so as to indicate the voter's order of preference for the candidates for election as members for the constituency, and

(b) capable of being transferred to the next choice when the vote is not needed to give a prior choice the necessary quota of votes or when a prior choice is eliminated from the list of candidates because of a deficiency in the number of votes given for him.'.

No. 74, in page 3, line 22, at end insert—

'subject to subsections (1C) and (1D) above'.

Mr. McDonnell: On a point of order, Mr. Deputy Speaker. May I clarify the procedures by which we sought

[Mr. McDonnell]

to vote on the previous group of amendments? I gave an indication that I wished to move other amendments but they have not been called.

Mr. Deputy Speaker: We debate amendments in the groupings set down on the selection list, but we deal with them as we come to them in the amendment paper. We have dealt with amendment No. 3. We have not yet reached the group of amendments on which the hon. Gentleman would like to vote. We must now debate the next group of amendments that have been selected, and after that we will come to the amendment on which he wants to vote.

Mr. McDonnell: Further to that point of order, Mr. Deputy Speaker. I seek clarification on why we did not vote on amendment No. 3, when there was a clear indication of support for it on the Floor of the House?

Mr. Deputy Speaker: It is a matter for the Chair to hear the voices and make a judgment on whether a Division is warranted. In my view, the voices did not warrant a Division.

Mr. McDonnell: May I express my disappointment, Mr. Deputy Speaker? I felt that there were sufficient voices to merit a vote.

Through the present group of amendments, we seek to establish a new democratic structure for the City. In an attempt to establish the stakeholder structure that we discussed earlier, we propose to establish electoral colleges.

In the Labour party in recent years, there has been some debate about electoral colleges. There was an electoral college for the selection of the Labour party's candidate for mayor of London. We have learned some lessons about the drawbacks of that procedure, and we have had the opportunity to consider both the dangers and the strengths of electoral colleges.

A balance is needed between the stakeholder components in the City. The amendments provide a definition of the various electoral colleges. Amendment No. 66 deals with the business college,

a body comprising voters appointed under section 3(1)(c) with responsibility for electing the business voters entitled to vote in ward elections.

A group of businesses would come together to nominate individual voters, who could go on to vote in ward elections to enable the election of the corporation. That would protect the business vote.

During previous stages of the Bill, there was discussion of amendments to introduce employees into the electoral process and to expand the role of residents in the franchise, and of attempts by me and others to undermine the business vote. Far from undermining the business vote, the amendments consolidate it within a structure which guarantees business a role in perpetuity in the City of London corporation.

Businesses could come together, discuss common concerns, promote individual manifestos and in due course elect voters who would nominate and vote for the City of London corporation. Although I have some concerns about the business vote continuing, this is one way in which it can be contained constructively. Business could engage in discussion of its own interests and comment on matters that concern the residents—the environment, education, social services and policing—and matters that concern the voluntary sector and community organisations, as we discussed in the context of previous amendments. At the same time, business could form an electoral college with its own interests.

The second electoral college that I propose is the electoral college for employees. That relates partly to the previous set of amendments, to which we shall return in due course. I am sure that we will be quick enough on our toes to ensure that there is a vote on those amendments.

Amendment No. 67 establishes the right of employees to have a say about the management of the environment of the City, the management of the City corporation, and the corporation's performance of its functions.

9.45 pm

Amendment No. 67 states:

"employees' electoral college" means a body comprising voters appointed under section 3(1)(d)—

I shall discuss that in due course—

with responsibility for electing the employees voters entitled to vote in ward elections.

I shall clarify that because previous amendments were misunderstood. The amendment would provide for employees to come together who will in due course elect the voters. The latter will be able to vote individuals on to the City of London corporation.

I have tried to ensure that the amendments comprise a balance of interests in an electoral college, which provides a procedure whereby, first, the residential vote will continue—it will not be diminished or swamped, as was suggested in the previous debate. Secondly, the important role of employees as stakeholders will be acknowledged. Thirdly, the role of businesses will be recognised. I have not sought to amend the qualification for businesses. I tried to ensure that the qualifying business body is included early in the Bill.

Qualification requires an element of physical occupation. I am not happy about the definition of physical occupation. However, my amendment on that was not accepted. The definition of physical occupation will apply to businesses, which will be qualifying bodies. I am pleased that we have established to some extent that qualifying bodies will include voluntary organisations, Churches and religious bodies. They will be covered by the business electoral college. Perhaps amendment No. 66 requires a wider definition and a better term than "business electoral college". For example, "qualifying body electoral college" would cover a wider range of bodies.

The business colleges as comprised in the amendment would be based on a franchise that the Bill defines. An additional amendment would enable an employees' electoral college to be formed. The members of those electoral colleges would meet, discuss and hold hustings to secure the candidates who wished to stand as voters. Having listened to the arguments in the electoral colleges, the voters would be able to cast their votes for candidates for the corporation.

Amendment No. 75 would provide that a person entitled to vote at a ward election would be

elected from the business college comprising voters appointed by the qualifying bodies . . .

As I said earlier, we have not tried to amend the definition of qualifying body, although we may wish to do that later. There will be an opportunity for those in the business college further to reform the individual aspects of their voting entitlement.

Amendment No. 71 would add paragraph (d) to clause 3(1):

a person elected from the employees' electoral college comprising voters who are employees of a qualifying body which is ordinarily in occupation for relevant purposes as owner or tenant of the whole or part of a hereditament—

I use the French pronunciation—

situated in that ward which is shown in the local non-domestic rating list as having a rateable value of not less than £200.

When we discussed previous amendments, points were made that I want to consider now because they strike at the heart of the amendment.

Amendment No. 71 would establish an electoral college of employees. How should we determine who those employees are and where and for whom they work? I reject the argument that it is impossible to identify, register and ballot those employees effectively. Why? The arguments put forward so far were used to undermine the demand for a residential vote and for universal adult suffrage. I cannot comprehend that registering company employees would present any logistical problem. I cannot repeat too often that the records for national insurance, taxation and health and safety regulation are such that it is almost impossible to argue that we cannot identify employees in a company and on a particular site.

I shall clarify the verification process. It has been argued that there could be no independent verification of those employees nor independent supervision of such ballots. With the greatest respect to the right hon. Member for Cities of London and Westminster (Mr. Brooke), although he properly cited research on industrial ballots and associated problems, the history of industrial ballots during recent years nevertheless shows an almost superb improvement in their conduct. We have moved on to another plateau of industrial democracy. That ensures that the mechanical processes of industrial ballots can be completed so as to produce respectable, verifiable and acceptable results.

With the greatest respect to the right hon. Gentleman, the legal challenges to industrial ballots that have taken place were the result of legislation pursued by the previous Government, which was aimed at undermining any potential for industrial democracy and workers exercising their right to withdraw their labour. The arguments that an industrial ballot cannot be organised and that the registration of employees cannot be verified independently to ensure high standards of probity, correctness and electoral success are fallacious. For that reason, it is difficult to make such arguments against the introduction of an electoral college. Such an electoral college would give a voice to all those employees, who have been denied one by the refusal to accept the previous amendments. They are key stakeholders, whom we should involve in running the City administration.

Mr. Hopkins: I have listened with great interest to my hon. Friend's speech. I am sure that a century or two ago, when people were talking about registering voters for political elections as residents of particular areas or towns, all sorts of objections were made as to whether voters could be registered effectively and electoral registers drawn up. Does he agree that such objections represent an attempt to obfuscate a simple process and that, if people are registered on a particular day, the registers would stay in force for a year, just as they do for general and local elections?

Mr. McDonnell: It is interesting that the right hon. Member for Cities of London and Westminster referred to the origins of the City corporation. It was formed in mediaeval times by groups of workers who organised themselves into guilds so that they could exercise their rights of franchise in those guilds. That is not so different from what we request; we want workers to come together in their individual units to form an electoral college, which could organise a ballot to select and elect the voters who would qualify to vote for the City corporation.

With the greatest respect to the hon. Members who have mobilised those arguments, they have been used against every democratic advance made in this country over the centuries and, therefore, they must be rejected. We must say clearly that a compromise is involved if we cannot have full adult suffrage in the City corporation. Involving the work force in managing the City corporation represents a compromise that should be seized upon if it wants to portray itself as a progressive organisation.

No one has argued that there has been any difficulty registering businesses for a vote. What independent supervision of the registration of businesses is there apart from the rating list? It has been argued that ballots of employees could be fixed by moving a desk from one corner to another. The same could apply to businesses. They could build an extension to their office, and by so doing straddle another ward. I do not accept the arguments that have been expounded.

Amendment No. 77 concerns the business college, and provides an opportunity to address the issue raised by the right hon. Member for Cities of London and Westminster about businesses all being the same. In that amendment, I have tried to ensure that the business college represents and reflects the full range of businesses operating in the City. *[Interruption.]* I can tell from the mutterings that I have lost the House's attention, but perhaps I could draw hon. Members back to examining the critical issue of how to ensure the representativeness in the City of the business community.

Amendment No. 77 tries to establish within the electoral college certain constituencies of interest. I have suggested in the amendment that we should consider the Government's categorisation of business and industry. We could identify within that categorisation certain business operations and allocate them to those categories. If we allow a general franchise of businesses, the finance sector could dominate.

I want the business electoral college to reflect the full range of expertise in the City, so that it can be brought to bear on the management of the City corporation. That would bring benefits. The amendment would not only ensure that the financial sector does not dominate the business electoral college, but would draw in the other expertise to produce a balance. That means the lawyers, the accountants and a range of other facilities.

[Mr. McDonnell]

In our definition of qualifying bodies, we recognised that trade unions could become qualifying bodies because we are now assured that under the legislation they can be unincorporated bodies. That means that if trade unions are not accepted in the employee section, they could be included in the business college, because they are stakeholders.

I have also tried to overcome the problem of the residential vote being swamped. That is our biggest fear about the legislation. I have tried to do that by limiting the number of business voters elected from the business electoral college to no more than 2,000. That would significantly enhance the number of business voters, but would not allow the swamping of the residential vote, which stands at about 5,000 electors, although I am open to correction on that. *[Interruption.]* We have a real opportunity of establishing a business college that is representative, that will be able to create a business agenda for the City corporation in its own right and independently, reflects the different professions in the City and is not of such a scale, as it is currently, to overrun the residential vote. *[Interruption.]*

I plead your protection, Mr. Deputy Speaker, from the noise that is emanating from hon. Members. With my amendment, I want to try to tackle some of the abuses that we have described under the previous amendments, and in doing so to ensure that the business electoral college has independent—

It being Ten o'clock, further consideration stood adjourned.

Bill to be further considered on Wednesday 17 May.

CRIMINAL JUSTICE (MODE OF TRIAL) (NO. 2) BILL

Motion made,

That, during the proceedings on the Criminal Justice (Mode of Trial) (No. 2) Bill, the Standing Committee on the Bill shall have leave to sit twice on the first day on which it shall meet.—*[Mr. Clelland.]*

Hon. Members: Object.

SCIENCE AND TECHNOLOGY COMMITTEE

Ordered,

That Mr. Nigel Jones be discharged from the Science and Technology Committee and Mr. Paddy Ashdown be added to the Committee.—*[Mr. McLoughlin, on behalf of the Committee of Selection.]*

Age Discrimination (NHS)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

10 pm

Mr. Paul Burstow (Sutton and Cheam): There is nothing inevitable about illness and disability in old age. They are not synonymous. That is not to say that an ageing population does not present challenges; it certainly does. By 2031, nearly one in three of the population—some 18.6 million people—will be over 60. It is cause for celebration that, as we age, many more of us will continue to lead active and healthy lives, but it is inevitable that the number of people needing acute and long-term care will increase.

Change is needed in the national health service: a change in culture and mindset, and a change in organisation and practice. The NHS reforms of the 1980s and early 1990s created a breeding ground in which I believe ageism flourishes. More and more older people are being admitted to fewer and fewer beds for shorter and shorter stays; two in three general and acute-care beds are occupied by people over 65; more than half the recent increase in the number of emergency hospital admissions involved older people; and bed occupancy rates have more than doubled over the past 10 years in the geriatric sector.

The first step in eradicating age discrimination in the NHS is an acceptance that ageism exists at all levels of the health service. The Minister will know that the concerns I expressed this evening are echoed by Members on both sides of the House. Indeed, his hon. Friend the Member for Shrewsbury and Atcham (Mr. Marsden) introduced a ten-minute Bill, the Health Care Standards for Elderly Persons Bill, only last month to press the case for an independent national inquiry. I certainly believe that such an inquiry would have a part to play in addressing the concern felt by many outside the House.

As one of the sponsors of the hon. Gentleman's Bill, and as a co-chair of the all-party group on ageing and older people, I believe that the issue needs urgent attention. Both Age Concern and Help the Aged have collected evidence of ageism in the NHS, and the number of cases rose steadily. In its report "Turning your back on us", Age Concern discussed the findings of a Gallup poll carried out in March last year. It found that one in 20 people over 65 had been refused treatment, while two in 20 felt that they had been treated differently since they turned 50.

Even the Department of Health has found evidence of discrimination. A review of renal services revealed that as many as two thirds of kidney patients over 70 had been refused dialysis or transplants. More recently, the spotlight has fallen on the use of "not for resuscitation" orders. The British Medical Journal recently drew attention to a gap between guidelines and practice in the use of such orders. An article in the issue of 29 April refers to an independent review. Following a complaint by the family of an elderly woman who had died in hospital, the review stated:

> It was hard to avoid the conclusion that the treatment plan . . . was to do little more than allow the patient's life to ebb away.

At no point had the family or the patient been consulted about the decision to mark the hospital records "not for resuscitation".

Research has found that more than two out of three patients with NFRs are not involved in making that decision. More worrying still is the finding that labelling patients "not for resuscitation" makes them 30 times more likely to die—and with no say in the decision. That cannot be right or acceptable. I hope that the Minister will be able to say something about what the Government are doing to stamp out such an immoral practice.

The need for action at all levels of the NHS to tackle ageism was brought home to me by the case of Mrs. Marge Terry. When Mrs. Terry, described as an "elderly and alert lady", was admitted to St. Helier hospital last September with breathing difficulties, she had every reason to expect to be quickly discharged and back in her home at Bawtree house, a residential home in my constituency. Mrs. Terry, who was 91-years-old, never recovered. After four weeks and five ward changes, she died.

A catalogue of neglect has prompted Mrs. Terry's daughter, Mrs. Eileen McAndrew, to speak out. During those four weeks, the NHS let Mrs. Terry down. Cleaning was inadequate. Bedside cabinets and tables were left sticky and dirty. Bins were left full to overflowing with tissues and other waste. Her records were not kept properly. Address details were wrong. Her age was recorded incorrectly three times in the same notes. She was left sitting in bed in a nightdress and bedjacket badly soiled with blood.

Mrs. Terry waited four days to see a doctor after developing a serious chest infection and a further two days for an X-ray. Soiled bandages were left lying on her bed. She was given little help with eating and drinking. As a result, food was left to go cold. Staff blamed her for that, describing her as unco-operative. She was even left to take her own medication.

On Saturday 9 October, the hospital phoned Mrs. Terry's daughter to come in as quickly as possible. Sadly, Mrs. Terry died minutes before she could get there.

Mrs. McAndrew put it in the following terms:

> In the four weeks my Mum was in St Helier Hospital, I saw her deteriorate from an elderly alert lady, who used an electric wheelchair and kept me on my toes, to an old frail weak 91 year old going on 100, who kept asking me to take her out of here.

I was very disturbed by Mrs. Terry's death. I have already raised the case with the Epsom and St. Helier NHS Trust chief executive, Nigel Sewell. It is clear from the correspondence that the trust has acknowledged that not everything it did for Mrs. Terry was up to scratch. Although the trust has taken a number of steps to improve its procedures, no older person in hospital should be treated like Mrs. Terry. The care and attention to detail that are essential to promoting recovery were missing. The trust management needs to ask some searching questions. Why was she not properly fed? Why was she left to wait for so long before a doctor saw her?

Mrs. Terry was robbed of her dignity. That was clearly not the intention of any of the staff at the hospital, but it was the result. I want the trust to commit itself to a wholesale review of the way in which acute care is provided for older people. I hope that the Minister will ensure that such a review is undertaken.

What needs to be understood in cases such as Mrs. Terry's is that, although the health needs of most older people are the same as everyone else's, the oldest old people often have a complex mixture of problems and symptoms. A medical profession that is increasingly specialised often poorly meets their needs. What is needed is a people-centred approach. By people-centred, I mean an interdisciplinary team-work approach. Therefore, medical and nursing education needs to take that on board.

In the early 1970s, the British Medical Students Association called for a joint core curriculum for all health professionals to achieve just that end, but the opposite has happened. Increased sub-specialisation has created a generation of doctors who are ill equipped to deal with the complex, multiple needs of older people. Reforms to undergraduate medical education are squeezing training in geriatric medicine out of the curriculum altogether.

Last Thursday, my hon. Friend the Member for Richmond Park (Dr. Tonge) highlighted the need for a concerted effort to tackle poor hygiene and cleanliness in our hospitals. With two in three acute beds occupied by people over 75, and the fact that hospital-acquired infections make death as much as seven times more likely, there is a crying need for investment in the cleaning of our hospitals. Saving through cheap cleaning contracts is a false economy as the cost to the NHS of hospital-acquired infections has risen to some £1 billion a year.

Last week, I visited the Florence Nightingale museum at St. Thomas's hospital to mark the 180th anniversary of that great reformer's birthday. When it comes to care and to hospital cleanliness, it seems that many of the hard-learned lessons that Florence Nightingale taught us have been forgotten. She introduced simple hygiene measures, scrupulous cleanliness and effective nurse training. All of that is described in her book, "Notes on Nursing" and in many letters and other writings. She said:

> It may seem a strange principle to enunciate as the very first requirement in a Hospital that it should do the sick no harm.

Ageist assumptions in health care are doing harm. Work by Help the Aged as part of its dignity on the ward campaign shows that the most effective care for older people builds on the Nightingale legacy and creates an experience of well-being.

The key findings of Help the Aged's report were, first, that to create a "positive culture of care" that values older people, the needs of both patients and staff must be addressed. Secondly, staff motivation is central to the delivery of a high standard of care. Help the Aged found that the motivation and morale of staff and their leadership had a direct effect on the quality of the care provided.

The report identified six factors that are essential if we want to protect the dignity and to promote the recovery of older patients: a sense of security, of significance, of belonging, of purpose, of continuity and of achievement. Although, as Help the Aged has acknowledged, those six senses need further refinement, they provide a conceptual framework for understanding what matters to patients.

Help the Aged also identified some basic prerequisites for staff to deliver better services, the first of which is adequate staffing levels. Low staff numbers leads to a lower quality of care, as staff do not have the time—and, often, the inclination—to do what is necessary to provide a positive culture of care. They are simply too busy. The second prerequisite is adequate resources for staff to perform their roles. Effective medicine requires sufficient basic equipment to provide care properly and effectively.

[Mr. Paul Burstow]

The third prerequisite—it is probably the most important of all—is effective leadership to create "zero tolerance" of bad practice.

Clearly, the national service framework for older people, which is expected in July, will be crucial in driving forward change and driving out ageism. I hope that it will incorporate the model described in dignity on the ward. Will the Minister tell the House whether the framework will explicitly challenge ageist assumptions in the NHS and force practitioners to re-evaluate what they do? Will it require older people to be involved in the commissioning and design of services? Will it place multi-disciplinary working at the heart of good patient care? Will it make it clear that there is no place in the NHS for age-based rationing?

I believe that, even when the national health service's national framework is in place, there will be a need to make ageism illegal. Just as the House has legislated to protect the rights of ethnic minorities and disabled people, it is now time for us to protect older people. Outlawing age discrimination would not entail older people receiving treatment that is of no benefit to them or having treatment imposed on them against their will. Anti-discrimination would simply make doctors think more than they do now before refusing treatment for an older person.

What older people need now is tough anti-discrimination legislation, a national service framework that is people-centred and well-resourced, and a change in medical education, that equips our doctors with skills and understanding to work with older people. By ensuring that our health service is fit for older people, we make it fit for everyone. Quite simply, there can be no place for ageist assumptions in the NHS. Ageism must be met with zero tolerance.

10.12 pm

The Minister of State, Department of Health (Mr. John Hutton):

I welcome the opportunity that the hon. Member for Sutton and Cheam (Mr. Burstow) has provided to the House to discuss an issue that is of very great importance to all of us. I congratulate him on the eloquent and considerably persuasive way in which he made his speech.

The issue is important to us, first, because most of us have elderly relatives, friends and neighbours. Secondly, many of us will, at some stage in our lives, be involved in the care of older people. Last—but not least—we are all getting older, and we are living longer. Already, one in five people in the United Kingdom is over 60. By 2020, we will have the highest percentage of people aged 60 and over in the European Union. It is essential that we ensure that older people are not discriminated against in the national health service and that they do not receive an inferior service simply because of their age. Therefore, services for older people are, and have been, a priority for the Government.

We know from patient surveys, for example, that older people are generally satisfied with the services that they receive from the NHS. However, there are spheres in which standards fall short of those that we should all like. Perceptions of age discrimination affect the confidence that users and carers have in the NHS.

I must emphasise as clearly as I can that any type of discrimination—whether it is on the basis of age, race or gender—is completely unacceptable in the NHS. In fact, discrimination contradicts the ethos and some of the basic principles on which the NHS was established 50 years ago. Action is and will be taken to challenge and correct such practices.

The hon. Gentleman mentioned the recent Age Concern report, "Turning Your Back On Us". The Government welcome publication of that thoughtful report and the contribution that it has made to the debate on the standards of health care for older people in our country. Recently, I had the pleasure of meeting Lady Greengross, the chief executive of Age Concern, and I gave her a very clear undertaking that we wish to work closely with Age Concern and others in addressing the issue of discrimination in the NHS.

Age Concern and others have called for an inquiry into age discrimination in the national health service. The hon. Gentleman repeated that call tonight. I fully understand the concerns that older people sometimes get a poor deal from the NHS. We have recognised those concerns and take them very seriously. In 1997, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who was then Secretary of State for Health, commissioned the Health Advisory Service 2000 to undertake an investigation into the care of older people in acute wards in general hospitals. He published the report, "Not Because they are Old" in November 1998—the hon. Gentleman might be familiar with it. The report made it clear that older people should receive the same quality of care from the NHS as younger people, based on clinical need, not on their age or where they happen to live. A health service circular was distributed to the chief executives of all health authorities and trusts, together with a copy of the report, requiring appropriate remedial action where the essentials of care were not being provided locally.

The Government followed up the report by putting in hand work to develop a new national service framework for older people, which we will publish later this year. That will be an important landmark for improving quality and equity in health care for older people. The hon. Gentleman asked whether the new national framework would address discrimination. I assure him that a significant section of it will address fair access to NHS services. He also asked whether older people would be involved in the planning and delivery of health care for their age group. We were very lucky to have the active participation of a group of older people and their carers in preparing the national service framework. Older people and their carers have been fundamentally involved in the preparation and development of the standards.

The national service framework will be an important landmark for improving quality and equity in health care. For the first time, it will set national standards and define new service models for the health care of older people. It will include performance measures for monitoring progress. Against that programme of action that we have already taken, a further inquiry into age discrimination in the NHS would not be helpful in solving the problems that older people face or perceive. We need action to tackle the issues. The important task is to concentrate on preparing for the implementation of the new national service framework to deliver higher quality services to all older people based on clinical need.

There are two further arguments to bear in mind on the issue. First, an inquiry along the lines proposed by the hon. Gentleman would almost inevitably take time, posing a real risk of delay in taking the necessary remedial action that he and others are rightly calling for. Secondly, his call for an inquiry rests in part on an assumption that the Government will not act unless such an inquiry finds evidence of unsatisfactory practices. He is looking for a means of forcing us into taking action to address his concerns. Nothing could be further from the truth or more divorced from reality. The Government are already committed to taking action to improve services for older people, as evidenced by the forthcoming national service framework and the development of a range of new intermediate care services designed specifically to meet the needs of frail older people. We have a range of other initiatives under way to improve health care services for older people.

I fully understand the hon. Gentleman's argument, but things have moved on. Now is the time to get to grips with solving some of the problems that he and others have identified, rather than rehearsing the case for an inquiry. We accept many of the criticisms that have been made and think that it is time to take action to address them.

Mr. Burstow: The Minister may have noted from the balance of my remarks that I was looking for action. Since the issue of "not for resuscitation" orders marked on records was highlighted in April, Age Concern has received information on 100 further cases. What action are the Government taking to stamp that practice out so that people are consulted before their records are so marked?

Mr. Hutton: We are very aware of some of the concerns that have been expressed about the policies and guidelines on resuscitation and we are carefully considering those issues to see if there is a need for further action. That is a fair point and we are alert to those concerns. It may be that we will need to return to that general issue. I accept the hon. Gentleman's case that we need to do more to involve older people in the debate about improving services and we are trying to do that in a number of ways. The work on the national service framework has been informed by older people and carers through two groups which we set up to ensure that the development of the NSF was informed by those who matter most—older people and those who care for them. I recently received a joint letter from Help the Aged and the Carers National Association on that point. It states:

> We wanted to write and express our appreciation for the way that older people and carers were involved in the development of the National Service Framework for Older People. We know that it is difficult to get these things right, but felt that their involvement in this case has been real.

It also states that the groups were treated as equal partners, their views were respected and carried weight, and they were involved from a very early stage which meant their advice helped to shape the final report to Ministers.

We will involve older people in other ways as well. The expert patients taskforce, which is chaired by the Chief Medical Officer and which was established in November 1999, is a partnership of people who are living with chronic conditions, voluntary sector organisations working in this area, health and social care professionals and carers' representatives. Organisations on the task force include Age Concern, Arthritis Care, the British Diabetic Association, and the Long Term Medical Conditions Alliance, many of which deal with chronic conditions that impact greatly on older people. In developing its recommendations about an expert patients programme, the taskforce has made access issues for older people a key consideration

As I said earlier, the Government intend to publish the national service framework for older people later this year. The NSF will enable us to work towards reducing variations in standards of care, but the volume of services is also important, and the significant investment we are making in the NHS enables us to ensure that we get services which are modern and which will reflect the way society is changing.

Earlier this year, we published for consultation "The National Beds Inquiry". It shows that, by comparison with a number of other European countries, the NHS is a relatively efficient user of beds, with comparatively low bed numbers. However, there is a wide variation in hospital bed usage between health authorities in the NHS. Interestingly, it has not shown any simple link between the number of acute beds, the management of emergencies, and elective waiting times.

All this evidence points to the need to take a whole-systems view of services, a point to which the hon. Gentleman rightly drew attention. Nowhere is that need clearer than in the case of older people. As he reminded us, two thirds of hospital beds are occupied by people aged 65 or over. Since the mid-1990s, half of the growth in all emergency admissions has come from people aged 75 or over, especially for conditions relating to the frailty and infirmity of very old people.

The hon. Gentleman is right to say that those findings require a different approach to the management of care in the NHS. NHS care has traditionally been about dealing with life's incidents, such as heart attacks and broken bones. Now an ageing population and increasing chronic disease means that NHS care has also to be about dealing with life's experiences, such as getting older and becoming frailer.

NHS care must therefore be modernised to reflect changes in society itself. The services that the NHS provides for older people are a vital part of that modernisation. At the moment, for too many elderly people, there is a lack of real choice. Many older people stay in acute hospital beds longer than they need to because they have not recovered enough to go home, but have nowhere else to go. What they need is intermediate care services to provide a new bridge between home and hospital.

Intermediate care will take many forms. Some services will be in specially designated hospital wards run by nurse consultants. Some will be in new facilities in the community, perhaps giving new purpose and life to cottage hospitals. Some will be about improved care services in the home.

My right hon. Friend the Prime Minister, in his speech in the House the day after the Budget, announced a new national plan for the NHS. One of the five key challenges he laid down was about partnership. I shall lead the team that will develop that section of the national plan, and we shall focus on partnership in the health, housing, and social care systems to make all parts of the system work

[Mr. Hutton]

better together and ensure the right emphasis at each level of care. That is of particular importance for older people to ensure that they receive well co-ordinated care.

All those initiatives focus on older people and will help us to build on the achievements and improvements that we have already made. We are making the biggest-ever investment in the history of the national health service, and the recent Budget announcement of real-terms increases of 6.3 per cent annually over the next four years will ensure that that investment takes place.

It is worth bearing in mind that that investment will allow the NHS to grow in real terms by a third by 2004. By any stretch of the imagination, that is a very significant investment in the NHS and its sustainability in the future. I believe that older people will be among the principal beneficiaries of that new investment.

The extra resources present us with a once-in-a-lifetime opportunity to transform the NHS radically. We have made a good start; a record number of hospitals are being built and every accident and emergency department that needs it will be modernised. Waiting lists are coming down. By the end of this year, patients with suspected cancer who are urgently referred by their GP to hospital will be seen within two weeks.

In addition, new chest pain clinics will do the same for patients with suspected heart problems. We are taking action to improve access to cataract surgery. Waiting times for hip and knee surgery—common conditions among older people—are falling. All of those developments are positive and welcome.

As the hon. Gentleman said, older people are the biggest users of health services. We want them to benefit from the new investment in the national health service. We have extended the annual immunisation programme for influenza to ensure that everyone aged 75 and over can have the flu vaccine free of charge. All people aged 60 and over are now entitled to free eye tests, regardless of income or health status. An estimated 5 million older people will have had free sight tests by April 2001.

Those are all very positive developments. They show the Government's commitment to improving services for older people, and disprove the contention that the Government are ignoring issues of age discrimination in the NHS. We are certainly not ignoring those issues.

Mr. Burstow: I am grateful to the Minister for giving way a second time. I mentioned in my speech the case of a constituent of mine, Mrs. Marge Terry. Will the Minister be able to deal with that this evening, or will he respond in writing later?

Mr. Hutton: I was going to say something about the hon. Gentleman's constituent. I fully understand the hon. Gentleman's concerns and comments about that very tragic case. Mrs. Terry died in St. Helier's hospital in October last year. He will know that a formal complaint has been made about Mrs. Terry's treatment and that a thorough investigation into the circumstances of her death is under way.

It is not that I do not want to say anything about the case but, given the circumstances surrounding it and the fact that a formal inquiry is under way, it would not be appropriate or helpful for me to comment on it tonight. However, I am sure that all hon. Members would express their condolences to Mrs. Terry's family at what I am sure is a very difficult time. I hope that the matter can be satisfactorily resolved.

The hon. Gentleman also asked me specifically to review the care provided for elderly people in his local NHS trust. We are looking carefully at care for the elderly in all NHS trusts, as part of the preparation for the introduction of the new arrangements for intermediate care to which I have referred.

Increased life expectancy is among the greatest achievements of modern times. As the hon. Gentleman said, it is something to celebrate. The Government recognise the valuable contributions that older people can make—and do make—to their families and communities. Wisdom, experience, tolerance and good citizenship are some of the precious gifts that older people share with the younger generations.

We in the Government are determined that older people should have high standards of care in the NHS, based on clinical need and on no other factor. As I and other Ministers have made clear repeatedly, discrimination has no place at all, in any shape or form, in the NHS. We sense that there is a real appetite for, and commitment to, changing the NHS into a modern, 21st-century, consumer-focused service.

We are determined to listen to what people—the users of the NHS—think about the services that we provide, and last week we launched the biggest public consultation ever on the future of the NHS and how to modernise its services. I hope that older people in particular will take the opportunity to let us know what they think. For the first time, every member of staff and every citizen will have the chance to speak up for the modern health service that they want.

Alongside the national service framework for older people and some of the other initiatives that I have described, the consultation is a unique opportunity for everyone to shape the health service to meet the needs of older people.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Tuesday 16 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS] (BY ORDER)*

Order for Third Reading read.

To be read the Third time on Tuesday 23 May.

GREENHAM AND CROOKHAM COMMONS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Tuesday 23 May.

BILL PRESENTED

RAILTRACK (WAVERLEY STATION) ORDER CONFIRMATION BILL

Mr. Secretary Reid presented a Bill to confirm a Provisional Order under section 8 of the Private Legislation Procedure (Scotland) Act 1936, relating to Railtrack (Waverley Station): And the same was read the First time; and ordered to be read a Second time on Wednesday 24 May, and to be printed [Bill 124].

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

China

1. **Mr. John Wilkinson** (Ruislip–Northwood): If he will make a statement about the UK's bilateral relations with the People's Republic of China. [120870]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We pursue a strategy of critical engagement with China. That enables us to pursue a dialogue in depth with another permanent member of the Security Council on a range of issues of mutual anxiety, such as global climate change, nuclear non-proliferation and regional tensions such as those in south Asia. At the recent round of human rights dialogue, agreement was reached on a visit to discuss abolition of the death penalty, a joint working group on implementation of the two United Nations covenants, which China has signed since the start of dialogue, and on a visit to Tibet by the all-party Tibet group.

However, we remain deeply concerned about the persistent violation of human rights in China, especially the continuing arrest of political dissidents and detention without trial.

Mr. Wilkinson: I am grateful to the Foreign Secretary for that reply. Is he also concerned about the unlawful behaviour of the police during the official visit of President Jiang Zemin, when they snatched banners and Tibetan flags from protesters after they had been briefed six or seven times by Foreign Office officials? Does he take pride in the fact that the United Kingdom failed to co-sponsor the resolution of the United States of America—that freedom-loving nation—to the United Nations Commission for Human Rights to protest against human rights violations in China and Tibet?

Mr. Cook: We did not sponsor the resolution. As the hon. Gentleman knows, we voted against the Chinese motion of no action, which was carried. We did not sponsor the resolution partly because we did not understand the purpose of handing China a victory on its motion of no action year after year. However, when Europe discussed the matter, we expressly said that our decision in future years would be weighed against the progress that is achieved in the human rights dialogue with China.

On the hon. Gentleman's other question, I noted what the Metropolitan police said in their submission to the court. I am sure that the hon. Gentleman noted that the statement stressed that the police facilitated a highly visible and loud protest on subsequent occasions when President Jiang Zemin was present. I re-emphasise that the Foreign Office made no request to the police to confiscate flags.

Mr. Ben Chapman (Wirral, South): Does my right hon. Friend agree that China is a colossus on the world stage—whether in terms of the environment, whether in terms of global security, or whether in terms of its general geo-political importance—and that it is important to maintain a dialogue with it? Does he also agree that, in that context, President Jiang Zemin's visit was important and successful?

Mr. Cook: My hon. Friend sets out clearly and eloquently why it is important for Britain and other major world players to be able to hold frank and open dialogue with China and to start from the perspective of taking each other's views seriously.

I want to stress one of the points that I made in my initial answer. On current projections, China will produce as many greenhouse gases as the United States in the next generation. In those circumstances, it is vital that we engage constructively with China on stabilising the global climate.

Zimbabwe

2. **Mr. Geoffrey Clifton-Brown** (Cotswold): What representations he has received calling for the suspension of Zimbabwe from the Commonwealth. [120871]

6. **Mr. Philip Hammond** (Runnymede and Weybridge): What actions Her Majesty's Government have taken to convey their disapproval of recent events in Zimbabwe. [120875]

15. **Mr. Andrew Robathan** (Blaby): If he will make a statement on the Government's policy on the situation in Zimbabwe. [120884]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We deplore the continuing violence in Zimbabwe and the persistent failure of its Government to guarantee the rule of law and to respect its citizens' rights to freedom from political intimidation.

I regret that the Government of Zimbabwe have rejected every reasonable proposal for international help with a fair programme of land reform. We deplore the continuing threats against commercial farmers, who provide one of the essential pillars of the economy in Zimbabwe and its main access to foreign currency. If President Mugabe persists with his threats to confiscate farms without compensation, he will sentence the economy of Zimbabwe to isolation and his Government to international condemnation.

Today, Don McKinnon, who is the Secretary-General of the Commonwealth, and a team from the European Commission are in Harare to agree the terms under which international election observers can be deployed. I hope to speak to Don McKinnon tomorrow. The talks have already obliged President Mugabe to announce last night the date for elections on 24 and 25 June.

I have stressed in the Commonwealth and the European Union that election observers must be deployed immediately. No election can be free and fair unless political parties can campaign without repression and voters can go to the polls without fear. Not only Britain but the world is watching and monitoring the conduct of the elections. For our part, Britain will do everything possible to ensure that the people of Zimbabwe can choose their future in freedom and without fear.

Mr. Clifton-Brown: I thank the Foreign Secretary for that complete and strong answer. Does he agree that the situation has been moved on by the announcement of the date of the elections on 24 and 25 June and that the priority now is to get a Commonwealth team of observers into Zimbabwe to ensure that proper voter registration lists are drawn up, that proper constituency boundaries are sorted out and that the elections are free and fair? Does he also agree that intimidation should cease now?

Mr. Cook: I am grateful to the hon. Gentleman for expressing his support, and I utterly echo and endorse his demands. On the teams of election observers, I am pleased to tell the House that it appears that the Secretary-General has reached agreement with President Mugabe. If that agreement is also achieved by the European Union, we would expect that both the Commission and the Secretary-General will leave behind in Harare today the nucleus of a team of observers, and we will certainly work to get it up to full strength as soon as possible.

Mr. Hammond: Foreign Office Ministers have previously said that a military coup is a precedent for suspension from the Commonwealth. If Mr. Mugabe reneges on his promise of elections, or if those elections are patently unfair, and he remains in power beyond the constitutional time limit, will the Foreign Secretary give a commitment that Britain will regard that as the equivalent of a military coup and immediately seek Zimbabwe's suspension from the Commonwealth?

Mr. Cook: The hon. Gentleman slightly understates the opportunities available under the Millbrook action programme, which provides for the suspension of Governments who are in power unconstitutionally from the councils of the Commonwealth. Whether the Government of Zimbabwe find themselves in that position in future will crucially depend on the conduct of the elections. That is why we shall watch with great care the report of the international observers and why we shall press the Commonwealth ministerial action group to pay particular attention to the conclusions of the Commonwealth's observers.

Mr. Robathan: When I read the screen at 1 o'clock this afternoon, I was surprised to discover that my question had been grouped; I had had no notification of that.

I, too, welcome the strong tone of the Foreign Secretary's comments, but actions speak much louder than words. Why do not we suspend the British military training team that is currently in Zimbabwe? Why do not we suspend all aid to Zimbabwe? President Mugabe is a pretty authoritarian dictator, whatever past elections may have shown, and is involved in murder, so why do not we send him the message that we will not tolerate such behaviour or continue to support his regime?

Mr. Cook: With respect, we have sent such a message repeatedly, and I have just done so again today. On aid, I have repeatedly told the House that I would be extremely reluctant to take steps that made the position of the poor in Zimbabwe even more miserable than it is already under President Mugabe. I do not see the sense, from our own national interest, of suspending the very large programme that we have combating AIDS in a country where a quarter of the population is HIV-positive. However, if the elections are not free and fair and if the political violence does not moderate, a lot of options will be on the table, and we shall keep many of those issues under review.

Mr. Bruce Grocott (Telford): I welcome all that my right hon. Friend has said today and all the efforts that he and his colleagues have made through the international community to try to resolve the very difficult situation in Zimbabwe, but does he recall vividly, as I do, that during the 18 years of the previous Government not only were we isolated in Europe, as is well known, but British policy on southern Africa was, quite disgracefully, frequently totally isolated in the Commonwealth? Will he therefore be wary of instant Opposition experts on such problems and continue with the strategy of working with our partners in the international community to resolve those very difficult problems?

Mr. Cook: It is fair to say that one of our strengths in the current crisis in Zimbabwe is the universal support that we have had from many of the Commonwealth African leaders, especially President Obasanjo of Nigeria,

who has been robust in his criticism. I know that his support for our views and his strong support for democracy reflect the fact that he knows that the Government substantially supported the case for democracy in Nigeria during the years of military rule. The support that we are mustering from others in the Commonwealth reflects the fact that they know that we take the Commonwealth seriously.

Mr. Donald Anderson (Swansea, East): President Mbeki of South Africa, whom we shall welcome to this country later this week, has spoken of an African renaissance. Is not part of the tragedy that follows the brutal actions of President Mugabe, in encouraging the squatting and deaths, the fact that such a vision becomes less possible? Investment will dry up, and so much damage has already been done that it will be very difficult to restore the basis of confidence that is essential for that African renaissance.

Mr. Cook: I think the tragedy of what is happening in Zimbabwe, and the publicity that necessarily surrounds it, is that it is obscuring some of the success stories of Africa and the general trend towards higher standards of democracy there. I believe I have spoken to all the leaders of the countries surrounding Zimbabwe, and it is fair to say that there is widespread alarm not just about the situation in Zimbabwe, but about the impact that it will have on the region if it is not brought under control.

Mr. Tony Lloyd (Manchester, Central): I endorse all that my right hon. Friend has said about the situation in Zimbabwe, not just today but in recent weeks, but may I press him on the issue of the British military advisory training team? The House should be given the clear message that that team does invaluable work, not just in Zimbabwe but throughout southern Africa, and that calls for it to be dismantled would be counterproductive in a huge range of countries.

Mr. Cook: I echo my hon. Friend's praise for the work done by the training team, whose commitment extends throughout the region. It is much valued by Zimbabwe's neighbours, and we would not want to take any step that would make them feel that Britain was reducing its commitment to the region or to the countries themselves. However, if our observers come back and say that the election was pursued with violence and political intimidation, we may well have to review the team's location.

Mr. Menzies Campbell (North–East Fife): Is not the Foreign Secretary right to exercise some caution with regard to suggestions of immediate suspension—not least because of the attitude of Mr. Tsvangirai, president of the Movement for Democratic Change, who has courageously sought to continue to argue a case for democratic change but who, in this context, has cautioned against any early effort to suspend Zimbabwe because of the weapon that that might well hand Mr. Mugabe in the coming election?

As we are talking about suspension, can the Foreign Secretary tell us what rather tortuous process allowed the Foreign Office to move from suspension of the export of military equipment and arms to what I now understand to be cancellation of the licences? That is welcome to many Members, but there is residual anxiety about why it took so long. Perhaps the Foreign Secretary would like to place in the Library of the House the changed legal advice that he received, which enabled him to make the decision that he announced at the end of last week.

Mr. Cook: As I told the right hon. and learned Gentleman a week ago, I defer to his superior knowledge of the flexibility of legal advice. I can only welcome his support for the actual outcome.

On the question of sanctions, I spoke to Mr. Tsvangirai again at the weekend. As I have been accused by President Mugabe and others of backing Mr. Tsvangirai, let me put it on record that I am not backing any candidate in the election, but I am certainly backing the demand by Mr. Tsvangirai and the opposition for a free election process in which they can present their views. The right hon. and learned Gentleman is correct: Mr. Tsvangirai is not calling for sanctions, which he thinks would play into Mugabe's hands in the current circumstances, helping him to fulfil his ambition to stage a confrontation as an election backdrop. I think everyone understands, however, that if the elections are not free and fair, the international community will have to reassess the position.

Mr. Dale Campbell-Savours (Workington): One of the reasons given for restricting the amount that can be given to the Zimbabwe Government for land purchase and the compensation of white farmers is that existing land has been reallocated to the cronies of President Mugabe. Could my right hon. Friend publish the evidence for that? I think the detail would help the advancing of the case.

Mr. Cook: I am pleased to say that the information is published. Indeed, it is published in the Zimbabwean Parliament, with answers from the Government of Zimbabwe. It details that, over the past three years of the commercial farm programme, half the farms have gone to employees of the public sector, or to people with connections with the Government. We have always stressed that we are willing to help to fund a fair land reform programme, but that it must be within the rule of law, involve a fair price for the farmer and, importantly, help the landless poor, not those who have the right connections.

Mr. Francis Maude (Horsham): I strongly agree with the Foreign Secretary's insistence that the elections that have now been announced in Zimbabwe must be open, free and fair. It is only a few weeks until polling. We know that for many weeks there has been systematic intimidation of opposition activists and voters, with whole villages told that there will be vicious reprisals against the village unless it returns a ZANU-PF candidate.

Does the Foreign Secretary agree that even if observers could start tomorrow—as we hope they will be able to do—their ability to ensure a fair election has already been massively compromised because of the intimidation that has already happened? Did not his failure to engage the Commonwealth early enough in the process allow Mugabe to believe that he could get away with it? Has not his softly, softly approach given Mugabe breathing space in which to intimidate his way through the election?

Mr. Cook: First, may I say that I absolutely agree with the right hon. Gentleman's characterisation of the political violence of the past few weeks. I said to the House a week ago that the current position in Zimbabwe had already compromised the prospect of a truly fair and free election. Nevertheless, the Opposition are united in demanding that international observers be admitted as soon as possible in the hope that that will inhibit some of the worst of the brutality. That is why we are doing everything possible to get those election observers in as quickly as possible, hoping that it may contribute towards a fairer climate of elections. As to what conclusion they come to, I will wait for their result.

I am disappointed, particularly given the exchange that I have just had with the spokesman for the Liberal Democrats, the right hon. and learned Member for North-East Fife (Mr. Campbell), that the right hon. Member for Horsham (Mr. Maude) continues to complain that we have not taken tough enough sanctions. He has just heard me say that the Opposition leader, whose life is on the line, does not want us to take those sanctions because it would be counterproductive.

I add that, when the Opposition leader came to see me four weeks ago, he came fresh from meeting the right hon. Gentleman. He told me that he had said to him that he wanted bipartisan support for the British position and did not want him to play party politics. I regret that the right hon. Gentleman did not take that advice. It is the one thing that the Opposition of Zimbabwe have asked him to do.

Mr. Maude: Does not the Government's reluctance to put pressure on Mugabe, now an established law breaker, contrast with the Government's attitude to another Commonwealth African country—Sierra Leone? Is it not now clear that it was a mistake to pressure President Kabbah into pardoning Foday Sankoh last year, giving him a whole new power base from which to organise further violence and killing? Did the Foreign Secretary see the remarks of the Nigerian negotiator, Dr. Fayemi? He said:

> We called it the pact with the devil.

Madam Speaker: Order. We are not on the right country. For all that, would the Foreign Secretary like to make some comment? We are dealing with Zimbabwe. I know that the right hon. Member for Horsham (Mr. Maude) was trying to make a comparison, but it was not close enough.

Mr. Cook: I am grateful, Madam Speaker, but the right hon. Gentleman has made a serious allegation and I believe that I must be allowed to rebut it. The agreement that was reached at Lomé was brokered by ECOWAS. It was signed and witnessed by ECOWAS and by the Organisation of African Unity. We were not party—

Mr. Gerald Howarth (Aldershot): What is ECOWAS?

Mr. Cook: I do not know what Conservative Members are doing discussing Sierra Leone if they do not know what ECOWAS—the Economic Community of West African States—is. We were not party to that agreement. Nor did we pressure President Kabbah to sign it; far from it—the peace agreement was wildly popular in Sierra Leone. It has also enabled us to drive a wedge between the rebels, which is why the former army of Sierra Leone is fighting against Sankoh, not alongside him.

Coming back to the matter under discussion, I conclude by saying that I note with regret that the right hon. Gentleman has not taken this opportunity to take the advice of the Opposition leader in Zimbabwe and give us the bipartisan support that would give greater strength to our protest.

Japan

3. **Mr. Huw Edwards** (Monmouth): If he will make a statement about Britain's relations with Japan. [120872]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): We have a close and strategic partnership with Japan based on strong trade and investment ties, a shared interest in a peaceful and prosperous world, and a commitment to expanding the already wide range of people-to-people links.

I should also like to take this opportunity to express our sadness at the death, at the weekend, of former Prime Minister Obuchi. We offer our condolences to his family.

Mr. Edwards: I am grateful to my hon. Friend. Does he agree that the Government's positive attitude to Europe is one of the reasons why there is so much Japanese investment in Britain? Does he also agree that the reason why there is so much Japanese investment in Wales is the success of the Welsh Development Agency—whose chairman is currently in Japan, trying to enlist more Japanese investment in Wales? I should also point out that next year will be UK-Japan year, which will allow an opportunity to reinforce the United Kingdom's tremendous links with Japan.

Mr. Vaz: I am delighted to agree with my hon. Friend. As he knows, more than 40 per cent. of Japanese investment in the European Union comes to the United Kingdom because of our strategic position in Europe. As he will also know, 56 Japanese companies are prospering in Wales because of the Government's policies and the activities of the Welsh Development Agency—starting with Sony, in 1973.

I should like to thank my hon. Friend for his links with the Japanese Parliament. I know that he is a member of the House of Commons rugby team, which frequently has matches with the Japanese, and that, at the most recent match, the House team beat the Japanese—no doubt because he was playing.

Sir Peter Tapsell (Louth and Horncastle): Given that, under the United States-Japan security treaty, Japan is the mother port for the US seventh fleet, on which the security of the whole region depends, what obligations does Britain have in the event of an attack on Taiwan from the Chinese mainland?

Mr. Vaz: Relations between the United States of America, Japan and the United Kingdom are excellent—we are all members of the G8—and I am sure that those excellent relations will continue.

Burma

4. **Mr. Tony Colman** (Putney): What steps he is taking to promote democratic rights in Burma. [120873]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We are deeply concerned at the brutality of the military in Burma, the systematic use of forced labour and the displacement of ethnic minorities. Within the European Union, Britain recently proposed measures that have toughened Europe's common position against the regime in Burma. Within the International Labour Organisation, we have vigorously supported the decision to invoke article 33—for the first time in the organisation's 80-year history—against Burma.

During my visit to Thailand last month, I took the opportunity to visit a refugee camp for those who had been forced out of Burma by the military. I pledged to them that we would not relax our pressure on the regime in Burma until it respected the democratic rights of all the people of Burma.

Mr. Colman: I thank my right hon. Friend not only for that action by the Government, but for the further action that he has taken in encouraging Premier Oil to withdraw its investment and stop its work in Burma. In the past day, we have seen newspaper reports of Premier Oil's admission, at its annual general meeting, that democratic abuses have occurred in Burma. Has the Secretary of State had discussions with Björn Stigson, chief executive of the World Business Council for Sustainable Development—which represents all the major multinationals and is greatly concerned about democratic rights in the countries where multinationals work—to determine the possibility of organising an investment boycott by multinationals in Burma? Such a boycott would ensure that if, as I hope, Premier Oil steps out of Burma, other multinationals do not step in.

Mr. Cook: I am grateful to my hon. Friend for his suggestion. We shall pursue that with the World Business Council for Sustainable Development. I have already raised the issue with my colleagues in the European Union. I noted with interest what was said at Premier Oil's annual meeting yesterday. I fully understand the concerns of the shareholders about the investment in Burma. We have called on Premier Oil to consider whether withdrawing from Burma would be consistent with its legal responsibilities. It is important that the company should consider withdrawing, because if it continued with its development it would produce a revenue stream that would be available to buttress a regime that is in great difficulty.

Mrs. Cheryl Gillan (Chesham and Amersham): Yesterday, Baroness Scotland, the Foreign Office Minister in another place, announced that the presence of reputable companies in Burma does not help the democratic cause. The Foreign Secretary has just said that it is now official Foreign Office policy to lean on reputable companies trading in Burma, such as Premier Oil. When the Minister wrote to Premier Oil pressurising it to pull out of the country, did the Foreign Office also write to other companies trading in Burma, such as HSBC, GEC and BAT, asking them to pull out? If that policy applies to Burma, why does it not apply to other countries with similar human rights records, such as Algeria, Cuba and China—or is this yet another example of the double standards practised by a Foreign Secretary who has made a mockery of the words "ethical" and "moral"?

Mr. Cook: Premier Oil is way ahead of all the rest of British investment in Burma added together. It also publicly claimed that the Foreign Office had told the company that we did not have a view. If it wishes to go public on that, it cannot complain if the Foreign Office takes care to make plain its view on the matter. As for the hon. Lady's last point, if she took the time and the courtesy outside the House to speak to the Burma Campaign or to make contact with any of the many people such as those whom I saw in Thailand who had been evicted from Burma, she would understand full well why we have adopted our policy on human rights in Burma.

Southern Africa

5. **Mr. David Borrow** (South Ribble): What steps he is taking to promote trade with and economic development in southern African countries. [120874]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): I pay tribute to my hon. Friend on his successful visit to Botswana and his discussions at the headquarters of the Southern Africa Development Community. Through British Trade International, we continue to alert British business to the many commercial opportunities in southern Africa, including a major three-year trade and investment campaign for South Africa.

Mr. Borrow: Does my hon. Friend share my concern about the effects of the illicit diamond trade in southern Africa? Is he aware that Mr. Sankoh, the leader of the rebellion in Sierra Leone, was recently planning a diamond deal in southern Africa to fund his murderous campaign?

Madam Speaker: Order. The question is about southern Africa.

Mr. Borrow: I was asking my hon. Friend whether he was aware of the role of the illicit diamond trade in southern Africa. I was giving a current example of the contact between the rebel leader in Sierra Leone and diamond dealers in South Africa, which is enabling Mr. Sankoh to fund his murderous rebellion in Sierra Leone. Does not that demonstrate that the Government's policy of campaigning against blood diamonds is correct and the role of British troops in Sierra Leone should be supported?

Mr. Hain: I agree with my hon. Friend and congratulate him on his ingenuity and expertise in raising this important matter. There are many important diamond operations in southern Africa—in Namibia, South Africa and Botswana—that contribute enormously to the economic success of those countries. We back them, but we totally oppose the blood diamond trade in places such as Angola and Sierra Leone because it continues to fuel the conflicts in those regions. That is why we are pressing

for an international self-certification scheme by the diamond trade, backed by Governments, to stop the trade in blood diamonds and ensure that dreadful conflicts such as the one that we are seeking to resolve in Sierra Leone at the moment are not perpetuated. It is the diamond trade that keeps them going.

Mr. Bowen Wells (Hertford and Stortford): Can the Minister describe the new arrangements that he, the Foreign Office and Ministers in the Department of Trade and Industry are making for the promotion of trade with southern Africa?

Mr. Hain: Through British Trade International, which is a freshly launched agency, we are taking several initiatives to promote such trade and investment. In a recent speech in Durban—sorry, in Cape Town—*[Interruption.]* I shall make a speech on the economic opportunities for trade and investment in southern Africa in Durban next month, if the Opposition can contain themselves. Those initiatives are partly why President Mbeki is visiting London with South African ministerial colleagues, including the Trade Minister, in the next few days for a high-level meeting.

British Trade International

7. **Mrs. Helen Brinton** (Peterborough): If he will make a statement on the role of British Trade International in securing inward investment into the UK. [120876]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): The Invest in Britain Bureau is the Government organisation responsible for the promotion of the whole of the United Kingdom for inward investment. In response to the Wilson review of export promotion, we are examining the relationship between British Trade International and the IBB, but have not reached a decision on whether to change that relationship.

Mrs. Brinton: I am grateful for my hon. Friend's reply. Can he assure me that any new arrangements will promote increased export opportunities for, and increased investment in, the eastern region—including, of course, my constituency of Peterborough? Will his Department closely monitor the success of those arrangements?

Mr. Vaz: I can reassure my hon. Friend that that is what any new arrangements will do. The matter is still under review, but British Trade International and the IBB work extremely hard to ensure that the opportunities for investors in Peterborough are made well known to those who wish to invest in the United Kingdom. I thank my hon. Friend for all the excellent work that she does in supporting local firms in Peterborough in winning new markets throughout the world.

Mr. John Redwood (Wokingham): The bureau has presided over an increase mainly because the previous Government kept our tax rates and regulatory costs well below those on the continent and this Government have not frittered all of it away yet. Will the Minister assure us that he and his colleagues will veto the measures in the draft treaty of Nice that would create a centralised Government in Brussels capable of increasing business taxes and regulatory costs in this country? Or will we see, when it comes to a centralised Europe, that, as with Sierra Leone, the Foreign Secretary is the living embodiment of mission creep?

Mr. Vaz: Nobody could give us better advice on creeping than the right hon. Gentleman. As he well knows, the United Kingdom is the number one location for inward investment anywhere in Europe because of the policies of this Government. We have low taxes and a stable economy under the leadership of a superb Chancellor of the Exchequer. That is very different from the policies of the previous Government. Inward investment in the UK last year reached £244.1 billion—a record level—because of the policies of this Government which make people want to invest here.

Mr. Bill Rammell (Harlow): Does my hon. Friend agree that one of the key factors in determining inward investment is Britain's position in the European Union? If we were to follow the policies of the Opposition in indefinitely postponing a decision on the single currency and taking the approach of a step-by-step withdrawal from the EU, that inward investment and those British jobs would be lost.

Mr. Vaz: My hon. Friend, who is much more knowledgeable than the right hon. Member for Wokingham (Mr. Redwood) on these matters, is absolutely right. There is no question that the step change initiative by the Prime Minister, adopted when the Government were elected in 1997, has made a tremendous difference to Britain's position in Europe. We are fully engaged in Europe, as was seen at the recent Lisbon summit, which moved the European Union on to the irreversible path to economic reform. Some 40 per cent. of inward investment in Europe from both Japan and the United States of America, and 50 per cent. of inward investment from Korea, comes to the United Kingdom. Those countries choose to come here because of our pivotal role in the European Union.

Mr. Richard Spring (West Suffolk): Is the hon. Gentleman aware that over four years our trade deficit will double to by far the highest level in our history, due to both our manufacturing imbalance and the Government's vast £10 billion increase in red tape and taxation on our businesses? Does he therefore agree that British Trade International needs all the support that it can get because of the Government's truly shameful record on trade and the soaring cost burdens?

Mr. Vaz: I wonder whether the hon. Gentleman had prepared his supplementary question before he heard what I had to say about the statistics. I do not think that £244.1 billion of inward investment last year is shameful. That investment is at a record level, which means that it is an enormously successful outcome. Of course we support British Trade International; Sir David Wright does an excellent job. That is why we are examining the arrangements that will provide a better service for companies that wish to invest in the United Kingdom.

India

8. **Mr. Michael Jack** (Fylde): What his policy is on arms sales to India. [120877]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): India is set to be a 21st century super-power, and British-Indian relations, including commercial and defence links, are very strong. All export licence applications to India are considered on a case-by-case basis against the European Union code of conduct and strict United Kingdom national criteria.

Mr. Jack: I thank the Minister for that positive reply. Will he comment on recent, and what appear to be authoritative, press reports that indicate that BAE Systems has at long last secured a contract with the Indian Government for the supply of 60 Hawk aircraft? If such a contract were to be agreed between the company and the Government, would the United Kingdom see such an arrangement as compatible with an ethical foreign policy?

Mr. Hain: Indeed it would be compatible, because those Hawk jets are for training purposes, as the right hon. Gentleman knows. I commend him for his interest and support in this matter; I think that he has British Aerospace workers, interests at heart.

I raised the matter when I visited India in November. The same matter was raised, and the Indian Government were pressed on it, by my right hon. Friends the Deputy Prime Minister and the Secretary of State for Trade and Industry and my hon. Friend the Minister of State, Foreign and Commonwealth Office during his recent visit. We want to ensure that this £1 billion deal is successful. I cannot confirm the reports to which the hon. Gentleman refers, but I hope that the contract will be successful.

Mr. Steve McCabe (Birmingham, Hall Green): I welcome my hon. Friend's statement. Does he agree that it would be entirely inappropriate for any military hardware from the United Kingdom to be used by the Indian authorities in Kashmir? Do the Government still expect the Indian authorities to develop a policy on Kashmir that takes full account of the wishes and needs of the Kashmiri people?

Mr. Hain: Despite our close friendship and partnership with India, we pay particular—and more than usual—attention to export licence applications for arms for India. We want to ensure that any arms that we sell for legitimate purposes are not used for illegitimate purposes in Kashmir. We have constantly pressed both the Indian and Pakistani Governments to resume the Lahore process and the dialogue there to achieve peace in Kashmir and so end a terrible conflict.

Mr. Ian Bruce (South Dorset): I am sure that the House is grateful to the Minister for supporting the arms industry within the United Kingdom. However, will he consider an urgent case in my constituency? Thorn is trying to sell cable to the oceanographic department in India, which will be used to look for oil. It was told originally that it probably did not need an export licence. However, having pressed the Government after months of delay, the project has now been turned down.

The cable can be used for detecting submarines, but that has nothing to do with Kashmir. In fact, it will be used for a peaceful purpose. Will the Minister examine this urgent case and ensure that jobs for peaceful purposes while using defence technology, which surely is what we all want to do, go ahead and are not turned down by the Government?

Mr. Hain: I will certainly look into the case, if I can, and I will respond to the hon. Gentleman as soon as possible. I realise that submarines have nothing to do with Kashmir, even under a Conservative interpretation. However, there is always a problem with technology that has dual uses. Technology that appears to be for legitimate civilian uses, as seems to be the case with the example that the hon. Gentleman quoted, can also be used for illicit military purposes. That is why we examine each case very carefully.

Afghanistan

9. **Mr. Mohammad Sarwar** (Glasgow, Govan): If he will make a statement on the Government's relations with Afghanistan. [120878]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We strongly support the efforts of the United Nations and others to bring peace to Afghanistan and to secure a negotiated settlement that will lead to a broad-based Government committed to stability. That Government should also be committed to putting an end to terrorism, drugs production, drugs trafficking and human rights violations, especially violations against women and girls.

Mr. Sarwar: I thank my hon. Friend for that answer. Afghanistan is in a sensitive area of the world. Does he agree on the importance of encouraging dialogue across the region to bring an end to the suffering of the Afghan people?

Mr. Hain: I agree with my hon. Friend—it is why we energetically support United Nations' efforts to achieve peace and stability. However, the Taleban Government in Afghanistan deserves strong criticism for harbouring terrorists, such as Usama bin Laden, who contribute to instability in the region. They also deserve criticism for continuing with the policy of pulling up crops and planting poppies. That fuels the drugs trade—90 per cent. of the heroin coming into Britain comes from Afghanistan. The Taleban Government should be indicted for those policies, and we will continue to criticise them for that reason.

South and North Korea

11. **Ms Sandra Osborne** (Ayr): What steps he is taking to promote dialogue between South and North Korea. [120880]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We have consistently supported South Korea's policy of engaging North Korea. Through a series of talks with North Korea, we have repeatedly encouraged that country to respond positively to engagement.

Ms Osborne: Will my hon. Friend send a message of support to the Governments of North Korea and South Korea as they embark on the process of dialogue? Given the example of East and West Germany, would it not be a great success if Korea could find its way to unity after decades of cold war division?

Mr. Hain: I very much agree with my hon. Friend. We welcome the announcement, to which she referred, that the leaders of North and South Korea plan to meet at a summit in June. We urge both sides to make effective use of the opportunities for dialogue and co-operation that the summit presents.

Mr. John Bercow (Buckingham): Does the Minister understand that it is not immediately obvious why a junior Foreign and Commonwealth Office Minister in the United Kingdom should think it incumbent upon him to promote dialogue between North and South Korea? However, if the Minister wishes to take on such very important responsibilities, will he also take the opportunity unequivocally to condemn those Labour Members of Parliament who, throughout the 1980s and early 1990s, supported North Korean communist front organisations? Will he therefore apologise to the Government and the people of South Korea?

Mr. Hain: Some interventions from Conservative Members are really off the wall, but that one takes the prize. If the hon. Gentleman is referring to the past activities of hon. Members, will he also condemn the activities of those Conservative Members who called for Nelson Mandela to be hanged, and who wore badges to that effect when they were members of the Federation of Conservative Students?

I am astonished at the hon. Gentleman's irresponsibility with regard to North Korea. That country has missiles, which it exports. It is very important that we promote peace and dialogue between North and South Korea to ensure that there is stability in the region.

Iran

12. **Mr. Gareth R. Thomas** (Harrow, West): What recent discussions he has had with the Government of Iran concerning the treatment of Jews, Christians and Bahais. [120881]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We and our European Union partners have regularly raised with the Iranian authorities our concerns over a number of human rights issues, including the treatment of religious minorities in Iran.

Mr. Thomas: I am grateful to my hon. Friend for that reply. Is he aware that the 13 Jews on trial in Iran on what appear to be trumped-up charges of espionage have not been allowed to appoint their own legal counsel, and that their state-appointed lawyers have complained of obstruction? My hon. Friend highlighted Iran's recent record of discriminating against Christians, Bahais and Jews. Will he assure the House that he will continue to press the Iranian authorities to show proper respect and tolerance to all religious groupings in that country?

Mr. Hain: Yes, we will. I congratulate my hon. Friend on his energetic work on this matter—I know that he reflects the views of many of his constituents, including members of the Jewish community who are, quite rightly, worried about the way in which the trial is proceeding, as we are. That is why my right hon. Friend and I have consistently raised the matter with Iranian Ministers and will continue to do so. Although we engage with the reforming Government of President Khatami and welcome his electoral success, which has boosted the position of the reformers, we are also aware that there is a battle with the reactionaries, who are bringing their odious influence to bear on this trial.

Rev. Martin Smyth (Belfast, South): I appreciate the point that the Minister has just made. Will he emphasise to the Iranian Government that they cannot take their place in international affairs when they sponsor terrorism for Islamists elsewhere while persecuting their own citizens?

Mr. Hain: It is precisely because of the concerns expressed by the hon. Gentleman, which we share, that in our discussions with the Iranian Government—and we have established a good relationship for critical engagement and dialogue—we speak not just about business opportunities but about human rights violations.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does my hon. Friend agree that for a woman in Iran, it is not required to be a Christian, Jew or Bahai to be persecuted? Will he discuss this aspect of human rights when he next has contact with the President?

Mr. Hain: I well understand the point raised by my hon. Friend. I would say that the treatment of women in Iran is by no means the worst across the world, but we continue to raise the issue.

Mr. David Winnick (Walsall, North): It is bad enough.

Mr. Hain: It is bad enough, as my hon. Friend says, and I freely acknowledge that. It is precisely because we have established a relationship of critical engagement and dialogue that we are able to make these points, and have them heard. Indeed, human rights in Iran have improved over the past few years despite these setbacks, and we should acknowledge that. It is terribly important that the reform process under President Khatami is strengthened and continued and that Britain supports that reform process, because Iran is a critical country for the stability of the region.

Mr. Graham Brady (Altrincham and Sale, West): Will the Foreign Secretary consider postponing his scheduled visit to Iran in July, unless and until such time as a fair trial is guaranteed to the 13 members of the Jewish community who have been arrested and are facing trial?

Mr. Hain: My right hon. Friend's visit has already been postponed once—*[Interruption.]* Be serious; some of the heckling from the Conservative Benches on this matter is ridiculous.

Madam Speaker: Order. I do wish that Back Benchers would contain themselves when questions are being answered.

Mr. Hain: Thank you, Madam Speaker.

We keep all visits under review at all times.

Slovenia

13. **Mr. Paul Flynn** (Newport, West): What proposals he has to improve the UK's relations with Slovenia. [120882]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): The relationship between the United Kingdom and Slovenia is excellent. We maintain a close dialogue over Slovenia's applications for European Union and NATO membership, and warmly welcome the constructive role that Slovenia is playing in south-east Europe.

Mr. Flynn: As a signatory to the Council of Europe's charter on minority languages, will my hon. Friend commend the exemplary action of Slovenia in its treatment of those linguistic minorities within its border, which, regrettably, has not been reciprocated to the Slovene minorities in Austria or Italy? Italy has long delayed introducing measures that would assist the Slovene minorities there. In the Carinthia province of Austria, the Governor, a certain Jorg Haïder, has recently introduced measures that are damaging to the bilingual Slovene schools.

Mr. Vaz: I welcome the action taken by Slovenia to protect minorities. My hon. Friend raises with me for the first time the position of Slovene speakers in Austria, and I will pass on that information.

We want Slovenia to be part of the European Union as quickly as possible. My hon. Friend will be pleased to know that it has opened 25 of the 31 chapters of the acquis communautaire and has closed 11 chapters. Therefore, there are good prospects that Slovenia will join as soon as possible, and we encourage that. Of course, there will be tough negotiations ahead, but I hope that Slovenia will bring to the EU the issues to which my hon. Friend referred. It will certainly bring to it a country that has a diverse number of minority groups which live together extremely well.

Mr. Nicholas Soames (Mid–Sussex): Does the hon. Gentleman agree that it is important that the United Kingdom encourages Slovenia in those endeavours, in respect not only of the European Union, but of NATO? What steps are being taken through Partnership for Peace and other NATO organisations to assist Slovenia to play a bigger role?

Mr. Vaz: I thank the hon. Gentleman for his very constructive comments. I am glad to know that he fully supports Slovenia's entry into the European Union and NATO. We have made our position on NATO clear: it is that all aspirants are part of the action plan that has been set out by NATO. I can give no guarantees here about who will join NATO. That is a matter for NATO at its next invitation meeting, at its next major summit. However, the fact is that we want to make sure that Slovenia is part of the Europeanisation process that will bring it into the European Union and ensure that it is part of NATO's security arrangements. That will be a beacon of hope to other countries in the region, especially the Balkans.

Mr. Francis Maude (Horsham): Does the Minister realise that it is a bit patronising for him to talk about the Europeanising of Slovenia, which happens already to be a European nation? Given that one of Slovenia's principal aims is membership of the European Union, as well as membership of NATO, is not the best contribution that the Government can make to improving relations with Slovenia to reject out of hand the ideas propounded last week by Mr. Fischer, the German Foreign Minister, about the creation of a single European super-state? What countries such as Slovenia want is the creation of a modern, flexible European Union of the sort that would also appeal to the British public—in particular, by tackling the common agricultural policy, which is the major obstacle to the early enlargement of the European Union.

Mr. Vaz: I need no lessons in being patronising from the right hon. Gentleman, who could give seminars on how to be patronising.

The fact is that Slovenia wants to be a first-class member of the European Union—it does not want two classes of membership, it wants to be a full member. What the Conservative party and the right hon. Gentleman suggest is that there should be a two-tier Europe. Slovenia is not interested in that. It wants to be a full member, participating absolutely fully in what the European Union does.

We have made our position on Mr. Fischer's speech absolutely clear. It was a speech that he made personally, in his own capacity, and he did not state the policy of the German Government. Our position on this matter is also absolutely clear. We believe that Europe is a nation of nation states. Slovenia wants to be part of that.

Middle East

14. **Dr. Phyllis Starkey** (Milton Keynes, South–West): If he will make a statement on progress in the middle east peace process. [120883]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): I returned yesterday from a visit to Damascus and Beirut. I was encouraged by a Syrian and Lebanese commitment to comprehensive peace in the region. Both made it clear that full Israeli withdrawal from southern Lebanon, in compliance with United Nations Security Council resolution 425, would be welcome. I encouraged them to work with the United Nations to ensure stability in Lebanon during and after withdrawal.

Dr. Starkey: I thank my hon. Friend for that response. Does he agree that the core of the middle east peace process is the Israeli-Palestinian track? Is not he concerned at the multiple signs of a decreasing confidence among Palestinian public opinion in the peace process?

Signs of that include an open letter to the Israeli public by 130 Palestinian intellectuals; the disturbances across the west bank yesterday and over the past week, which culminated in the death of Palestinians, including Palestinian police; and recent opinion polls within the Palestine National Authority which show that President Arafat's popularity rating is at an all-time low and that only 13 per cent. of Palestinians have confidence in the ability of Prime Minister Barak to deliver a peace process.

Has my hon. Friend stressed to the Israeli Government the need for them to take seriously the issues of refugees, illegal settlements and Jerusalem, so that an eventual agreement delivers real benefits to ordinary Palestinians, has their support and is therefore sustainable?

Mr. Hain: I agree with my hon. Friend. We are concerned at the serious violence yesterday in the west bank and Gaza strip, and call on both sides to show calm and restraint. Efforts should be focused on moving negotiations forward towards a just, comprehensive and lasting peace. I welcome the Israeli Government's decision to transfer three Palestinian villages east of Jerusalem to full Palestinian control, and look forward to its early implementation. Further courageous decisions by both sides will be needed if the shared goal of a comprehensive agreement is to be realised.

St. Helena

16. **Mr. Bob Russell** (Colchester): What progress has been made with preparatory work for legislation to restore full British citizenship to residents of the island of St. Helena. [120885]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Our White Paper last year set out our commitment to extend full British citizenship to all citizens of our overseas territories. That has been warmly welcomed throughout the overseas territories, particularly in St. Helena where it is seen as correcting an injustice. Officials of the Foreign Office and the Home Office are at an advanced stage of preparing instructions to parliamentary counsel, and we hope shortly to proceed to the drafting stage of a Bill. Pending legislation, we have already taken steps to improve access to the United Kingdom for citizens of St. Helena, such as the new three-year visas for employment or work experience.

Mr. Russell: I welcome that statement. Does the Foreign Secretary realise that next year marks the 20th anniversary of the previous Conservative Government making the citizens of St. Helena second-class citizens? In two years time, on 23 May, it will be the 500th anniversary of the discovery of the island. Will the right hon. Gentleman give a guarantee that by then full citizenship rights will have been restored to the islanders?

Mr. Cook: The hon. Gentleman has been a Member of the House for long enough to know perfectly well that no one can give a guarantee about legislation until the announcement of the Queen's Speech. My right hon. Friend the Leader of the House, who has just joined me on the Front Bench, will make sure that I do not even attempt to give such a guarantee. However, I can assure the hon. Gentleman that we are aware of that injustice and that we are determined to put it right.

Defence Procurement

3.31 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Madam Speaker, I should like to make a statement on two significant defence procurement decisions.

I should like to announce our decisions on a new beyond-visual-range air-to-air missile to arm the Eurofighter, and on delivering the major enhancements to our strategic airlift capability promised in the strategic defence review.

The Government are committed to the modernisation of our armed forces. We are determined to deliver improvements in defence capability, to underpin long-term security and to ensure that Britain can act as a real force for good in the world. Our armed forces deserve the best equipment. We are committed to ensuring that they have the best equipment. However, we are also committed to doing that in a cost-effective way that offers the best value for taxpayers' money. Smart procurement means making every pound count.

We are also aware of the wider context. The procurement package we have selected is clear evidence for our partners on both sides of the Atlantic of our strong commitment to enhance European defence capabilities. NATO's effectiveness depends on continuing technological improvement and on equitable burden sharing. The European defence initiative lies at the heart of that—for the good of Europe, the transatlantic alliance and the international community as a whole.

The BVRAAM is a vital component of the Eurofighter's ability to dominate the skies. It promises to be a highly accurate, highly manoeuvrable missile that will significantly improve Eurofighter's "no escape" zone, and will thus ensure that this world-class aircraft can combat all projected air threats. It will make a major contribution to the air superiority requirements of UK and coalition operations—including NATO operations. Our priority is to sustain Eurofighter's superior capability as far as possible into its service life, which will extend well towards the middle of the century. We need to secure the highest performance, at the best overall value for the taxpayer.

We have had the advantage of a strong competition with high-quality bids from Matra BAE Dynamics and Raytheon Systems Ltd. The competition has been keenly fought, and many right hon. and hon. Members have written to me and to other Ministers.

After a thorough—indeed exhaustive—process, we have concluded that the Meteor missile offered by Matra BAE Dynamics and its consortium is likely best to meet our needs over the life of the Eurofighter aircraft. The overall performance promised by Meteor will ensure that Eurofighter is equipped with the best weapon possible and will deliver the air superiority that is central to success in military operations.

Meteor is a collaborative venture with Germany, Italy and Spain—our Eurofighter partners—France and, we hope, Sweden. We plan to conclude a memorandum of understanding with those European partners by the end of the year, formally committing us all to the programme. Subject also to agreement of satisfactory terms and conditions with Matra BAE Dynamics, we will award a contract as soon as possible.

It will be a smart contract. Tightly defined breakpoints in the contract will be linked to flight tests and other demonstrable achievements. Those will focus on, first, the ram-jet motor; then guidance systems and, finally, data links and electronic counter-measures. Specific dates will be attached to each.

Those breakpoints will be auditable and capable of external independent evaluation. If they are not delivered, the contract will be terminated by the partner nations, which will recover all development costs from the contractor.

Meteor is expected to enter service with the RAF in the latter half of this decade. Meanwhile, we intend to buy more of the currently highly capable advanced-medium-range air-to-air missile, produced by Raytheon, to equip Eurofighter when it first comes into service.

Our decision will give the Royal Air Force the most advanced air-to-air missile in the world. It will be welcome to our European partners, and it will also be welcomed by our US allies as a clear indication of our commitment to a strong defence capability, available for all operations in which the United Kingdom might be involved.

Industry in the United Kingdom will also welcome the decision. Matra BAE estimates that it will create or sustain some 1,200 jobs in the UK, including at Stevenage, Bristol and Stanmore. Many of those will be high-quality jobs in new technology, and in system and software design. The United Kingdom will lead this major project.

I turn now to our strategic airlift requirements. Improving the mobility and deployability of our forces was a key theme of the strategic defence review. Events in the Balkans and, more recently, in Mozambique and Sierra Leone have underlined the high priority of increasing our strategic airlift capability. Both NATO's defence capabilities initiative and the headline goal adopted at the Helsinki European Council identify this capability as one in which Europeans need to make particular improvements.

We have explored a number of possible avenues to meet our immediate needs as well as the longer-term requirements. After careful consideration, we have determined that the best short to medium-term solution is a lease of four C17 Globemaster aircraft from the Boeing company. They will begin the first of several years of service with the RAF from the middle of next year. These flexible, capable aircraft will deliver vital, early support to our new joint rapid reaction forces. They will also make a crucial contribution to improving the airlift capabilities available for NATO and European operations and to interoperability with the United States.

Beyond that short-term lease, we have now decided that our heavy-lift needs, from the latter part of this decade onwards, would be best met by the A400M aircraft from Airbus Military company. This promises to be a superb aircraft—a new design that is specifically tailored to meet our military requirement. Moreover, the A400M will offer an extremely flexible capability, covering both the tactical and strategic roles. It offers scope for a multinational support package and substantial through-life cost savings.

At this point, our commitment to A400M is necessarily conditional, in that it is based on assumptions that are dependent both on our potential partners and on Airbus—on their commitments to sufficient numbers of aircraft at launch and the establishment of a viable programme.

[Mr. Geoffrey Hoon]

We hope that we can sign a contract for the A400M urgently, but this must be based on realistic figures for purchase. All countries must balance the size of firm commitments against other priorities for defence equipment. The United Kingdom will order 25 aircraft in the A400M initial launch. That is sufficient to build a viable programme while safeguarding our industrial interests. We look forward to other partners following our lead, so that together we may confirm the launch order as soon as possible.

However, affordability will also rest on confirmation of unit prices at the level offered by Airbus, commitment of the in-service date that we require and satisfactory negotiation of commercial terms and conditions. Programme launch and contract placement must also be achieved within a reasonable time frame.

This will also be a smart process. We will hold European industry to its promises. If Airbus cannot offer us and our partners an affordable and manageable programme on that basis, we will be able to meet our military requirement and protect taxpayers' interests by purchasing a fleet of Boeing C17 aircraft as an alternative. However, we look forward to success in this exciting and innovative programme.

A400M will offer great benefits for the United Kingdom. BAE Systems expects the programme to create directly 3,400 long-term, high-skill, high-wage jobs—in particular at its sites at Filton, Broughton and Prestwick—with indirect employment taking the figure to more than 10,000.

Our industry will be at the forefront of developments in the aircraft's new technology, including a carbon composite and metallic hybrid wing and a new propulsion system. The project will strengthen the European aerospace industry, and will complement the world-leading wing capabilities of British industry, which we are supporting through the major investment that we have recently announced for the development of the A3XX.

A vital and technologically innovative element of the A400M will be its engines. Airbus Military, as prime contractor, will be responsible for selecting the best power plant so that the aircraft will meet its commitments to the partner nations on performance and price. However, we will make sure that, in its decision, Airbus Military takes full account of the merits of the likely proposal from Rolls-Royce and the undeniable quality of its products.

These procurement decisions are of great importance for our armed forces and for our defence capability for several decades to come. They deliver on our promises in the strategic defence review. They make a significant contribution to Europe's defence capabilities and they are good news for British industry and for British jobs. I commend them to the House.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I thank the Secretary of State for his announcement and for giving me an early copy of his statement. Today's announcement has at last begun to clarify the important procurement decisions in, for example, the strategic defence review, on which so much of our armed forces future capability rests. Giving Typhoon a proper air-to-air missile to keep it a potent weapon system and providing heavy lift to allow our troops to be properly deployed were critical elements of the strategic defence review, as the Secretary of State will recall.

Before putting questions to the Secretary of State, I should like to make a general point. Surely, the decisions could, and should, have been made earlier. Is it not a fact that too many Ministries have a finger in the pie, especially the Treasury? As a result, the decisions have been delayed, perhaps unnecessarily. The Government committing themselves to early decisions while insisting that industry produces on time and within budget is a feature of smart procurement. If, as seems to be the case here, the Government fall at the first significant hurdle, what hope is there for future smart procurement programmes?

The Government made two significant announcements today. Their decision to go ahead with the purchase of Meteor as a solution to their BVRAAM requirement will be widely welcomed. I therefore congratulate Matra BAE Dynamics on its successful bid, which, it believes, will secure high-quality technology-related jobs for some time. However, questions need to be asked. Given the doubts that the Secretary of State expressed about Sweden in his statement, has he received cast-iron assurances from all the other partners who are likely—or whom he believes are likely—to order the missile?

The Meteor contract is to produce equipment at the cutting edge of technology. The Secretary of State accepts that and has made it clear that that entails some risks. He outlined his concerns about those risks today, saying that he has set specific dates by which the progress of the programme can be audited. Critically, he has said that the programme will be terminated if those are not met.

Is the Secretary of State prepared to tell us what those dates are so that we can judge whether the programme is proceeding in accordance with the plans? He spoke about how compliance with that programme was going to be audited. Given the changes that he has announced to the Defence Evaluation and Research Agency, who does he expect to carry out the independent audit, which, in the past, DERA might well have carried out?

Bearing in mind the fact that the United Kingdom is bearing the largest share of the costs, what will happen if a British Government wish to terminate a programme which they consider is not being met, but which others do not? How can we make a such a decision without incurring penalties? How will we recoup costs in that eventuality and what plans has the Secretary of State made for that?

The Secretary of State was rather vague about the in-service date. Will he clarify that detail by putting it on record when he returns to the Dispatch Box? He said that much had been said about US embargoes on future export orders. No doubt, that is one reason why we chose Meteor in the circumstances. What consideration has been given to the possibility of partners in the consortium embargoing others wishing to sell the missile on? The Secretary of State said that the USA would welcome the order. However, given that the President has lobbied the Prime Minister over the past few months, to what extent is this another case of the Foreign Office giving the Secretary of State a load of bad advice?

On the heavy lift contract, we welcome the Secretary of State's announcement on leasing four C17s while placing an order for 25 A400M aircraft. Once again,

however, serious questions need to be answered. On the A400M, how confident is the Secretary of State that the other nations will order, either at all or in sufficient numbers to make the project viable? I note, for example, that the Italians have not only dropped the initial number that they were planning to order, but seem recently to have indicated doubts about ordering any at all. The Germans have been blowing colder and colder on the project as the weeks have gone by.

Is not the announcement of an order of 25 a significant reduction from the UK's anticipated commitment of 45? Will not that, coupled with the lease of four C17s, send a message to nations that are in doubt about their orders that the UK Government are not as committed as they at first appeared? For example, what has the Secretary of State been told about the critical number that needs to be ordered before the contract is viable? How long is the lease for the C17s?

The Secretary of State seems slightly less than positive in his announcement on the A400M, hedging it with many caveats and conditions. Will not that, together with his announcement that he will purchase C17s if he cannot reach an agreement on the A400M, also send a mixed signal to our European partners? Is not his announcement in some senses likely to pose serious logistical questions to the RAF? Surely the prospect of the RAF having to find spares, relevant infrastructure and training for three different air frames raises questions about costs beyond purchase costs. How will the C17s be supported? Will there be a support facility in the UK, or is he anticipating that that task will be done from the USA?

In congratulating BAE Systems on securing the order, the Secretary of State must agree that such questions will need to be answered if BAE is to feel confident in committing the investment and capital that the project requires without raising serious concerns about future decisions and doubts about its viability.

Although manufacturing production and development skills rest hugely on the success of the two orders, it is most critical that the armed forces, as I am sure the Secretary of State will acknowledge, get the equipment that they need to fulfil their operational requirements. That, we believe, is the most important point.

Mr. Hoon: I am grateful to the hon. Gentleman for his initial observations and, indeed, for his general support for the decisions that the Government have taken. I shall endeavour to deal with as many of the more detailed points that he raised as possible, but in the event of my failing to do so, I shall certainly write to him with more specific detail.

In response to the many observations that the hon. Gentleman made about both projects, let me say that it is clearly necessary to be conditional in our approach to such multinational operations because they depend on decisions by our partners. The alternative, for any Government, is simply to go into the market and purchase equipment off the shelf. We could do that, but we are choosing to try to buy the best, most technologically sophisticated equipment. That depends very much on working with partner nations. That is the way in which we are approaching these decisions.

The hon. Gentleman mentioned doubts about Sweden. There are no doubts about Sweden; we are simply trying to attract it to the project in order that the missile may be available to its aircraft. The memorandum of understanding still has to be agreed with our partner nations; that is necessarily so, as I have said, in any multinational project.

I can certainly publish details of the breakpoints and determination of when those assessments will be made once the memorandum of understanding is established. The breakpoints will be a certain period after that date. We shall retain the elements of DERA that give Government advice about the nature of contracts. That was part of the understanding that we set out.

On the in-service date, we anticipate the missile being available towards the end of the decade. On the US attitude, the package will provide significant job opportunities in the United States as well as in Europe. It is in the nature of modern defence industries that they operate around the globe—certainly across the Atlantic. I do not anticipate any difficulty in announcing orders that will create jobs to supply AMRAAM as well as the C17 heavy lift aircraft.

We are confident about the A400M. We are leading the way: we shall be the first country to have officially announced our order for A400M, and we believe that will provide a strong signal for our partners to do the same. Twenty-five is a realistic estimate of the number of aircraft that we require: 26 Hercules aircraft are to replaced by 25 A400Ms, but the A400M will have a capacity that is one and a half times greater than that of the Hercules; therefore, we are investing in significantly enhanced capability for the RAF. The RAF will not be required to maintain or train crew for three air frames. The idea behind leasing the C17s is that, once the A400M comes into service, it will replace the C17; then, we shall be dependent on a mixed fleet of two aircraft.

Mr. Barry Jones (Alyn and Deeside): My right hon. Friend's excellent statement presages many new manufacturing jobs for Britain, as well as an enhanced defence capability. Will he tell the House when the production of the A400M will begin and the locations at which it will be built? He will not be surprised if I volunteer the services of 4,200 Airbus workers in my constituency to make the wings, because we have a centre of excellence and world-class capability. Will he give further details of the reasons behind the size of the order? We had hoped that 35 would be ordered, and we should like to know why it is to be 25. None the less, the statement is a good one and my right hon. Friend should be thanked.

Mr. Hoon: I am grateful to my right hon. Friend. As he rose, I wondered what question he might ask. He has asked me about the projects on many previous occasions and I am delighted to be able to give him today, at long last, a straight and detailed answer. I am also grateful to him for volunteering his constituency: I am confident that it will be one of the places in which a significant number of additional British jobs are created as a result of the decisions announced today.

I made clear our determination to place a firm order for 25 aircraft, but I am confident that the aircraft will be a success around the world. Airbus Military is confident, not only that it will be able to supply aircraft to our partner nations, but that there is significant potential for exports to other countries not yet involved in the project.

[Mr. Hoon]

Therefore, 25 is an initial order, but we are confident that it will lead to further orders and that the aircraft will be a success.

Mr. Menzies Campbell (North–East Fife): In order not to blight the Secretary of State's career, I shall not offer him over-enthusiastic congratulations on having beaten off the Treasury. I hope it will be sufficient for me to say that he has managed to square a rather difficult circle.

The announcements are welcome because they strengthen the European security and defence identity, of which common procurement is an important component, and they underpin the expeditionary strategy set out in the strategic defence review. May I express the hope that the Secretary of State will show similar ingenuity in placing the orders for the roll on/roll off ferries, which I hope will follow hard on the heels of today's announcements?

On the question of Meteor, the Secretary of State was diplomatic about exports being thwarted by the United States Congress. However, it must be a matter of some if not satisfaction, at least relief that there can be no question of exports of the Eurofighter being inhibited because Congress might decide that permission should not be given for an American missile for the aircraft.

On the question of the heavy-lift aircraft, it is right to provide the Royal Air Force with the heavy-lift capability which is clearly necessary and which would have been of great advantage, for example, in Mozambique and perhaps in current operations in Sierra Leone. Is it not true that, by demonstrating confidence in BAE Systems from a military standpoint, the announcement will ensure that the company remains at the forefront of civilian aircraft technology as well?

Mr. Hoon: I am grateful to the right hon. and learned Gentleman. I congratulate him on his determined efforts in pursuing these matters over many months; he has been assiduous in ensuring that they have remained at the forefront of the House's attention. I am grateful to him for his support on previous occasions and today.

These are the collective decisions of Government, and all parts of Government are equally enthusiastic about the position reached and announced today, as I am confident the United States will be. As I mentioned earlier, it provides significant opportunities for US industry, as well as European industry.

I congratulate the right hon. and learned Gentleman also on his sophistication in emphasising the importance of co-operation and collaboration in these projects. Europe is not in a position to invest country by country in the latest technology, particularly for such expensive projects. Inevitably, we must undertake them in collaboration with our European and American partners. These projects represent a significant commitment to such a collaborative approach.

Mr. Bruce George (Walsall, South): My right hon. Friend the Secretary of State can rightly be pleased with himself. He has seen off the greatest enemy of the Ministry of Defence over the past 60 years: Her Majesty's Treasury. That is more than the Opposition succeeded in doing very often when they were in office. Is my right hon. Friend aware that, judging from the glum Conservative faces, he has done the right thing?

Has my right hon. Friend informed his wife that she is not likely to attend any White House functions over the next six months? However, that is a price worth paying. When the Defence Committee considers procurement in the next few weeks, it will seek more information about why these decisions were made, but my right hon. Friend can be confident that he and his team have got the decision right—a European missile on a European aircraft, the best heavy-lift aircraft available, and four of them, which is more than I anticipated. We, like my right hon. Friend, will give careful consideration to the fact that we have moved a little towards the European dimension of security. It is right for us to say to Europe, "We are watching you, and you must deliver."

Mr. Hoon: Again, I am grateful to my hon. Friend. He has pursued the matter with determination on behalf of the Committee which he so effectively leads. I look forward to providing further detail, as required, in due course.

It would be wrong to characterise these determinations as between Europe and the United States. There will be a great deal of work on both sides of the Atlantic as a result of our efforts. Crucially—this will be the most important aspect, as far as the White House is concerned—we are demonstrating a real commitment to improving European capability. The availability of the most advanced missile for Eurofighter and the availability of heavy-lift aircraft mean that Europe's capabilities and its contribution to NATO will be significantly enhanced. That is the message that the White House will most want to hear.

Madam Speaker: Order. May I have brisk questions from hon. Members and brisk answers from the Minister? I have in mind the need to safeguard today's business—after all, two motions have been tabled by the Opposition, and time is getting on.

Mr. John Wilkinson (Ruislip–Northwood): The Secretary of State has chosen the riskiest options technically, the costliest, and those with the greatest potential for slippage, as regards both the missile and the aircraft elements. Can he put the House straight? The A400M is not a heavy-lift aircraft. Will he also make it plain that the A400M could not have taken four Puma helicopters all the way to Mozambique? It does not have the volume or the payload. Unless he retains some C17s in the fleet, when the A400M comes into service the Royal Air Force will no longer have a genuine heavy-lift capacity of its own.

Mr. Hoon: As I am sure the hon. Gentleman will recognise when he gives the matter some thought, in operations of the kind undertaken in Mozambique, what matters is not simply the capacity of an aircraft. One must also have regard to the size of the airfield where particular aircraft may land, and the number of times that it may be necessary to fly an aircraft into and out of an airfield. Sometimes, as we found in practice, the very large aircraft to which the hon. Gentleman refers by implication cannot fly into the airfields, and if they do fly into a particular airfield, it is closed for a number of hours before the next aircraft can arrive. A balance must be struck between the size and physical capability of the aircraft in question, and the number of occasions on which it is necessary to fly in

aircraft—particularly if there is an urgent need to reinforce troops in the field, for example. The decisions are taken with such practical considerations in mind.

Dr. Doug Naysmith (Bristol, North–West): May I thank my right hon. Friend for his statement and its clear commitment to the Meteor project and the A400M? The Meteor project will create job opportunities in my constituency. More important, it will keep the United Kingdom and Europe in the high technology end of the crucial business that we are discussing.

The A400M will create and safeguard thousands of jobs not only in Bristol and the surrounding area, but throughout the country and elsewhere in Europe. The project is needed to safeguard essential expertise in this country. It is good for Bristol, Britain and Europe. Will we be able to order more than the 25 that my right hon. Friend mentioned today if negotiations with other countries suggest that that is necessary or even helpful?

Mr. Hoon: I am grateful to my hon. Friend for his comments. I agree with his observations; I am confident that the aircraft will be successful and that, in time, we will be able to order further versions.

Mr. Edward Garnier (Harborough): Bearing in mind the answer that the Secretary of State gave my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson), if the A400M is not big enough to carry heavy artillery and armoured vehicles and the larger helicopters, how does the Ministry of Defence propose to deliver those weapons and vehicles to a theatre of operation?

Mr. Hoon: The premise of the hon. and learned Gentleman's careful lawyer's argument is not right. The A400M is big enough, but the numbers that are carried on specific occasions and the capability of particular airfields to deal with the size of the aircraft are important.

Barbara Follett (Stevenage): I welcome my right hon. Friend's announcement of awarding the Meteor contract to Matra BAE Dynamics, which, as he knows, is mainly based in my constituency of Stevenage. Does my right hon. Friend know that, in the 1980s, Stevenage suffered job losses which were the equivalent of five pit closures through the downsizing of the aerospace industry? Does he realise the boost that he has given to the town's confidence through an announcement that is good for Britain, Europe and—most important to me—for Stevenage?

Mr. Hoon: My hon. Friend has been assiduous in putting the case for Stevenage. She has done that with considerable force for a long time. I am delighted that she is pleased with the decision that she has worked so hard to achieve.

Mr. Julian Brazier (Canterbury): While I welcome the decisions on Meteor and C17, will the Secretary of State place in the Library a list of the major equipments in the British armed forces that can be carried on the C17 and not on the A400M?

Mr. Hoon: If the hon. Gentleman asks that question of me, I am sure that we will be able to supply him with details.

Mr. Bob Laxton (Derby, North): I thank my right hon. Friend for the decisions, which I welcome. Can he tell us yet whether the Rolls-Royce engine is the preferred engine for the Airbus A400M? If not, are there any steps that we could take to facilitate a decision? Can he suggest how many jobs may be created or secured, especially in Rolls-Royce in Derby, which is just outside my constituency, if the Rolls-Royce engine is procured for the A400M project?

Mr. Hoon: Under the terms of the agreement, Airbus Military, as the prime contractor, will be responsible for selecting the engines. However, as I made clear in my statement, we will stress to Airbus Military the quality of the proposal that we anticipate from Rolls-Royce. We are confident that Rolls-Royce will make a proposal that will fulfil the contractor's needs of price, quality and competitive advantage, while supplying jobs for the United Kingdom, especially for Derby.

Mr. Roy Beggs (East Antrim): While I welcome the statement and the commitment to smart procurement, I am disappointed that Raytheon Systems did not succeed. However, I congratulate Matra and accept the assessment that the Meteor collaborative project will ensure that Eurofighter is equipped with the best possible weapon for air superiority.

The Secretary of State suggested in his statement that the choice of A400M and the UK order for 25 will create 3,400 long-term jobs and more than 10,000 jobs indirectly. Will Shorts in Northern Ireland benefit from the opportunities that he announced today?

Mr. Hoon: I hope so, because Short Brothers is certainly a major subcontractor for BAE Systems. How BAE Systems allocates the work is obviously a matter for it, but it is anticipated that work will go to Northern Ireland as a result of the decision.

Mr. David Borrow (South Ribble): My right hon. Friend's announcement will be welcomed by thousands of my constituents who are employed on the Eurofighter and Airbus projects. Although they are mostly concerned about their job prospects, does he agree that it is absolutely vital to our defence capability that the European option for military aircraft and missile systems remains and that the announcement represents a crucial step to ensure that that capability remains in future?

Mr. Hoon: I am sure that that is right. The announcement will safeguard not only jobs in the United Kingdom and across Europe but our technology edge, which is a vital safeguard as we move through the new century. It is vital that we can compete for high-quality jobs in terms of not only numbers, but quality of the work. The decisions that we have taken have been influenced by that and it has contributed to the way in which we reached our conclusion.

Mr. Peter Luff (Mid–Worcestershire): I certainly join those who welcome today's announcement on Meteor, but I am sorry that the Secretary of State did not include in his list of workers who will welcome it the 360 workers at BAE's rocket motors division in Summerfield, many of whom work in the constituency of the Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Wyre Forest (Mr. Lock). Those workers will produce and develop the boost motor for Meteor. May I

[Mr. Peter Luff]

say that, given the technical excellence of the Meteor solution and the backdrop of 30,000 manufacturing jobs being lost in the west midlands in the past year alone, any other decision would have been unthinkable? The real sadness is that it has taken so long for the announcement to be made at the Dispatch Box.

Mr. Hoon: I am grateful to the hon. Gentleman. My apologies for not having mentioned his constituency. I am delighted at any opportunity to mention the important contribution that my hon. Friend the Parliamentary Secretary makes to his constituents. I apologise for overlooking that fact, but the benefit of those decisions will be felt in a long list of constituencies.

Ms Sandra Osborne (Ayr): This is, indeed, good news for the workers at BAE Systems at Prestwick, although it is tinged with disappointment given that the Government propose to scale down HMS Gannet—also at Prestwick. However, can my right hon. Friend confirm that he will lobby hard to ensure that Britain receives its fair share of work in those collaborative projects?

Mr. Hoon: Certainly, Britain will be the contracting authority for the missile, and BAE Systems and the consortium will be responsible for leading the project. That is an important way in which Britain will express its leading edge in the organisation of work and the technology. I shall certainly look into the constituency matter that my hon. Friend raises, but there will be significant job opportunities in and around Prestwick as a result of those decisions.

Mr. Gerald Howarth (Aldershot): BAE Systems has its headquarters in Farnborough, in my constituency, so the Secretary of State will not be surprised to know that there will be few glum faces in Farnborough today. I particularly welcome the Meteor decision, on which I pressed him as recently as last week, when he assured me that he would give an answer shortly. I am sure that the fact that we shall ensure that the missile technology will be retained in the United Kingdom will enhance Typhoon's export potential.

The A400M project, which my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) said is risky, will depend wholly on the other partner nations ordering in significant numbers. Will the Secretary of State tell the House how far those other nations have indicated their willingness to sign up to the project and how soon?

Mr. Hoon: The answers to those questions are obviously matters for those countries, but they have generally indicated their support for the A400M project. We are leading the way by announcing our determination to purchase 25 of those aircraft. We are confident that the specific announcement will cause other countries to follow, so it should be possible to reach an agreement by the end of this year whereby we take forward the project. Such collaborative ventures inevitably involve some risk, but we are confident that the quality of the aircraft and the contribution that it can make to creating and securing jobs in the United Kingdom and Europe make that risk worth while.

Mr. Gordon Marsden (Blackpool, South): The decisions announced today on Meteor will be warmly welcomed by my constituents who work at British Aerospace's Warton plant, who will see it as a vote of confidence in British Aerospace in Lancashire. Does my right hon. Friend believe that the link that Meteor has forged with Boeing will be of significant assistance in expanding opportunities for export orders for the Eurofighter?

Mr. Hoon: I am grateful to my hon. Friend. We are delighted that Boeing is part of the consortium, because it demonstrates that, as I said earlier, this is not a simplistic "Europe against the United States" approach. What we have announced is of significant benefit on both sides of the Atlantic. Crucially, the fact that Boeing is part of one of the consortiums illustrates the point that I have made.

Mr. Crispin Blunt (Reigate): I am sorry to rain on the Secretary of State's parade, but the truth is that the Ministry of Defence and the Royal Air Force are the losers from today's announcement as far as the strategic airlift is concerned. The truth is that the MOD has been directed by the Prime Minister and by other Departments, particularly the Department of Trade and Industry, to order the A400M.

The Secretary of State has got no extra money out of the Treasury. Will he make that clear to the House? The other armed services will have to find the money to pay for an expensive commitment that will also have to be supported and maintained by the RAF—a wholly unnecessary different type of aircraft in its tactical airlift inventory.

Mr. Hoon: I am slightly surprised at the hon. Gentleman's observations. In recent months, he has tended to complain that we are constantly concerned about money. On this occasion, we are not necessarily choosing the cheapest option; we are choosing the best option, as far as the RAF is concerned.

The RAF will not lose out. In the short term, we shall have an airlift capability that the last Government were not in a position to order when the hon. Gentleman was advising them, although heavy-lift requirement had been identified. The combination of orders that we propose will secure for the RAF a capability that it did not previously enjoy.

Mr. Lindsay Hoyle (Chorley): Obviously, this is welcome news, and the cheers can be heard from the north-west. Many jobs have been dependent on both contracts. The news about the BVRAAM—the beyond-visual-range air-to-air missile—is certainly welcome to the workers in Chorley and in Lostock near Bolton. They have been awaiting the decision, and it is right, as is the decision on the A400M. I will press my right hon. Friend on only one point: 25 is welcome, but will he consider increasing the number? That is important for jobs in Lancashire, and for jobs in the north-west generally.

Mr. Hoon: We are talking about a valuable revision of the distribution of jobs related to the defence industry across the country, and I am delighted that the decision will be welcomed throughout the country on the basis that it will create and secure jobs in manufacturing industry.

I think that I have dealt with the point about numbers. These are firm orders, with which we shall proceed in negotiation with our partners.

Mr. Ian Bruce (South Dorset): I am sure that component manufacturers in my constituency will also welcome the opportunity of further orders from the companies, but will the Secretary of State tell us what was the quid pro quo from the Treasury? We know that whenever the Treasury gives something, it takes something back. We know that we have replaced the Typhoon's gun with a lump of lead to save money; we know that soldiers are having to go around saying "bang" instead of using real bullets, and that we are having to cancel exercises because there is no fuel for vehicles. What else is having to be cut from the defence budget to pay for what has been announced?

Mr. Hoon: Absolutely nothing. Our proceedings are being observed by a distinguished former Chancellor of the Exchequer, who I am sure will give the hon. Gentleman lessons on the way in which the Treasury operates, should he require them.

Point of Order

4.14 pm

Mr. Simon Burns (West Chelmsford): On a point of order, Madam Speaker. As you know, as a matter of courtesy the Government make statements available in advance to the Opposition spokesman, the Liberal Democrat spokesman and, perhaps, spokesmen from other minority parties. As the Secretary of State is in the Chamber, Madam Speaker, would it be appropriate for you to ask him whether he, any other member of the Government, or anyone acting on behalf of the Government supplied advance copies of his important and complex statement to any of his Back Benchers who are in the Chamber, or were at the beginning of the statement?

Madam Speaker: It is not for me to ask the Secretary of State or any other hon. Member a question across the Floor of the House because the point of order is for me. I am not aware that that is the case. In fact, I have reason to believe that the Secretary of State did not give the statement to any of his Back Benchers, but I will not go into my knowledge on that score. The hon. Gentleman will have to take that from me, but, of course, it is up to any Secretary of State if he wishes to give a statement to any Member. That is for him to decide; it is not for the Speaker.

BILL PRESENTED

POLICE (NORTHERN IRELAND)

Mr. Secretary Mandelson, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Secretary Straw and Mr. Secretary Cook, presented a Bill to make provision about policing in Northern Ireland; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed [Bill 125].

Juvenile Justice

4.15 pm

Miss Anne McIntosh (Vale of York): I beg to move,

That leave be given to bring in a Bill to provide that a young person indicted for a serious criminal offence shall be brought to trial within a period of 110 days; and for connected purposes.

As a Scottish advocate, now non-practising, I recognise that the 110-day rule that applies under Scots law has many advantages over the system in England. It gives great clarity to prosecution and defence alike as to how the rule applies. It is easy and simple to administer, unlike the Government's preferred option in England of different time limits being set for different categories of offender.

There are compelling reasons to introduce an equivalent rule to the 110-day rule into English law for both social and legal purposes. Three categories of people would benefit. The first is the young offender. Is it not extraordinary that, although figures exist for the length of delay facing persistent young offenders, there are no figures readily available for first-time young offenders? However, the trauma of facing the judicial system for the first time matches, if not outweighs, that felt on repeat appearances. I hope that the Government and the Home Secretary can rectify that situation as a matter of urgency.

As a general rule, clearly, all young offenders would suffer less were there to be a policy of keeping any delay awaiting trial to an absolute minimum. The anxiety that the accused and their families must naturally feel would therefore be curtailed. Likewise, for the victims of a crime that is suspected of having been committed by a young offender, protracted delay can result in real concerns about justice being done and seen to be done.

As regards witnesses, the sooner a case is brought to trial, the less chance there may be of any eventual memory loss. It is well known in legal practice that witnesses are very human and that the passage of time dulls the memory, even down to the colour of clothing worn by the accused or an accomplice. Those are compelling grounds to improve the administration of justice with regard to all young offenders. A particularly worrying trend is the rise in crime among the 10 to 17-year-old age group both in London and throughout the country.

The Narey report contained proposals to combat youth crime, which were piloted in six areas in England between October 1998 and March 1999. Those measures included location of Crown Prosecution Service staff in police stations; use of CPS designated case workers to review files and to present certain cases; the introduction of early first hearings for straightforward cases; the introduction of early administrative hearings for all other cases; changes to the powers of single justices and justices' clerks to assist case management.

In Ernst and Young's evaluation of those pilot schemes, a definition of a persistent young offender is given as:

A young person aged 10-17 years who has been sentenced by any criminal court in the UK on three or more occasions for one or more recordable offences and within three years of the last sentencing occasion is subsequently arrested or has an information laid against him for a further recordable offence.

The level of support for the Bill shows that more must be done to reduce delays in trials for all young offenders—first-time young offenders as well as persistent young offenders.

[Miss Anne McIntosh]

In January 2000, the governor of Her Majesty's remand centre in Northallerton wrote to me, saying:

Like many others working in the Criminal Justice System I do get concerned about the apparent lack of movement between arrest, first court appearance and final sentence. This is particularly true for young alleged offenders who can spend months on remand in prison with a final "not guilty" verdict at the end of it all. It sometimes appears less than fair . . .

I have every sympathy for those who are trying their best to reduce remand time, it must be a thankless task as so many groups might have hidden agendas which inhibit the much needed progress on this issue. The crux of the matter may well revolve around ownership and the ease of administration. If the Police, CPS, Magistrates, Judges and the legal profession can understand the benefits associated with this initiative then I have no doubt it will work. If one group wants to plough a lone furrow the whole concept of speedier justice for the young offender will fail. We do need a system which is easy to monitor and left to one group to manage. The more complicated it becomes, and the more agencies involved, the less effective it will be and therefore unfairness could easily creep in. This must be avoided at all costs as faith in the Criminal Justice System, from whichever end of the spectrum, is a vital element of any civilised society.

The chief executive of the National Association for the Care and Resettlement of Offenders, Helen Edwards, wrote to me to say:

we fully support your proposal, which would usefully reinforce the efforts that the Government and the Youth Justice Board are making to reduce the length of the pre-trial process.

Support has also been expressed by members of diocesan boards for social responsibility. Jo Saunders, a social responsibility officer, wrote to me to say:

I am pleased to see that your Bill has got this far and certainly support your recommendations and hope that it will receive a commendation from the House.

Finally, Mr. King, a visitor at Hull prison, has expressed particular concern for Dutch and other nationals who are accused of offences. They often face lengthy delays when awaiting trial and have associated problems with matters such as language and visiting limitations. Those issues also need to be addressed.

As long ago as the previous general election, the Government promised to take action to reduce delays for young offenders. So far, however, they have failed to deliver. Figures from the Lord Chancellor's Department—in March 2000, in "Youth Justice Board News"—show that Crown court cases take an average of 210 days from arrest to sentence. Therefore, as so much remains to be done, I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Miss Anne McIntosh, Mr. James Gray, Mr. Martin Bell, Mr. Paul Keetch, Mr. Michael Fabricant, Mr. John Bercow, Mr. Stephen O'Brien, Mr. Graham Brady, Mr. Desmond Swayne and Mr. Christopher Fraser.

JUVENILE JUSTICE

Miss Anne McIntosh accordingly presented a Bill to provide that a young person indicted for a serious criminal offence shall be brought to trial within a period of 110 days; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 126].

Opposition Day

[10TH ALLOTTED DAY]

UK Manufacturing and Enterprise

Mr. Deputy Speaker (Sir Alan Haselhurst): Madam Speaker has selected the amendment in the name of the Prime Minister. She has also decided that there should be a 10-minute limit on Back-Bench speeches.

4.24 pm

Mrs. Angela Browning (Tiverton and Honiton): I beg to move,

That this House condemns the Government for failing to encourage an enterprise economy, for reducing the UK's competitiveness and burdening all sectors of business with extra regulatory costs and taxation and for adding to the pressure on manufacturing, resulting in many sectors relocating outside the UK; demands that the Secretary of State for Trade and Industry outlines the Government's strategy for manufacturing as a matter of urgency, so that industry can plan for the future; and calls upon the Government to commit itself to reduce the overall cost of tax and regulation to business without delay, allowing UK firms to compete in the global market place and to retain a UK manufacturing base.

When new Labour came to office in May 1997, the Government inherited an economy in which the Conservatives had reformed our trade unions. We had created an enterprise economy in which non-wage labour costs were some of the lowest in Europe and in which the UK attracted one third of all inward investment into the European Union, creating 850,000 jobs. In 1995, the president of Philips said:

For manufacturing, Britain is the most competitive country in Europe today.

In October of the same year, the chairman of BMW said:

Great Britain is currently the most attractive economy in Europe for producing cars.

Since 1997, under new Labour, Britain has dropped from fourth to eighth in the world competitiveness league. Today's debate is an opportunity to examine what has changed and gives the Secretary of State a chance to spell out his Government's policy on competition, manufacturing and business so that companies can plan for the future—something that they are currently having great difficulty with.

Ever since 1997, when the "under new management" sign appeared above the door of the Department of Trade and Industry, one thing has become apparent: although they have learned the language of business, there is precious little business experience in the Cabinet. In the three offices of state that should be making Britain more competitive there is one non-practising barrister, one former politics lecturer turned journalist and one polytechnic law lecturer—the three wise monkeys who even now cannot see or hear what is happening to British industry. They lecture and hector people who every day have to plan, take decisions, invest money and create jobs.

Only today, we read in the *Financial Times* that in his speech to the CBI tonight, the Prime Minister will signal to business leaders that the Government have broader priorities than appeasing their growing ranks of critics in

the business community. The Secretary of State for Defence was clearly telling the truth when he told *The Guardian* last month that

metal bashing is no longer a vital national asset

That was a clear message for the Labour heartlands.

The Government's £30 billion of extra taxes and £10 billion of extra regulatory costs have started to impact on British businesses, but apparently the Government have broader priorities. In other words, they have departed from the field of battle and no longer see themselves as champions of British competitiveness. The Secretary of State has failed to be the sponsoring Minister at the heart of Government on behalf of business. The taxes and burdens imposed by the Government cover areas such as the climate change tax, IR35, employment relations, industrial works councils, increased fuel charges, workplace parking, congestion charges, end-of-life vehicles, employment agencies, sub-post offices, residential care homes—the list goes on. No sector has been able to rely on the Secretary of State for Trade and Industry to put its case at the heart of Government. His job, as he sees it from the vantage point of a polytechnic lecturer, is to agree to all the new burdens. It is bad enough that he is constantly rolled over by the Treasury, but to acquiesce to policies that emanate from that seething mass of chaos that is the Department of the Environment, Transport and the Regions gives the impression that he has been dumped by his colleagues. If he is not careful, he could end up as the Labour candidate for mayor of Tyneside.

Mr. Dale Campbell-Savours (Workington): How is it, then, that unemployment in the United Kingdom is the lowest in western Europe as a percentage of population?

Mrs. Browning: Because of the legacy that the Government inherited. One does not need to be able to work out seven times eight to work out those statistics.

Mr. Peter Luff (Mid-Worcestershire): I am sure that my hon. Friend would wish to remind the hon. Gentleman that 5 per cent. of all manufacturing jobs were lost in the west midlands last year alone.

Mrs. Browning: Indeed. I shall come shortly to the pressures that manufacturing businesses are under and why they are struggling to maintain their competitiveness in world markets.

Mr. Bruce Grocott (Telford) *rose—*

Mrs. Browning: I am delighted to give way to the Prime Minister's Parliamentary Private Secretary.

Mr. Grocott: The hon. Lady implies that Opposition Members possess tremendous business acumen, so could she remind the House of the practical business proposals that she put forward to solve the Rover crisis?

Mrs. Browning: I am happy to answer that question from another polytechnic lecturer. I have said before in the House that, before the Rover crisis broke, a Conservative Member of the European Parliament and former director of Rover, Mr. Malcolm Harbour, wrote—with my consent as shadow Secretary of State—to the Secretary of State to offer the support of the Conservative party in negotiations with the Commissioner in the seemingly endless battle to secure money from Europe. However, the commitment of the Conservatives to try to help the Secretary of State—he shakes his head, but it is true and he has seen the letter—was made more difficult because he did not think that he had a problem with Rover until the news broke. Our commitment to trying to help Rover was clearly on the record of this House.

Business will find a different approach from the Conservative Government after the next election.

Several hon. Members *rose—*

Mrs. Browning: I shall give way in a moment, but I first wish to explain to business why it can live in some hope that a Conservative Government will change the mess and chaos. We will reduce the costs to business over the lifetime of a Parliament, because the costs of the regulatory impositions put on business by this Government must be cut. We will guarantee that we will report progress to Parliament, so that business will feel that burden lifting. All that business feels at the moment is regulation after regulation and tax after tax—all imposed at the cutting edge of what makes a business competitive. We will guarantee a low-tax, low-regulated economy, and we will ensure that UK companies are not put at a competitive disadvantage to other EU countries.

Mr. Jim Cunningham (Coventry, South): While many people at Rover will appreciate what the hon. Lady tried to do, she did not answer the original question. Leaving aside the European grant, what solution did you put forward to solve the Rover crisis?

Mr. Deputy Speaker: Order. I have no solutions to such matters.

Mrs. Browning: The hon. Gentleman asks what solution we would have put forward. The Secretary of State held a press conference to take the credit for a proposal that he suggested ensured the long-term future of Rover, but had Conservative Ministers brokered that deal, we would not have assumed that we had concluded the negotiations. That will be the difference in the calibre of people who will hold office in a Conservative Government, compared with the people in this Administration who have never run any commercial operation, have never risked anything, and have seemingly never even engaged in a negotiation. As any business man knows—and the hon. Gentleman has some experience in that area—a deal is not deal until it is delivered. Indeed, I would say that a deal is not a deal until it is paid for.

The Secretary of State took the credit and then took his eye off the ball and did not follow through. In business, as in Government, following through is critical. I do not suggest that a Conservative Government would have or could have prevented any company—

Mr. Grocott: They were not saying that at the time.

Mrs. Browning: Yes we were. We live in the real world. The people who read and write about things may

[Mrs. Browning]

not know this, but those of us who have had 20 years experience in business—as I have, including 10 years with a British manufacturer—know that nobody should take credit for negotiating a deal until they know that they can follow through and deliver on it. That will be the difference that business can expect from a Conservative Government, compared with the bunch of people in this Government who talk about things they have never actually done.

Mr. Richard Burden (Birmingham, Northfield): If that is the calibre that we could expect of a Conservative Government, would it be different from that when the Conservatives were in government? They sold off Rover to British Aerospace in a deal that was found subsequently to be illegal under European law. They laid the foundation for the company to be sold on to BMW without any guarantees for the future, thereby putting the knife in the very hands of those who stabbed Rover in the back.

Mrs. Browning: The hon. Gentleman is reinventing history. As someone who has tried to take a constructive role in the history of Rover for obvious reasons, and who I respect at least for his background in engineering, I would have hoped for rather a better question from the hon. Gentleman. If Labour Members have some sensible questions, I shall be happy to take them. However, I hope that the calibre of their questions will improve.

Mr. John Bercow (Buckingham): Is it not entirely typical of the Government's arrogant and incompetent approach that having agreed in principle to the part-time workers directive as long ago as April 1998, Ministers took 21 months before issuing their proposals to business for the incorporation of the directive? They then gold-plated its contents, and finally had the brass neck to demand a response from hard-pressed businesses throughout the country in less than six weeks.

Mrs. Browning: My hon. Friend makes a pertinent point. On Thursday morning, we shall deal in Committee with part-time work regulations. I look forward to that, because my hon. Friend has rightly observed that despite all the rhetoric, we are faced with yet another burden on business. It has been gold plated but the application and administration of it will be as cack-handed as everything else that the Government have introduced. It is bad enough that they keep adding to the regulations that bear on business, but they do so in such a way that businesses are punished even more severely. That is the inept way in which the Department of Trade and Industry goes about things.

We are looking for a commitment from the Secretary of State that he will learn from the way in which he introduced the working-time directive, for example. My hon. Friend the Member for Buckingham (Mr. Bercow) may not know, but I followed the right hon. Gentleman as a speaker on this very subject when he told a large audience of personnel directors that the Government had learned lessons. Clearly they have learned nothing. Alternatively, perhaps like the Prime Minister this morning, they now find that business constitutes such an irritating lobby group that they really do not care to listen to its concerns.

Mr. Denis MacShane (Rotherham): The protest from business that I hear most about from south Yorkshire concerns the strong pound—the over-valuation of sterling. If a Conservative Government were to take office, what does the hon. Lady think that the value of the pound should be against the European currency, and what would she do to reduce the value of the pound?

Mrs. Browning: I refer the hon. Gentleman to the Prime Minister's statement this morning. He made it clear that those who are suffering from the difference in the value of the pound from that of the euro should recognise that the problem lies with the weak euro. When there is a difference in value that imposes a great deal of pressure and pain on business, especially manufacturing companies, those firms at the edge that are cutting margins should be able to rely on the Government to set an economic backdrop of low taxation and low regulatory costs, and not to add to their problems. That is the difference between enabling such companies to hang on, or not.

I understand that the hon. Gentleman is an advocate of the failed euro. I hope that rather than asking me questions about what a Conservative Government would do to rescue a currency to which he has so clearly signed up, he will think again and ask himself why he thinks that the euro is so weak. When it was introduced with much acclaim, it was meant to be a world reserve currency.

I sympathise with Labour Back Benchers, but it is ironic that they sign up to policies that fail and then look to Conservatives to solve the problems. It is flattering, but some problem solving would not go amiss on the part of Department of Trade and Industry Ministers. Many of their policies have caused the problems that are affecting business. Mercifully, business will have only about another year, we hope, to last out under the present Administration.

Unlike new Labour, we do not regard manufacturing as old industry and IT as the new industry. I understand that, in the glittery, bauble-like world in which Labour Members exist, everything new and modern is good and everything older or traditional is bad. We believe, for example, that e-commerce has an integral part to play in all industries, and especially in manufacturing, for both sales and sourcing.

The Government talk manufacturing down as an old industry that can now be discarded. They fail to understand the importance of the manufacturing base in this country, the true role of the new technologies being introduced, and the important part that they will play in the future or manufacturing.

Mr. Andrew Miller (Ellesmere Port and Neston): If the previous Conservative Government had listened to the wise words of the hon. Member for Esher and Walton (Mr. Taylor), they might have something to say about IT, but I have a simple question for the hon. Lady. If what she says is true, will she explain why Vauxhall, which has facilities in my constituency and in Luton, has faith in

investing in Britain? That faith is shared by the Quin Glass company in my constituency, which has just announced the creation of 500 manufacturing jobs.

Mrs. Browning: Only this month, Vauxhall publicly voiced its concern about UK competitiveness, specifically because of the burden of regulation imposed by the Government. The hon. Gentleman has Vauxhall factories in his constituency, and I am sorry that he appears to be unaware of that—perhaps he should set up a meeting with the company on Friday morning.

Mr. Miller: Answer the question.

Mrs. Browning: We need no lectures from Labour Members about e-commerce or anything dot.com, as there are enough dotty coms on the Government Front Bench as it is. The Labour Government put the Electronic Communications Bill in a Queen's Speech but then forgot to introduce it for nearly a year. Three weeks before the end of term last summer, the Secretary of State asked the Opposition to nod it through, and we refused. We said that it should be put out to consultation, as it imposed too much regulation and was not what the IT companies wanted.

The Secretary of State followed our advice, and I am glad that he did. We gave the Bill fair passage in all good faith when it returned after the summer recess. We are happy to help out the Secretary of State if he does not know what to do about e-commerce, but we will take no lectures about IT from any Labour Member.

Mr. Miller: The hon. Lady did not answer the question.

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Lady, but I have given the hon. Member for Ellesmere Port and Neston (Mr. Miller) enough licence in terms of sedentary comments. I do not want any more.

Mrs. Browning: I want to make a little progress, and then I will try to take more interventions in a moment. I note that we are hearing today from the massed ranks of Labour Members who have no connection with business and industry but who form the collective of lecturers and media people.

The Government also appear to be unaware that global location has become less important. Today, the multinationals can switch manufacturing abroad and still guarantee quality and continuity of supply. Gone are the days when countries in the far east and south America relied on outdated machine tools from western countries. They are well equipped and competitive—and they are competing with us, now.

Directly as a result of new Labour policies, there is now a dangerous haemorrhaging of UK businesses to other countries. The Government have sent more businesses offshore than the hon. Member for Coventry, North–West (Mr. Robinson). Road haulage is just one example of that, and it has been driven out by the highest road taxes in Europe. Before he took his business abroad, Eddie Stobbart stated:

> We had no alternative—it does not make sense for UK hauliers or the UK economy as less revenue will be raised by the Treasury.

What sort of Alice in Wonderland world is it in which the Chancellor taxes a business to the extent that it has to set up abroad to remain competitive, thereby reducing the revenue that he will receive by having such companies based in the United Kingdom?

Petrochemical companies and banks are moving out their international information technology processing to Ireland, the USA and Singapore as a result of the Regulation of Investigatory Powers Bill. As *Computer Weekly* reported:

> They are not trying to fight any more. They are just going. They fear the UK simply isn't a safe place for confidential data.

The famous climate change tax will add to business costs next year. It will add 12 per cent. to Nissan's energy bill, 16 per cent. to that of British Aerospace and 10 per cent. to that of B&Q. Yet Department of Trade and Industry Ministers do not flinch. Manufacturing will bear the brunt of the tax, with no allowance for previous investment in energy efficiency.

The British Plastics Federation wrote to me saying:

> The Levy, which will cost our industry over £60 million based on electrical energy consumption alone, is a serious threat to our competitiveness.

It is certainly not alone.

The Government face judicial review on the matter of IR35. IT specialists, who develop cutting-edge software, have been forced offshore, while the Chancellor gives tax breaks on hardware. Where is the common sense in that? We will have the hardware, but not the software to go in it. One such gentleman from Yeovil in Somerset wrote to me:

> We will move to pastures greener very easily and quickly—suddenly money will leak out of the nation, with barely a whisper of warning.

Manufacturing has a range of sectors, from food processing to car manufacturing, in which multinationals in particular find it all too easy to relocate. Our national retailers, who once marketed the Made in Britain label, are moving textiles abroad.

Mr. Ian Bruce (South Dorset): Has my hon. Friend seen, as I have, announcements from electricity companies which, in response to the Utilities Bill, are sacking people as we sit here? Does my hon. Friend know that I tabled a question about how many people have been sacked, and was told that the Minister would let me know shortly? The Government are clearly not in touch with what is happening in this important industry.

Mrs. Browning: It would be charitable, given how much has been said about the climate change tax, to say that DTI Ministers are in a state of blissful ignorance. However, we know that they are not; they are only too aware of how damaging the tax will be to British industry and manufacturing. Yet despite being the sponsoring Department for business and industry, Ministers make no attempt to speak up for business in Government. They certainly do not speak up for business as far as the Treasury is concerned.

Between May 1997 and December 1999, 82,000 jobs were lost in the textiles industry. In 1999, the National Union of Knitwear, Footwear and Apparel Trades estimated that the equivalent of one textile factory closed every day. In its national strategy report, the clothing and

[Mrs. Browning]

textiles strategy group highlighted regulation and its implementation as a major burden on business. Yet the Government do not want to listen.

Mr. Geraint Davies (Croydon, Central): If things are so gloomy, how did manufacturing output in the last quarter of 1999 reach its highest level ever? Manufacturing, of course, is growing less fast than the rest of the economy, where we have an extra 800,000 jobs. If things are so awful, why do all the statistics look so good?

Mrs. Browning: As the Engineering Employers Federation has pointed out, that increase has been at the expense of margins. That is all right over a short period, but, as a business man, the hon. Gentleman will know that unless manufacturing can see some light at the end of the tunnel, it will not be able to sustain cutting into its margins to keep up productivity for long. That is the worrying long-term future that manufacturing faces.

The present Government wring their hands. They offer sums of money to some areas and sectors and not to others. Perhaps the Secretary of State could explain the strategy. Is it based purely on the map in "The Times Guide to the House of Commons", or is there some higher body that he has applied to in order to identify who does and who does not receive Government handouts? I am sure that many of his hon. Friends on the Back Benches will want to know, as clearly they will need to indicate to their constituents, when the Minister says that this is a Government that will not intervene, whether there is a policy behind that or just political opportunism.

The Secretary of State could intervene much more positively. He could promise British business today that he will halt regulatory costs. The Chancellor could look again at the £30 billion of extra taxes on business, particularly those in the pipeline. If they fail to take action, and quickly, they can be sure that the sign that says "DTI" in Victoria street will be replaced very shortly in the eyes of business with one that says "RIP".

British industry deserves and was promised better than this. Perhaps the right hon. Gentleman will now tell us how he will deliver.

4.51 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'recognises that industry does not want a return of the boom and bust policies of the previous Government, with interest rates of 15 per cent, inflation above 10 per cent and soaring budget deficits; welcomes the Government's decisive action in taking politics out of interest rate decisions; notes that employment is currently 880,000 higher than it was when the Government came into office, and that long-term interest rates over the past year have been at their lowest for 35 years; welcomes the measures that the Government has taken to encourage enterprise, investment and innovation which particularly help manufacturing businesses; welcomes the Government's view that where firms are in difficulty the Government has a role in helping people through change as opposed to the previous Government's laissez-faire approach; and condemns the Opposition for its record in government, when manufacturing employment declined by 2½ million.'.

The Government fully recognise the challenges that manufacturing faces in a global economy. One of the ways in which we can assist manufacturing to meet those challenges is to provide the economic stability that we now have in the United Kingdom, not because of some legacy from the Conservative Government, but because of the steps that we took on coming to office in the first few days after 1 May 1997, giving the Bank of England independence over interest rates to ensure that we did not play politics with interest rates, which certain right hon. Members opposite may well have done during their time as Chancellor of the Exchequer.

Several hon. Members *rose—*

Mr. Byers: I have not started yet. Let me get through my introduction and then I shall be more than happy to give way, even to the hon. Member for Buckingham (Mr. Bercow).

In the contribution of the hon. Member for Tiverton and Honiton (Mrs. Browning), there was no recognition of the situation of manufacturing under the Conservatives. There are figures that demonstrate very clearly that while there may be difficulties in some sectors of manufacturing, as there clearly are, we still have a buoyant and vibrant manufacturing industry here in the United Kingdom. Hon. Members opposite should not talk manufacturing down, because there are real strengths.

Manufacturing productivity is rising by around 5 per cent. a year. Most economic forecasters say that it will continue to rise in the period ahead. Manufacturing export volumes are 9.5 per cent. higher than they were a year ago.

Let us look at those employed in manufacturing. Regrettably, jobs have been lost in manufacturing since May 1997; manufacturing employment has fallen by around 160,000 in the three years since the present Government came to office. But, in comparison, during the Conservative years from 1979 to 1997 an average of 140,000 manufacturing jobs were lost every single year. Every year for those 19 years 140,000 manufacturing jobs were lost, so we shall not take any lessons from the hon. Lady, who was a Minister in the Governments responsible for that record on manufacturing employment.

Between 1979 and 1997, manufacturing employment fell by more than 2.5 million people. That is the Conservative record on manufacturing, a record that we shall remind hon. Members opposite about, and remind the country about as well.

Mr. Ian Bruce: I am grateful to the right hon. Gentleman for giving way. He will know, if he looks at any table of statistics, that manufacturing employment throughout the world was going down during that period. Will he reflect on what was happening to manufacturing jobs in the Conservatives' last few years in power, on the present Government's statement when they came in that they would do so much better for manufacturing, and then on exactly what has happened over the last three years?

Mr. Byers: Government is not like pick and mix at Woolworths. The hon. Gentleman must stand on the

record of Conservative Governments—that was their record. When I talk about people losing their jobs, he—with a majority of only 76—gets slightly worried.

Mr. Bruce: It is 77.

Mr. Byers: I apologise—another rather foolish person voted for the hon. Gentleman. However, I can understand his concern.

Mr. Edward Garnier (Harborough) *rose—*

Mr. Byers: I give way to the hon. and learned Gentleman, who has a slightly larger majority.

Mr. Garnier: I am most grateful to the Secretary of State. Even assuming—although I do not—that his figures for the years of Conservative government are correct, what will the Labour Government do to put the matter right?

Mr. Byers: I shall outline our approach. I am pleased that the hon. and learned Gentleman's intervention has allowed me to address the point so early. What we are not going to do is take risks with the economy. That is why we are creating economic stability, with inflation under control. We have sound public finance and we are reducing the national debt. That is all in stark contrast to the situation that we inherited when we took office in May 1997. We are creating the economic climate in which business can plan ahead with confidence, knowing that we shall not return to the days of boom and bust that we experienced under successive Conservative Governments.

Mr. Garnier: Will the Secretary of State give me some examples of where that is working?

Mr. Byers: I draw the hon. and learned Gentleman's attention to the announcement made yesterday by Marconi. The company is creating 2,200 high-tech, well-paid jobs in the west midlands. A global company that could have gone anywhere in the world chose to come to the west midlands of the United Kingdom because of the skills of the people in that area and its strengths, and because of the economic environment that we have created. That is why inward investment reached record levels last year. We have created a climate in which people want to invest. We can take pride in that. It is not a legacy from the Conservatives. It has occurred because of the steps that we have taken; the environment that we have created means that businesses want to invest in the UK.

Mrs. Caroline Spelman (Meriden): Surely the Secretary of State should have mentioned in the same breath that today Massey Ferguson announced that it was feared that 2,000 jobs would be lost at its Coventry factory, because of the difficulties experienced by the company. We should not jump to conclusions; the solution at Marconi may be neutralised by losses in other key manufacturers in the west midlands.

Mr. Byers: It is unfortunate that the hon. Lady did not refer to the whole statement made by the chairman of Massey Ferguson. He said that, if the Government made a commitment to join the single European currency, the company would retain its commitment—[HON. MEMBERS: "Ah."] That is the truth. The company would retain its commitment to stay in the UK.

All those Opposition Members who wear nice, shiny brass pound signs in their lapels should realise that that is a signal to the chairman of Massey Ferguson. It creates the uncertainty that leads him to consider those options. That is the reality; rhetoric about Europe and the single currency is creating uncertainty in the mind of the chairman of Massey Ferguson. A little later in my contribution, I hope that I shall be able to reassure people in his position as to the Government's intentions.

Mr. Jim Cunningham: Does my right hon. Friend agree that, during the past 10 years—especially under the Tory Government—Massey Ferguson shed a large amount of labour, although there were increases in productivity? There has been uncertainty at Massey Ferguson for a long time, as most people are aware. As for the chairman's statement, we all realise that the value of the pound is extremely high and we hope that something can be done about it, but we have not yet heard from the Opposition what they would do about the high pound. The hon. Member for Meriden (Mrs. Spelman) should be careful when she refers to the history of Massey Ferguson.

Mr. Byers: My hon. Friend makes an important point from his personal experience. The chairman's statement was made in the context of the need for certainty about the single European currency.

Mrs. Browning *rose—*

Mr. Kenneth Clarke (Rushcliffe) *rose—*

Mr. Byers: I have a difficult choice to make—between the pro and anti-single currency wings of the Conservative party. If the right hon. and learned Gentleman will forgive me, I shall first give way to his Front-Bench colleague, the hon. Member for Tiverton and Honiton.

Mrs. Browning: The Secretary of State is a true gentleman. Given that he has clearly had to make a commitment to Massey Ferguson and to companies like it, will he share with the House the reassurances that he has given them about the Government's commitment to giving up the pound and to joining the euro? What time scale has he set and what does he consider to be the optimum rate of exchange when Britain goes in?

Mr. Dale Campbell-Savours (Workington): My right hon. Friend should take the intervention of the right hon. and learned Member for Rushcliffe (Mr. Clarke) straight away, so that he can combine the answers.

Mr. Byers: My hon. Friend makes a good suggestion. The right hon. and learned Gentleman may want to intervene after I have given a brief explanation.

The Government's position is absolutely clear: we want to join a successful single European currency. I assure the hon. Lady that we have the five economic tests and that we shall evaluate those five tests early in the next Parliament. That is the Government's policy and we intend to follow it.

Mr. Clarke: The chairman of Massey Ferguson would require a rather better answer than that.

[Mr. Clarke]

The Secretary of State claimed to have created the conditions that he described, but will he return to the main point? He inherited a circumstance in which we were the fastest-growing major economy in the European Union and we were an extremely attractive base for investment in manufacturing and other industry. He faces the charge that his Government have introduced into that situation higher taxation on business and a much higher level of regulation while doing nothing about the excessive value of the pound. Is he aware how complacent he sounds in the light of all the problems faced by huge numbers of manufacturers across the country?

Mr. Byers: I know that the right hon. and learned Gentleman has a vested interest in talking up this Government's inheritance on the state of the economy. However, he will know that the national debt was increasing, that there were real inflationary pressures and that we did not have sound public finances. Those were the difficulties that we inherited when we took office and we have taken action to address them.

Several hon. Members *rose—*

Mr. Byers: I shall give way first to my hon. Friend the Member for Workington (Mr. Campbell-Savours).

Mr. Campbell-Savours: The intervention of the former Chancellor of the Exchequer, was very interesting. He put through the Transport Act 1985 and that Act, by itself, was responsible for the total destruction of the whole of the British bus manufacturing industry, including the loss of the Leyland national plant in my constituency that produced 2,000 single-decker buses per annum. His deregulation of transport destroyed the industry.

Mr. Byers: My hon. Friend makes an important point. The facts are worth rehearsing for the benefit of the House. In the early 1990s, almost 1 million manufacturing jobs were lost. Some 70,000 of them were in the motor industry, with 13,000 jobs lost in one company alone—GEC in 1991-92—and 20,000 jobs were lost at Ferranti in the first four years of the 1990s. The hon. Member for Tiverton and Honiton talked about the difficulties being experienced by the textile industry. I accept that there are difficulties, but they pale into insignificance when compared with the fact that, in 1992, more than 1,000 textile and clothing manufacturers went bankrupt—three for every single day of the Conservative Government that year. That is the record of the Conservatives.

The hon. Member for South Dorset (Mr. Bruce) raised the issue of international comparisons and it was a point well made. When one considers the levels of manufacturing output or of manufacturing employment in the other major industrialised countries—whether the United States, Japan, Germany or France—all of us, including the United Kingdom, have witnessed a decline in manufacturing employment and in the contribution that it makes to the gross domestic product. We are not alone in the reductions that have taken place. When people argue about levels of employment in manufacturing, we should remember that it is a decline that has taken place in most industrial countries over the 15 past years or so for reasons that most Members understand.

Mr. Bercow: The Secretary of State simply did not answer the point made by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke). Given that the Confederation of British Industry, the Institute of Directors, the Federation of Small Businesses, the Forum of Private Business and the British Chambers of Commerce—to name just five representative business organisations—have all recently attacked the Government for dramatically increasing the regulatory burdens that threaten small business competitiveness, why does the Secretary of State continue to insist that he is right and that they are all wrong?

Mr. Byers: In the debate about regulation and the burden of red tape, a balance needs to be struck between setting minimum standards for genuine entitlements for people in the workplace and red tape and bureaucracy. Of course, Opposition Members confuse the two. The hon. Member for Tiverton and Honiton quoted the cost of regulation as £10 billion, which she took from a survey conducted by the British Chambers of Commerce. However, she did not mention that £6.6 billion of that is the cost of providing an entitlement to four weeks' paid holiday a year. Conservative Members, including the hon. Lady, call that a bureaucratic burden.

More than 3 million people who benefited from that entitlement will note with interest what the hon. Lady said on behalf of the Opposition. For Conservative Members, £6.6 billion means an administrative burden and red tape, but for people in work it is four weeks' paid holiday a year. We call that decency in the workplace, but Conservative Members talk about a bureaucratic burden on business. That is the difference between our two parties: Conservative Members should give some thought to that.

I was interested to learn that the hon. Lady launched the commonsense revolution for small business last week. She spoke about exempting from the whole raft of employment legislation small businesses, which are defined as those with fewer than 10 employees. If I am not right, I stand to be corrected.

Mrs. Browning: That is not right, although it was reported in one newspaper. However, in our "Commonsense Revolution", in which we said that we shall reduce the cost of the burden on business, we said that we shall use the American system, which we have studied carefully, to exempt small businesses. The basis of the exemption will depend on the nature of the legislation. In some cases, it will be based on the number of employees, but in other cases it may be more appropriate to base it on the turnover of the business.

However, the Secretary of State and small business can be sure that we shall follow the American system to which the Prime Minister pays lip service, but does not emulate. We shall make the country competitive and ensure that the Department of Trade and Industry once again stands for enterprise in relation to such regulation.

Mr. Byers: Given the hon. Lady's hostility to the principle of the national minimum wage, are we to take it that small firms will be exempt from paying their employees the national minimum wage? *[Interruption.]* We shall hear that comment in a second, I dare say. Four million people work in firms with fewer than 10 employees, but she cannot give them a guarantee that they will continue to be entitled to receive the national minimum wage. That is the Conservative threat to those on low incomes who receive the national minimum wage; the Opposition cannot guarantee that it will be retained.

The working time directive and entitlement to four weeks paid holiday a year are also under threat from Opposition policies. That should come as no surprise, because Conservative Members are concerned about red tape and bureaucratic burdens on business, not common decent standards.

Mr. Jim Cunningham *rose—*

Mr. MacShane *rose—*

Mr. Byers: I give way first to my hon. Friend the Member for Rotherham (Mr. MacShane).

Mr. MacShane: Is my right hon. Friend aware that one of the heaviest burdens faced by businesses in the United States and Europe is having to pay employees' health insurance costs? Are not some of the most sinister threats to the UK's business competitiveness the plans to privatise the national health service and impose health costs on all employers? The Opposition argue for that continually.

Mr. Byers: My hon. Friend makes an important point in his usual highly effective way.

Regulation involving red tape and administrative burdens is important and we shall take steps to deal with that.

Mr. Ian Bruce: What about the weak euro?

Mr. Byers: The hon. Gentleman asks about the euro, and it is time to address the single currency.

Mr. Bercow *rose—*

Mr. Nicholas Winterton (Macclesfield) *rose—*

Mr. Byers: I am sorry, I must get on to the single currency, about which many hon. Members feel strongly. However, before doing so, I shall give way to my hon. Friend the Member for Coventry, South (Mr. Cunningham).

Mr. Jim Cunningham: Does my right hon. Friend agree with my interpretation of the silence on the minimum wage of the hon. Member for Tiverton and Honiton: that a future Tory Government would return people in my constituency to working for £1 an hour? Is that what she is really saying by her silence?

Mr. Byers: The implication of the hon. Lady's position is exactly that. My hon. Friend makes a significant point about the threat that will hang over people who receive the national minimum wage in the event of a Conservative Government.

Mr. Bercow *rose—*

Mr. Byers: I have a difficulty; I know that the hon. Member for Macclesfield wants to intervene, so I shall give way to him first.

Mr. Nicholas Winterton: The Secretary of State is coming to the single currency and the euro. Will he comment on remarks made to me only a little earlier today by a very senior executive of Nortel, the highly profitable electronics company that employs more than 11,000 people in this country and wants to employ several hundred more? He said to me, "My company isn't that concerned about the strength of sterling. We are concerned about the over-regulation in Europe and the high social costs in Germany and France. May I make a plea to you to urge the Government not to go down the path of Germany and France? We want a light hand of taxation and of regulation. Given that, we will continue to expand in the UK." That is rather different to the case that the Secretary of State quoted of Massey Ferguson.

Mr. Byers: I was almost distracted by the hon. Gentleman's pound lapel badge glinting in the light. The gentleman from Nortel makes a strong point. There is no doubt that a Europe based on regulation, directives and negative attempts to control is not the Europe that will be right and fit for the 21st century. That is why the outcome of the Lisbon summit at the end of March was so significant. It set a new direction on Europe—a Europe that recognises the importance of competition and enterprise and that is prepared to lift barriers to ensure that we achieve such objectives.

Mr. Campbell-Savours: I agree with my right hon. Friend that Lisbon is absolutely the key. May I take him back to his earlier remarks? What he said will come as a shock to millions of people in this country. Is he saying that he cannot get an assurance from the Conservative party that it will not exempt small businesses from the national minimum wage? If he is saying that, and we do not hear such assurances, major news is being made in the House of Commons. The issue affects millions of people, and they should know exactly what is being said and what is being planned. I appeal to my right hon. Friend to press the Conservatives. Let us have the truth now.

Mr. Byers: The hon. Member for Tiverton and Honiton has already disclosed the policy, which is exactly as my hon. Friend has described. There has been no attempt to disassociate the Conservative party from the points that he made. The position is absolutely clear. We know that the debate in the Conservative party about the minimum wage is still being fought by certain members of it, including the hon. Lady, who speaks on such matters for the party.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. I wonder whether it could be noted in *Hansard* that when those exchanges took place, the Opposition Front-Bench team—

Mr. Deputy Speaker: Order. The hon. Gentleman must know by now that he must not pursue points of debate through bogus points of order.

Mr. Campbell-Savours *rose—*

Mr. Deputy Speaker: Order.

Mr. Byers: I want to turn to the question of—

Mr. Bercow: Will the Secretary of State give way?

Mr. Byers: No, I want to make some progress on the question of the relationship between sterling and, in particular, the single European currency.

Mr. Bercow: The right hon. Gentleman promised that he would give way.

Mr. Byers: I did promise.

Mr. Bercow: The Secretary of State, for all his failings, is exceptionally courteous and I am very grateful to him. Given that the United States has been so much more successful over a period of 30 years than the European Union in the creation and retention of private sector jobs, why, in considering parental leave policy, was not the Secretary of State sensible enough to reject the parental leave directive of the EU and instead to copy the provisions of the Family and Medical Leave Act 1993 from the United States?

Mr. Byers: Because I took the view, for better or worse, that a parent who works in a firm that employs 10 or 15 people should have the same rights as a parent who works for a firm that employs 500 or 1,000 people. Their parental responsibilities are the same and people should not be denied the opportunity to look after their children in an appropriate way simply because of the size of the firm for which they happen to work. The hon. Gentleman might disagree with that approach, but I think that it was the right one to take.

On sterling and manufacturing, I understand the difficulties that the current fall in the euro is causing some sections of British industry, especially manufacturing. The current euro-sterling exchange rate cannot be justified by any view of long-term economic fundamentals. Some argue that joining the single currency would end the difficulties that the euro's weakness is creating for some exporters. That was the point made earlier today by the chairman of Massey Ferguson.

The Government's policy is clear. It was stated by my right hon. Friend the Chancellor in October 1997 and by my right hon. Friend the Prime Minister in early 1999. The crucial factor underpinning any Government decision on joining the single currency is whether the economic benefits to the United Kingdom from joining are clear and unambiguous. Britain should be part of the single currency, provided that the economic conditions have been met and the people have given their consent in a referendum—but the five economic tests laid down by the Chancellor have to be met. We shall judge whether the five tests have been met early in the next Parliament. If the economic tests are satisfied, we should join the single currency, if that is what the Government, Parliament and the people decide.

Unlike the Conservatives, we do not rule out joining the single currency for an indefinite period even if, during that time, it was in the national interest to join. Nevertheless, it is vital that we do not, by default, drift back to a policy of wait and see, as to do so would be to deny a genuine choice to the British people. Therefore, we need to re-affirm our commitment to prepare and decide. We shall not allow political dogma to triumph over the national interest. We shall put the interests of our country and of our businesses first, and provide the British people with the opportunity to exercise a genuine choice in an important area.

Mr. Matthew Taylor (Truro and St. Austell): Does the right hon. Gentleman believe that the convergence test includes the issue of the exchange rate—currently uncompetitive—and the need to have a more competitive rate for entering the single currency?

Mr. Byers: Clearly, that will be one of the issues that we shall have to take into account in connection with the five economic tests.

Mr. Geraint Davies (Croydon, Central): Will my right hon. Friend give way?

Mr. Byers: No, because I want to make progress lest I detain the House too long.

Business regards the UK as a good location, and global companies choose to locate here. A recent foreign direct investment confidence index identified the UK as the second most preferred destination after the United States for foreign direct investment. In 1998, we had record levels of foreign direct investment. Not only is inward investment increasing, so are exports. The latest World Trade Organisation figures show that, last year, the UK remained the fifth largest exporter of goods in the world. Last week, the Economist Intelligence Unit published its annual assessment of the best locations in the world to do business. The study, based on factors including policies towards enterprise and taxation, concludes that Britain's prospects for the next five years exceed those of the United States, Canada, Singapore, Germany and France. That is the environment and climate that the current Government have created.

The Conservatives' policies are becoming clearer. They complain about the value of the pound, but then the Shadow Chancellor says:

> We have to get used to the idea that a strong currency is not a bad thing.

They rule out joining a single currency for an indefinite period—even if joining is in the interests of manufacturing. They say that taxes should be lowered by billions, but they do not identify which elements of health or education should be cut. They say that the burden of regulation should be reduced, but the main burden they cite is the cost of paying a minimum wage and giving four weeks' paid leave a year. Decent standards are under

threat from the Conservatives. Of course, when they were in government, they pursued short-term objectives that led to recession twice during their period of office.

In contrast, this Government are pursuing policies that will attract record levels of inward investment and produce rising exports and increasing productivity. Ours are policies for the long term—policies to challenge the status quo and ensure that we have economic stability.

There are no quick fixes. Stability will take root over time. We need long-term solutions to tackle the long-standing problems that have held us back for too long. That is the goal that we have set ourselves in government, and it is a goal that we will achieve.

5.20 pm

Mr. Kenneth Clarke (Rushcliffe): I begin by making a declaration of interest—I am a director of a number of public companies, some of which have manufacturing interests in the United Kingdom.

As I said earlier to the Secretary of State, I found his speech unbelievably complacent. He tried to create a rather fictitious version, as I would have said in other circumstances, of the way in which he has moved from where he took over to where he is now. He insisted on using statistics gathered over an 18-year period, taking in two recessions—the last of which was many years ago—in order to try to demonstrate that the Government had taken over a difficult situation.

The fact is that the Secretary of State and his Government took over the fastest growing major economy in western Europe. The United Kingdom was an extremely attractive place for manufacturing and other investment. Stable economic conditions were in place and we were committed not to return to boom and bust. However, conditions have since deteriorated.

The background to the Secretary of State's speech today is that manufacturing industry in the United Kingdom is bleeding as it has not bled for the best part of 20 years. The principal cause of that is the high value of sterling against other currencies, particularly against the euro. In my opinion, the value of sterling is also too high against the dollar, as I shall go on to argue.

Of course, the problems in manufacturing industry, like the problems in all economic policy, are not caused by a single factor. I strongly agree with the remarks made by my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) about the way in which the Government have produced an excessive burden of taxation on business generally in this country, and the fact that they are introducing an ever-heavier regulatory burden. Both of those are damaging a great deal of the competitiveness of British industry. That is one of the changes that has come about with the change of Government. I spoke on both matters—making the same points, but not as eloquently as my hon. Friend—in the debate on the Finance Bill.

However, the principal problem facing manufacturing industry in the UK, which is driving many good and competitive companies ever nearer to the wall, is the excessive strength of sterling on the foreign exchange markets. The problem is rarely dealt with as clearly as that by either Front Bench. There is a rather curious agreement—I shall not call it a conspiracy—between the two Front Benches that the strong pound should not be referred to quite so clearly, when it is raised indelicately by the hon. Member for Rotherham (Mr. MacShane), by me, or even occasionally by a Liberal Democrat. Apparently, that is a problem on which too much stress should not be laid.

The Government's motives for not speaking too much about the strong pound are that they like to pretend that, as we have just heard, all is now perfect in the economic world thanks to the brilliance of our present Chancellor of the Exchequer and his colleagues. I regret to say that I believe that there are those on the Opposition Benches who sometimes like to think that everything is going quite well for the British economy, thanks to the fact that we have not yet been able to join the single currency.

Whatever one's views on that, if we have a floating exchange rate—on any view, we are living with a floating exchange rate now and will continue to do so, certainly until after the next general election—we must address rather more carefully the fact that the exchange rate has floated to a level that is positively damaging to the country. It is damaging to the competitiveness of most companies trying to sell goods and services into the European market in particular, and if we are not careful it will damage the very prospect of keeping Britain an attractive place in which to make things. That is an extremely serious issue which deserves to be tackled, not simply dismissed in some of the knock-about that passes for debate, especially on European affairs, in this country.

There is a desire, on both sides, to dismiss the critics. Business men have repeatedly pointed out the effects of the strong pound on their business. The Government, led by the Prime Minister and supported by the Bank of England, insist on treating such criticisms as the whingeing of industrialists faced with strong currency conditions. It is implied that those of us who criticise the strong pound and the inactivity of the Government and the Bank somehow lack moral fibre and do not realise that robust and competitive industry has to take such problems on board.

There is another response from this side of the House to the critics—

Mr. Byers: Will the right hon. and learned Gentleman give way?

Mr. Clarke: I have only 10 minutes to speak, and therefore do not believe that I should give way.

Critics of the strong pound are told by many Opposition Members that the problem is the weak euro, not the strong pound. The relationship between the two currencies is thus said to be an entirely one-sided problem. That is a simplistic approach to the problems of the foreign exchange market. When any two currencies move, the reasons for that are to be found on both sides.

The euro is weaker than it should be. It has progressed beyond the early stages, when it was a positive advantage to the European economy and enabled the German and Italian economies to avoid recession and begin to grow. The European central bank and European Governments should tackle the issue and try to accelerate the process of restructuring and reform, although those are currently progressing very quickly.

However, we cannot so simply dismiss the genuine problems that the strength of sterling causes. We cannot simply wring our hands or adopt a state of denial as a

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nation in the face of our business critics. I shall not go into the issue of Rover and BMW. I am very critical of BMW and I do not believe that it can be used as a clear illustration of the consequences of sterling's strength, although that strength undoubtedly contributed to the extent of the losses that BMW suffered. In fact, the case of Ford in Dagenham is extremely illustrative of the problem.

Today, the *Financial Times* reports that Nick Scheele, the European chairman of Ford, is calling for the Government to make a more detailed and immediate commitment to joining the euro at the healthier exchange rate of DM2.50 to DM2.60 to the pound. Yesterday, before today's announcements of closures, Robert Radcliff, chairman of AGCO—which owns Massey Ferguson—warned that the Massey Ferguson plant in Coventry may have to close if the pound remains high and Britain fails to commit itself to the euro soon.

I shall not refer to the remarks of Mr. Toyoda or the well-known opinions of the president of Sony. These are all high-profile manufacturers, who reflect the views of many people from traditional engineering and manufacturing industry in the midlands and elsewhere. One has only to consider the potteries to realise what is happening to industry there. We already know the consequences for the textile industry. Those companies are not simply whingeing.

It is impossible for manufacturing industry to cope straightforwardly with a move from DM2.50, which was typical when I was Chancellor of the Exchequer, to DM3.40 to the pound, which is sometimes the case now. The movement of the pound from its trough in 1995 to its peak on 3 May is 37 per cent. It is no good telling people that they should respond with higher productivity to such a rapid move in their competitive position.

Instead of simply saying, "This is no problem of ours," the Government should do two things. First, they should have a tight fiscal policy to make it easier for the Bank not to have to continue to raise rates. Having committed themselves vaguely in the Budget to going beyond the tightness of the first two years, and given the Prime Minister's recklessness on David Frost's couch, which committed us to so much spending in advance, this year's comprehensive spending review will have to be very tight indeed.

The Bank must accept that the deflationary consequences of sterling at its current level are severe, despite the fact that our growth is below the European average. The euro has weakened because growth in Europe is weak compared with America's runaway economy. However, we do not have America's runaway economy, although we do have high interest rates and we do have a strong pound. It is time that the Bank, which does not talk about such matters—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman's speech is time limited.

5.31 pm

Mr. Richard Burden (Birmingham, Northfield): In the light of recent developments in the motor industry, especially at Longbridge and Rover, it is important that I make a brief contribution. I am pleased that I have been called several times to speak on those matters, but before I make some general comments on the manufacturing issues that arise from them, I must pay tribute to Labour Members with constituencies in the west midlands. They have participated greatly throughout those discussions, they have been tremendously active and they have given enormous support.

I also pay tribute to the right hon. Member for Sutton Coldfield (Sir N. Fowler). I hope that that does not embarrass him too much, but he is a member of the Rover taskforce and has played a positive and constructive role in it. It is important to acknowledge that his approach has moved beyond the petty politics in which Opposition Front Benchers sometimes indulge on those issues, which have often been talked about as Longbridge matters. They are not; they have affected all Rover plants, whether at Solihull, Cowley in Oxford, Swindon or the research and development centre at Gaydon. It is important to place that on record because much has been said about what will happen at Longbridge with Phoenix, but there is a guarantee that staffing levels at Cowley—on which the Chief Secretary to the Treasury, my right hon. Friend the Member for Oxford, East (Mr. Smith), has been active—will be maintained when production of the Rover 75 moves from Oxford to Longbridge.

I shall comment on three matters that arise from the Rover experience. The first is partnership. The hon. Member for Tiverton and Honiton (Mrs. Browning) said much about burdens on business and excessive regulation. My right hon. Friend the Secretary of State made the good point that when the Conservatives talk about that, they are referring to people's rights at work. He referred to parental leave in particular. I want to mention another set of rights that are especially pertinent to the Rover saga, because the hon. Lady criticised the European works council directive as an excessive burden on business. In fact, in this country, even under the improvements that the Government have introduced, it is simply easier not to consult workers about their future; sacking them is often easier than in other parts of Europe. The Conservative approach would weaken those protections still further.

The extent to which the trade unions in the Rover saga were able to exert any leverage over the past few weeks related to the improvements that the Government made to the TUPE regulations, which would be weakened by the Conservatives. We must be aware that there will be a greater chance that problems similar to those at Rover will arise if the Conservatives get their way on employee protection.

It is important to pay tribute to the trade unions in the Rover saga for playing an exceptional and positive partnership role. They have been actively involved in the Phoenix project, and I am very proud that it will lead to one of the biggest ever employee stakeholdings in a major company in this country. That is a positive step forward and Opposition Members should learn the lesson that consultation—the involvement of the work force—is not the foe of business; it is very often its friend.

The second issue is that it is sometimes suggested that there is a conflict between our traditional manufacturing industries and the industries we look to for the future. I think that the Rover saga has shown that there is not, and cannot be, an "either/or" in a manufacturing country such as the United Kingdom. That is why it was right to stand by Rover and its employees, and right for the

Government to help to facilitate the deal that was finally reached with Phoenix; but it was also right to establish a taskforce with the aim of diversifying and modernising the regional economy.

The taskforce produced clear and specific recommendations. Even in the area surrounding the Longbridge plant, it was suggested that it would be possible to create a high-technology corridor that would not be separate from the motor or automotive industry, but would build on its strengths and also build bridges to the high-tech industries of the future. Yesterday's announcement about Marconi is a further example of that forward-looking approach.

Thirdly, I want to say something about the exchange rate and the role of our banking system. Does anyone who speaks to manufacturing exporters, particularly those who wish to export to Europe, know about the problems caused by the relative strengths of the pound and the euro? Real damage is being inflicted. Although some firms—often they are the smaller firms—do all that we ask of them in terms of raising productivity and improving procedures, if productivity increases are then wiped out by fluctuations in the exchange rate those firms will still face problems, however forward looking and productive they may be.

There are no easy answers. Certainly, the answer does not lie in encouraging the idea that the way out is ruling out closer co-operation with the euro, thereby creating the impression that sterling can be the ultimate hedge currency of the future. That will make the situation worse, not better. We must, however, deal with the problem involving the banks.

Increasingly, multinational companies insist that their suppliers in the motor industry and elsewhere enter into contracts involving euros, and do their business in euros. That is understandable, and it accords with the way in which such companies work. Incidentally, it is also why much of what is said by the Opposition is so irrelevant to their needs. Is it right, however, for the risks associated with such transactions to fall, as they all too often do, on the manufacturers involved—for instance, components firms?

Perhaps there is a lesson for the banks. Perhaps they should consider operating in euros when negotiating with manufacturers. If we are looking to the strength of our manufacturing and components sectors, perhaps the risks can be shared. If they are not shared, there will be consequences not just for small firms, but for our manufacturing sector as a whole—and that means consequences for our economy as a whole, which will affect our financial sector as well as our manufacturing sector.

I hope that the banks will think about how they can play a more proactive role in helping firms through the problems that they are experiencing with the exchange rate. I think that if the approach is right, some of the more forward-looking financial institutions may respond. The Rover taskforce has already produced forward-looking ideas about how banks and financial institutions could involve themselves with the problems—hopefully, they will not be so great now that Phoenix is taking over—that are likely to occur in the components sector following massive shocks to its orders as a result of the winding down of Rover orders. I think that we can build on the work produced by the taskforce partnership—facilitated and encouraged by the Government—and apply it more generally.

For years this country had a bank that was not independent, while Germany had a bank that was independent. Let us consider the way in which the two institutions operated and their relationships with regions and industry. The independent German Bundesbank was much more inter-dependent with the needs of industry than our non-independent Bank. We now have an independent Bank; giving it independence was exactly the right thing to do. We need to talk with the Bank about how its structure can link much more naturally and exactly with our industrial regions because they are inter-dependent in economic terms. Structurally, changes could be made to allow that to happen.

I do not want to get to a stage where there are problems—perhaps such as those at Rover, or other problems—and we need to go to the banks saying, "How can you help?" I want the institutions and culture to be in place, with the banks coming forward and saying, "How can we help? It is our problem. We know about it and we are involved." We need to think more creatively about how to reform our banking system to reflect that.

5.40 pm

Mr. Matthew Taylor (Truro and St. Austell): I came to the debate at only a few minutes' notice because the wife of my hon. Friend the Member for Twickenham (Dr. Cable), who speaks on trade and industry matters, has been taken ill. He had to go to hospital with her immediately before the start of the debate. If my speech is a little rough around the edges—if no less passionate for all that—I hope that the House will excuse me and understand my hon. Friend's situation. Later, I have to go to the Confederation of British Industry. To make that appointment and to do a couple of other things, I may need to leave before the end of the debate. I hope that the House will excuse me in the circumstances.

As Conservative Front Benchers have argued, a wide range of issues is undoubtedly hitting industry at the moment. Some of them relate to burdens that the Government have introduced.

Some of those burdens, as the Secretary of State argued, are legitimate. Only a handful of businesses sought to avoid them in the past, but they were wrong to do so. It is right to seek to ensure that people are paid at least a floor basic minimum wage and floor basic holiday entitlements. Although they are undoubtedly burdens, most businesses always took them on. If all businesses have to take them on, responsible employers will feel that all businesses will fight on a far fairer basis.

There are burdens that should not have been imposed. We argued that paying the working families tax credit through employers and payrolls was a burden that was not right for business. We said that the principle that the Government were trying to extend was right, but not the mechanism. We note that the Chancellor has—almost before the thing is up and running—already announced that that process will end. He has acknowledged the problem.

As the right hon. and learned Member for Rushcliffe (Mr. Clarke) has said, the extraordinary thing about the debate is that those on the Front Benches skirt around—or avoid altogether in the case of the Conservative

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Front-Bench team—the issue that is really hurting manufacturing. It is the case, as Ministers argue, that much of the economy in Britain is doing well; there is no doubt about that. It has been doing well for some time and it continues to do so, but the sectors that are being hit are those that rely on a competitive exchange rate: those involved in manufacturing and in basic resources.

Those sectors include large industries such as the English china clay industry in my constituency. It is in a highly competitive environment, selling a product that is matched by others throughout the world, although perhaps not quite at the same high quality. However, the raw material is sold by many. Price is absolute for such industries, yet they have been hit by the exchange rate change.

Small businesses in my constituency, such as those owned by Svedala, which manufactures pumping equipment, are also being hit. Jobs are being lost. The problem involves Sweden and South Africa, too, to take examples outside the euro. It is not simply a euro exchange rate problem. Parent companies are transferring jobs out because they simply cannot make it pay to manufacture in this country, although Svedala, the parent company, acknowledges that, in Charlestown, it has the highest-quality plant and comparable, if not better, rates of productivity.

Those are not the issues. The issue is the sterling exchange rate, yet next to nothing is said on that by Conservative Front Benchers because they have no solution to offer. They have ruled out the one thing that might make a difference in the long run, which is to take away most of the problems for most of our trade, which are to do with exchange rate fluctuation, by looking towards the euro.

Conservative Front Benchers have also ruled out even the types of tools used by previous Chancellors of the Exchequer to take on the exchange rate, because they have a bizarre fantasy of being able to increase expenditure while cutting taxes. Such a combination would of course only help to make the problem worse—by running up huge deficits and further stoking the economy. Eventually, such a policy would lead to a crunch, when it became apparent that the figures did not add up.

Government Front Benchers also have not addressed the entry issue, because they will not deal with the one measurable, hard condition for entry—a competitive exchange rate. They are afraid that they might get caught out on the euro debate by mentioning measurable criteria, which they think could eventually prevent the Chancellor from announcing that all is well and that we should join. Ministers will go to any length—at least on this side of a general election—to avoid that debate. However, the cost of avoiding it is being paid in the jobs that are now haemorrhaging from manufacturing industry.

Not only jobs are being lost; whole businesses, and parts of businesses, are going bust. They will not return, as we know only too well from the two previous occasions—in the early 1980s, and in the early 1990s—when high exchange rates knocked out some of our businesses. Only the situation in the very early 1980s was at all comparable to the present one, and the then Conservative Government's response to it was precisely the same as the current Labour Administration's response now—to say, "We cannot buck the markets. The markets are king, and we cannot take them on."

Eventually, however, the early-1980s currency situation was reversed, as always happens in speculative markets. Sentiment changed and—hallelujah!—the pound decreased in value. The only problem was that businesses were permanently lost, as were investment opportunities and an opportunity to take an industrial lead in many sectors. Hon. Members have already mentioned some of the businesses that simply no longer operate in the United Kingdom.

Some people proudly wear on their lapel a little gold pound badge. The irony is that they are the ones who are arguing that the high pound demonstrates sterling's success and proves that we should never join the euro. Previously, precisely the same people argued that we had to leave the exchange rate mechanism, which locked the pound into a fixed relationship with permanently high currencies. Nevertheless, along came white Wednesday and—hallelujah!—the pound fell.

The truth is that those who adopt the little gold lapel badge want to lock us into being the tail on the dog, endlessly wagging one way and then the other. Nevertheless, economically, we are attached to the dog. We cannot escape the fact that, particularly for manufacturing industry, Europe is our market; that every exchange rate fluctuation will hit our industries; or that such fluctuations will lead to boom followed by bust followed by boom. Those people cannot acknowledge that avoiding such fluctuations and cycles is the fundamental reason for seeking to be within the shelter of the euro. If one has to be attached to the dog, it is far better to be in the brain than knocking about as part of the tail.

We also hear both Conservative and Government Front Benchers argue that sterling's strength is due to the euro, not to sterling. They say that sterling's exchange rate demonstrates its strength, and that, if anyone needs to sort out their house, it is those who are in the eurozone. That may or may not be true. However, a few years ago, when the Federal Reserve chairman was approached by European countries complaining about the dollar's weakness and the consequent damaging effects on the European economy, he said, "It may be our dollar, but it's your problem." There is a precise parallel there in sterling's high value.

The Engineering Employers Federation spells out the situation very well in its press release, which states:

> Although output has increased, market share continues to be lost.
>
> Export orders continued to fall for the thirteenth consecutive quarter. Export margins are at 25 year lows and imports continue to gain ground . . . The latest official figures show manufacturing investment was down 13 per cent. in 1999 quarter four on a year ago. The strength of sterling and the associated squeeze on margins and cash flow is forcing firms to adopt a short-term view . . . Productivity rising strongly in both manufacturing . . . and engineering . . . but this is being achieved entirely by cutting employment rather than through increased investment.

Those improvements do not match the problems caused by the current exchange rate fluctuation. The briefing note also points out that the rate of increase in engineering production in western Europe in 1999 was double that in 1998, but British companies have been unable to exploit those opportunities, with engineering in Britain advancing in 1999 by only a third of the average increase for western Europe. Of course, our economy is broader than just the

great manufacturing industries, but the pain is hard in those industries and the consequences will be permanent if we do not seek to change things now.

Manufacturing is not the only sector with problems. Farming, which we hear a lot about from the Conservative Front Bench, has been hit for six by exchange rate fluctuations, as has foreign tourism, which is a key industry in many Conservative seats, as in many Liberal Democrat seats. As the right hon. and learned Member for Rushcliffe has already pointed out, this is not simply an issue of the eurozone. The value of sterling has appreciated against all but four of the UK's top 30 trading partners. Switzerland, which is not in the euro, but is linked to Europe, is not suffering the same problems. South Korea, Australia, Malaysia and South Africa are all countries not locked into the euro, but sterling is appreciating against them. We are being hit for six in our markets around the world.

The consequences are spelled out by people with the highest levels of experience on all sides.

Mr. Kenneth Clarke: Does the hon. Gentleman agree that we are even at the wrong parity against the dollar? People tend to argue that there cannot be any great problem, because our parity against the dollar remains unchanged. The American economy is outperforming ours. Its growth outstrips the European average and we are growing below the European average. Remaining at parity with the dollar without matching the US performance puts us at a disadvantage that other European countries are not suffering.

Mr. Taylor: The right hon. and learned Gentleman is right. The real lesson is that exchange rates are determined by speculators. Provided that they bet the right way today, they will make their money today. An economy needs a stable exchange rate, but the speculators who dominate the market in sterling need movement. They are getting that movement and making money, but they are putting hundreds of thousands—potentially millions—out of work.

The *Financial Times* on 5 May quoted Digby Jones of the CBI as saying that sterling was a major issue for tourism and farming, as well as manufacturing. He said:

> I talk to a lot of businesses, and a lot are taking decisions either to look elsewhere, or not to do it at all . . . British companies are postponing investment projects or locating them in the euro-zone because of the strength of sterling.

On the other side, the comments of TUC general secretary John Monks have been echoed by many trade union leaders. On 4 May, he said:

> the problems caused by the overvalued pound and the impact it is now having on manufacturing, exporters and the tourist trade will not go away. It cannot be right that neither the Government nor the Bank of England will take any responsibility for the exchange rate.

I agree with the comments of the hon. Member for Birmingham, Northfield (Mr. Burden) about the rescue bid for Rover and the Phoenix consortium, but there is no doubt that John Towers would find it far easier to make a success of the company if we restored a competitive exchange rate. He was reported on 12 May as saying so in very strong terms.

In the past few days, a newspaper report said:

> Nissan is threatening to switch production of its next Micra car away from the UK, raising the spectre of thousands more job losses in the battered motor industry.
>
> The Japanese company, like other manufacturers, has found its profits savaged by the high value of the pound.

The most productive and efficient car plant in Europe cannot return a profit on low-margin smaller cars because it is impossible to outweigh the uncompetitive exchange rate through productivity. We live in a competitive environment, where every other country in the world is also doing its best to achieve maximum productivity.

Nick Reilly, the chairman and managing director of Vauxhall Motors and head of the CBI's economic affairs committee, has blamed the pound's strength for the troubles experienced by many companies. On 26 April, the Press Association reported him as saying:

> We think there are sure signs of manufacturing slipping back into a recession.

In my part of the world, Toshiba has been questioned about rumours that it may halt production at its television factory in Plymouth. A spokesman said that there were no current plans to do so, but added that sterling's continued strength was

> almost forcing us to close it.

These are terrible times for some of the most efficient businesses in the world. They have a lot of money to invest as long as they believe that there is chance of operating competitively in the reasonably near future. That is where there is a huge question mark over the policies of those on the Labour and Conservative Front Benches. The Conservatives want to postpone any decision on euro entry for five years. I do not know what "Save the Pound" means if they want to save it for five years. Either they want to save the pound or they want to think about it in five years. The Conservatives are guilty of exaggerating their position. They want to set aside any question of tackling the problems for five years, but the Government are also refusing to engage in the debate or take any material action.

The Conservative Front Bench position is somewhat confused. On 9 May, the shadow Chancellor was reported as saying:

> We have to get used to the fact that a strong currency is not a bad thing. It is a reflection of a strong economy.

The former Chancellor, the right hon. and learned Member for Rushcliffe, clearly does not agree with that and it is questionable whether his Front-Bench colleagues do either. The hon. Member for South–West Hertfordshire (Mr. Page) has said:

> Matters have been made worse by the weak euro vis-a-vis the pound.

It does not sound as though he thinks that it is a success story. It sounds as though he would like something done about it. He went on to say:

> The latter's strength against the euro and the far eastern currencies—

interestingly acknowledging that there is a wider issue—

> will make it that much more difficult for our shipbuilding companies to obtain orders.—[*Official Report, Westminster Hall*, 4 April 2000; Vol. 347, c. 169WH.]

Even the shadow Secretary of State for Trade and Industry asked in January what representations the Secretary of State makes on behalf of key industries and

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manufacturers in relation to the high pound. It is just as well that there is some confusion on the Conservative Front Bench, because the shadow Chancellor is wrong. Almost nobody in business or in the wider economy believes that we should regard the high pound as a mark of our success.

The Government are little better. They have acknowledged the problem since 1997. In July 1997, the then Economic Secretary to the Treasury, the right hon. Member for Airdrie and Shotts (Mrs. Liddell), said:

> The Government share the anxieties about the exchange rate, but there are no short-term fixes.

In March this year, the Prime Minister said:

> I too know the real problems the level of the pound causes.

In May, we were told in the *Financial Times*:

> The Chancellor understood the "great difficulties" this was causing, particularly for manufacturing, but ruled out a "short-term fix".

I understand that, tonight, the Prime Minister will again acknowledge the problems of a high pound, but he has come up with a new argument. Now he says that doing anything about it would risk a return to instability in the economy. The irony of that is that sterling exchange rates is the one area in which there is instability in the economy. That instability is the cause of the problem.

I also notice that the Secretary of State for Trade and Industry said that he understood the difficulties and confirmed that the exchange rate must be part of the tests for the conditions of entry. That is a breakthrough, because we have never been able to get such a statement from the Chancellor of the Exchequer. It is good to know that the Government believe that, if we join the single currency, it should be at a competitive rate. The question is what they will do about it, and that is the issue that Liberal Democrats have sought to address.

Britain could have committed to joining the euro in 1997. When the first wave of members was announced, the conditions, including the exchange rate—then at DM2.78—were good for Britain. However, that opportunity has been missed. Now, we need an active strategy for reaching the point at which we could reasonably put the issue to the British electorate on terms that would allow British manufacturing industry to survive. Sterling is some 13 per cent. above the DM2.95 central rate when we were in the European monetary system, 21 per cent. above the rate at which the markets thought we were over-valued when we were ejected from the EMS, and some 52 per cent. above the rate of DM2.21 when the pound sank to its low in November 1995.

Things could be done to solve the problem. The most immediate action that the Government could take, without needing any change of policy and in line with the principles they have already announced, would be to say that they are actively looking to work towards the exchange rate conditions in which Britain could seek to join. They say that they want to allow the British people to make the decision and that they want to allow manufacturing to survive. The simple announcement of active progress and an indication of the exchange rate level they sought would in itself move sentiment in the market. We have evidence for that, because it happened in every single European country as they moved towards membership of the single currency. It worked for them, and it could work for us.

Opportunities also exist for active intervention in the market, which would not risk losses but make a profit for the Government. The euro will not continue to fall indefinitely and the pound will not continue to go up indefinitely—if it does, we can write off manufacturing and much of the Government's economic policy—so if the Government chose to invest in European securities, they could buy them more cheaply. They would also make a profit in the long run and, in the mean time, that investment would help liquidity in the market.

We set up a team of top economists to look at the issue. They did so, not as Liberal Democrats, but as people who share our concern about the problem. It should not be us who are doing that, because the Government should take a lead on the issue. In the mean time, as a result of the Government's sympathy with inaction, some 240,000 people have lost their jobs in manufacturing since the general election.

6.3 pm

Mrs. Claire Curtis-Thomas (Crosby): The nature of manufacturing in the UK is changing and, as a responsible Government, we need to change and to develop our policies if we are to maximise the benefit of our manufacturing sector. This Government work to encourage successful business start-ups and to increase the capacity of business, including small and medium enterprises. I shall talk about that sector, including the sharing of good practice, skill shortages, funding, regulation, and working in partnership with people and organisations in our communities.

Enterprise and innovation are critical factors in the creation and growth of successful businesses. The pace of innovation in our knowledge-driven economy means that competitive advantage has to be refreshed constantly by businesses of all sizes across the range of business sectors. The DTI is working with intermediary organisations to bring about a step change in the level of enterprise and innovation in the UK economy, throughout the regions. It offers a range of targeted expenditure programmes to address cultural barriers to entrepreneurship and innovation, to provide support for start-ups and manufacturing SMEs, to promote the skills agenda and business best practice, and to facilitate a more effective exploitation of the knowledge base.

In December 1998, the Department published a much welcomed White Paper, "Our Competitive Future: Building the Knowledge Driven Economy", which set out a clear agenda for strengthening the capabilities of the UK economy to meet the challenges of the 21st century. As a consequence, the Chancellor announced in the Budget last year the Government's intention to establish a new body, the Small Business Service, which would be especially designed to meet the needs of the smaller business.

Last week, I met David Irwin, the new chief executive of the Small Business Service, and he confirmed that its objective was to act as a strong voice for small business at the heart of government and to improve the quality and coherence of delivery of Government support programmes for small businesses, ensuring that their needs are addressed. He also said that the issues raised by the business community included skill shortages, funding, sharing good practice and, to a lesser extent, regulation.

The Government made a commitment in their manifesto to support small businesses by several innovative means, including statutory interest on late

payment of debts. That commitment was met when the Late Payment of Commercial Debts (Interest) Act 1998 came into force on 1 November 1998. Several targets in the public service agreement relate to the objective of promoting enterprise and increased productivity. In particular, the DTI is working towards securing an increase in the number of high-growth business start-ups; increasing the productivity and profitability of SMEs assisted by business link partnerships; showing year-by-year improvements in the quality of services under the Business Link brand; increasing to 1 million the number of UK SMEs wired up to the digital marketplace by 2002; and increasing by 50 per cent. the 1997-98 number of companies spun out by universities by 2001-02.

It is crucial to provide locally delivered business support for SMEs. National, regional and sectoral strategies for competitiveness and economic development have to be backed by first-class business support services. Most of us are aware that Business Link is a national network of 85 local partnerships, which provides a simple route to information and advice for small businesses through a single point of access. Business link partnerships work closely with private sector sources of advice and services to improve the overall quality of help available to SMEs and to increase the market demand for such services. The network in England is now complete, with all businesses having access to the services provided.

In October 1997, the then Minister with responsibility for small firms, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), launched "Enhanced Business Links—A Vision for the 21st Century", which focused on quality, customer service and continuous improvement and excellence. The document outlined 18 action points, 14 of which have now been completed, including the launch and delivery of the enterprise zone, which is a significant and important regional initiative.

The Business Link vision was refreshed the year before last at the Business Link national conference, which identified six new challenges for implementation last year and this. Those challenges included building up, within three years, a high quality, customised advice service throughout England to support 10,000 high-growth start-ups a year; forging new partnerships, especially with the regional development agencies; using innovation and advanced techniques to satisfy rising customer expectations; preparing business links and SMEs for the opportunities of electronic commerce; getting to grips with brand managements; and recognising that continuous improvement must be a fact of everyday life. I would welcome a comment from my hon. Friend the Minister on how the Government have responded to those important challenges.

Business finance is essential to the development and promotion of small manufacturing enterprises. In 1998, a very good innovation was launched that recognised the tendency for firms still to rely on debt finance when equity might better meet their needs. However, equity in smaller amounts could often be hard to source. That was a complaint that those of us who visited small companies often encountered. As a consequence, a new enterprise fund was established to provide flexible financial support for SMEs with growth potential. The enterprise fund is intended to stimulate and support partnerships with the private sector to improve the availability of venture capital for early-stage, high-technology firms, and I am pleased to note that the venture capital available in the UK is at record levels. The fund will also deliver a more cost-effective small firms loan guarantee; invigorate local and regional provision of equity in smaller amounts to growing businesses; and allow finance providers to bid for support for new products that expand their activities into untried areas. This fund is worth about £160 million over three years from 1999 to 2002.

There is an increasing premium from successful development and commercial exploitation of new technology. Thus, research and development play a vital role in enhancing company performance and promoting economic growth. I am aware that the Department of Trade and Industry is continuing to work closely with the Treasury and the Inland Revenue in examining new incentives to encourage United Kingdom SMEs to invest in R & D. I welcome especially the tax break that was announced, not only in this year's Budget but in last year's.

Good engineering is based on good research, and research investment fell to an all-time low during the previous Administration. The Labour Government have met commitments with funds. During 1998-99, the comprehensive spending review announced a boost to investment in the science and engineering base of £1.4 billion over three years. Real-term increases in funding have gone to the Royal Society, the Royal Academy of Engineering and the six research councils. The joint infrastructure fund was created in partnership with the Wellcome Trust to address infrastructure problems in universities. These problems had been increasing over 20 years.

The continuation of the joint research initiative was secured. Last but not least, funding was announced for a private finance initiative to provide super-computing services for academic research.

I have discussed a range of services and support for the development of manufacturing in the United Kingdom. There is a passionate commitment to enable British companies to respond to a rapidly changing environment. Issues of funding and business development support have been tackled, but I remain deeply concerned that we are continuing to fail to attract sufficient individuals into manufacturing to meet sector demands. There are requirements not only for professional engineers but for technicians and skilled and semi-skilled workers.

The previous Administration introduced the Deregulation and Contracting Out Bill in 1994. It is now acknowledged that the measure was so restrictive that only 42 orders have been exercised since the Bill's enactment. That has saved British industry about £40 million. The measure clearly failed in its objective to cut red tape. It was with great pleasure that I noted in the Queen's Speech this year that a better deregulation Bill would be introduced. I welcome the measure, which will enable better regulation to be delivered to British business. I am grateful for the opportunity to contribute to the debate. I have no hesitation in supporting the amendment.

6.13 pm

Sir David Madel (South–West Bedfordshire): I welcome this short debate, which is taking place at an appropriate time. Some sections of manufacturing industry are doing all right and others are not. As has been

[Sir David Madel]

said, many companies are struggling with the high value of the pound. As always in British industry, the picture is somewhat uneven. As the debate is short, I shall raise only one local and one national issue.

In the Luton and south-Bedfordshire area, we are extremely pleased that Vauxhall will invest £162 million into my constituency and next-door constituencies. Nothing could be a better boost than the 500 new jobs that will be created as a result of the Vauxhall-Renault van deal. As one of the local Members in the area, it goes without saying—I shall say it again, anyway—that I appeal to Vauxhall to give priority, in placing people in the new jobs, to unemployed truck workers, who for years kept General Motors going by working with great skill and devotion in the now, alas, shut truck plant in Dunstable.

I am grateful to the hon. Member for Ellesmere Port and Neston (Mr. Miller) for nodding in agreement. I think that he will agree with me also that GM remained in this country, when there was a great deal of trouble at Ellesmere Port and at Luton, because Dunstable was trouble-free in many ways. Whatever else GM thought about the United Kingdom, it knew that trucks were being turned out at Dunstable and that the work undertaken there reflected the highest skills.

I do not want the Government to sit back and luxuriate against that background. Instead, I want them to do two things that will help us locally. First, I hope that the new investment will result in the creation of new supplier companies to the car industry locally. Some of these firms will be small, and I ask the Government to re-examine restrictions and red tape that hamper small businesses. I want new and small supplier companies to get started in the area that I represent as a result of Vauxhall's investment. Nothing hampers a small company from growing into a larger one more than some of the regulations and red tape that they now have to endure.

Secondly, Dunstable has firms that supply cars to Vauxhall and to the car industry in the midlands and the north-east. We shall keep the jobs that they provide only if those firms can move their goods quickly out of Dunstable into the midlands and north-east, but the local road network is becoming steadily worse. I want the Department of Trade and Industry to elbow its way into the debate on where new roads should be built for industrial purposes. There is an unanswerable case on behalf of Dunstable for a new A5 bypass. That would make it easier for supplier firms in my constituency to move their goods quickly in a highly competitive industrial market, which will become even more competitive as time passes.

My criticism of the Government's industrial policy is that sometimes the DTI leaves undone those things that it should do and engages in things that it should not do. Left undone is the provision of certain essential strategic industrial roads.

A national issue is that we do not take enough pride in what our engineers have produced. Figures from Japanese industry show that more than half of all new patents taken out anywhere in the world are based on ideas that have originated from the UK. We should take immense pride in what we have done. However, we cannot sit back and think that all is well on the basis of what Japanese industry has said. We have worsening shortage problems. We have a shortage of qualified engineers in systems engineering, aerospace engineering, automotive design engineering and electronic and software engineering. There is the perennial shortage of technicians. Alas, the number of students undertaking teacher training in science, technology and mathematics is falling.

We should think carefully about the learning and skills councils that the Government are setting up. The evidence that the Engineering Employers Federation has given is as follows:

> Many employers are afraid that the proposed Learning Skills Councils will become supplier driven instead of demand led; that the employer work-based route will become even more subservient to the academic/qualification pathway than already exists.

In tackling the problem of skill shortages, I ask the Government to reflect on the Learning and Skills Bill.

Dot.com technologies, excellent and growing as they are, are not enough to sustain virtually full employment. They cannot do it all on their own. I am all for young people mastering the internet and technology, as so many of them do, but I wish that more of them would master one major European language as well. The languages that young people learn at school and university will do so much in future to help industry export to the critical European market.

I end my speech with one question for the Government. The latest inflation report overview from the Bank of England states:

> The paramount objective of UK monetary policy is to meet the 2½% inflation target.

Is that enough after three years? Should not the paramount objective of UK monetary policy now be a strengthened industrial base? The Bank of England statement is all right as far as it goes, but in the year 2000 it is not wide enough, and it is not doing enough to create more jobs in industry, to create more investment in industry and to make the UK once again a powerful industrial base.

6.20 pm

Mr. Jim Cunningham (Coventry, South): I begin by noting that two pieces of good news have emerged recently. First, my right hon. Friend the Secretary of State for Defence made an announcement today that will reassure many people in the aircraft industry around the country. Many of my constituents work at the Rolls Royce plant in Coventry, and others work in the supply side of the industry. My right hon. Friend's announcement will be very important for them.

Yesterday's announcement by Marconi is the other piece of good news, especially for Coventry which, like other cities, suffered from the recessions experienced during the years of the previous Government. However, the Marconi announcement owed a lot to the endeavours of the local authority—the leader of the council went so far as to go to America to conduct negotiations. Marconi takes an interest in the education system in Coventry and, as a result, the firm knows that the engineers that it will need in the future will be produced. The firm also contributes to social programmes, and Coventry has benefited from that too.

I was a little alarmed by an earlier intervention about Massey Ferguson, and it would be remiss of me not to mention it. Although we must not be too alarmist about the matter, it is true that Massey Ferguson depends on

exports and that those exports are affected by the strength of the pound. There is no doubt that the strength of the pound is important, but it should not be assumed that Massey Ferguson will pull out of Coventry. The company's labour force deserves a tribute: over the years, many jobs have been lost, but the workers who have remained have increased their productivity and have accommodated changes in management structures and techniques.

I hope that the Government will take note of my remarks with regard to Massey Ferguson, and also accept that the strength of the pound was a major factor—if not the decisive one—in what happened recently with Rover. I am a member of the Select Committee on Trade and Industry and we heard much evidence to that effect.

I have contact with businesses small and large, and there is no denying that the strength of the pound is a problem. The Government must think seriously about it, although I note that the shadow Chancellor, the right hon. Member for Kensington and Chelsea (Mr. Portillo), has said that the strength of the pound demonstrates that the economy is very healthy. That may be true, but we must not allow it to destroy the economy. I am not an economist, but my constituents are worried about these matters, and I hope that my right hon. Friend the Secretary of State will consider them.

The hon. Member for Tiverton and Honiton (Mrs. Browning) opened the debate by suggesting that, because members of the Government Front Bench have no experience of business, that somehow disqualifies them from being members of the Government, or that they are incompetent. However, I remind the hon. Lady that one does not have to be able to drive a car to understand traffic regulations or the rules of the road. I think that the hon. Lady should think seriously about that.

Earlier, the hon. Member for Tiverton and Honiton spoke about the negotiations that my right hon. Friend the Secretary of State had conducted, and she acknowledged that over the years I had gained some experience of industrial relations. I can tell her that negotiators are only as good as the information that they get from each other. They also have to rely on the integrity of their opponents.

If there is a loss of trust, negotiations are impossible and no agreement can be reached. That is an elementary truth but, in all negotiations, circumstances can change from time to time. In negotiations about job numbers, for instance, no employer will say that any job will last for ever, and a similar approach applies to all negotiations, including those between companies.

All the evidence gathered by the Select Committee made it clear that my right hon. Friend the Secretary of State did not know what BMW had in mind for Rover. People have said that he should have known, but it must be remembered that the trade unions were caught off balance too. However, what is important is that Rover starts to go from strength to strength. We must stop talking down the company's prospects, and start giving all the support that we can to the new company that has taken over the business.

Mr. Bercow: I acknowledge the hon. Gentleman's industrial experience, but does he accept that the Government continually put out to consultation proposals that flow from the European Union, yet allow small businesses only six weeks to offer a response? Is not that patently inadequate?

Mr. Cunningham: I am not sure that I agree with the hon. Gentleman, who has no industrial experience and who cannot know anything about what happens in negotiations. He cannot know either how long it takes for small businesses to respond adequately to consultation. In short, I doubt whether the hon. Gentleman really knows what he is talking about.

The Opposition have spoken about a burden of £10 billion that has been imposed on business as a result of regulation. However, when it is broken down, that total covers the costs incurred when employees take time off for hospital appointments, for example, or for holidays. Those costs represent part of the normal overheads of business.

The Opposition must get their act together if they want to move into the enterprise culture. When it comes to trade and industry, the Government have no need to take any lessons from Opposition Members who have no great experience in such matters. They have not run much in the way of business, and so cannot be too critical of other people.

I know that some of my colleagues have waited two or three hours to contribute to the debate, so I shall end by urging the Government to consider the effect that the strong pound is having on this country's manufacturing base. That effect is especially evident in the west midlands and Coventry.

6.28 pm

Mr. Nicholas Winterton (Macclesfield): I start by expressing my long-held view that manufacturing industry is the only sustainable, non-inflationary source of economic growth. Governments or political parties neglect or ignore that fact at their peril.

Most of the Macclesfield borough is in my constituency, and a study published over the weekend showed that a higher proportion of the major businesses there make a profit than in any other town or city in the northern half of the United Kingdom. The tables in the report, which was compiled by the business information service Dun and Bradstreet, are based on the country's 50,000 largest businesses, and cover 162 towns and cities across Britain.

I am delighted that Macclesfield should be found to be the most successful northern town, and that it came 12th in the table of the top 20 towns in the United Kingdom. However, although large businesses such as Astra Zeneca and British Aerospace Systems Regional Aircraft plc contribute to that success, there are many small and medium-sized businesses in the area. They include Spectus plc, Gradus Ltd., Rosslab Ltd., County Labels Ltd., Whitaker Technical Plastics Ltd., Statiflo Ltd., Flock Print Ltd. and Henry and Leigh Slater Ltd. They are some of the range of businesses that contribute to the success of the area that I represent. I am very proud of their achievements too.

In July, I will have the important and pleasant task of presenting an Investor in People award to an excellent company called Microshape, which has been based in my Macclesfield constituency since 1993. Microshape is one such success story, having brilliantly bridged the yawning

[Mr. Nicholas Winterton]

gap between innovation and marketing. It is a specialist extrusion tooling manufacturer—of PVC windows and doors—for the plastics industry. It is the United Kingdom's leading supplier of extrusion tooling. The company designs, manufactures and commissions extrusion tools. There are very few independent extrusion toolmakers, as the hon. Member for Dudley, South (Mr. Pearson) knows well, so Microshape has a virtual niche market. The majority of its competitors are in Germany and Austria.

In the past year, Microshape has invested £500,000 on improved machinery to automate the manufacturing process. As a result of its growth, the company is due to relocate to new purpose-built premises in Macclesfield. That represents an opportunity for a company to create a world-class environment, for the benefit of employees and customers alike. I believe that the future of Microshape now looks brighter than at any time in the past.

I say that not to give the Government a pat on the back. Macclesfield, after all, is represented by a Conservative and independent Member of Parliament and Conservatives have had overall control of the council, even through the Conservative party's bleak times.

There were certainly heavy job losses in manufacturing under the previous Government, from 1979 to 1997. However, in May 1997, despite sometimes avoiding admitting it, the new Government inherited low inflation and the lowest unemployment rate of the major European Union states. I say that not just as a Conservative—it was said by someone who was not a particular supporter of the Conservative party. Adair Turner, the former head of the Confederation of British Industry, said in September 1999:

> Like the US, but unlike some other European countries, we now achieve low unemployment with minimal inflationary pressure . . . this reflects the impact of the profound Labour market liberalisation introduced by the previous Government in the eighties and early nineties.

We can bandy statistics across the Chamber, but in the previous Parliament, from 1992 to 1997, the number of people employed in manufacturing rose by some 70,000. Under Labour, the net loss of manufacturing jobs stands, after three years, at 206,000.

This country has had a long history and a proud tradition of inventiveness and enterprise. To the present day, we enjoy a wealth of innovation and talent. Although the UK has the innovation and enterprise required to stimulate and sustain economic growth, a key link is broken then with the further development and marketing stages that I believe are vital for a manufacturing success story. After all, the second report of the Select Committee on Science and Technology states:

> The major part of university and public sector activity is research, directed at acquiring knowledge. The major part of industrial activity is development, directed at achieving what the market wants.

That is where I believe that we fall down and squander our talents and opportunities. The UK's science base is good; it produces more innovative ideas than are taken up commercially. The UK is strong in scientific invention, but weak at applying and exploiting inventions and enterprise in a marketable form.

I turn now to the clothing and textiles industry, which I know well. We appear to have a death wish as far as manufacturing is concerned. Have successive Governments ever been able to understand the worn-out cliché "being competitive"? With the retail chain stores looking for price reductions year on year, and taking into consideration the balance sheets of all the suppliers to the retail outlets, it is my view that the writing has been on the wall for the past 18 or 20 years.

In Germany, firms can borrow money at one third of the price that applies in the United Kingdom, and they have three times as long to pay it back. In addition, retail stores in this country are looking for a 320 per cent. mark up on the goods that they purchase from their suppliers.

The continuous drain on retail companies competing against each other at lower and lower prices has virtually destroyed the clothing and textiles industry in the UK.

Mr. John Cryer (Hornchurch): Will the hon. Gentleman give way?

Mr. Winterton: I am afraid not, because I do not have the time.

I may be unpopular with my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) when I say that the demands of the City for companies to produce dividends that are impossible to achieve is a contributory factor.

As with all of manufacturing, matters have not always been helped by the Government. A lack of joined-up government between the Department of Trade and Industry and the Ministry of Defence has let down textile producers in relation to Her Majesty's Government in sourcing goods.

Waterproof jackets costing a total of £1 million have been purchased for our Navy from Germany. Why? There are good suppliers in this country. A further £6.5 million worth of combat kit for the Army was also purchased in Germany, putting 100 jobs at risk in Cumbernauld. Some 120,000 camouflage jackets and trousers were purchased from Belgium. Why, when we have super, excellent manufacturers in this country? Army boots were ordered from Brazil, forcing the closure of the last footwear factory in Wales, with the loss of 65 jobs. The Government are—if I may be excused for using this phrase—putting the boot into our textiles industry.

I could also refer to the climate change levy, which will add tremendous costs to industry. It seems, from time to time, that the Government make it harder for industry to be competitive. The Engineering Employers Federation is concerned that there are many companies outside the potential scope for energy efficiency agreements, whose extra costs due to the levy will far exceed their small rebate on national insurance.

The EEF believes that extending negotiated agreements, to which I hope that the Minister will refer, is much more likely to secure a reduction in carbon dioxide emissions than leaving companies to respond to a tax price signal.

My interest in manufacturing is long established. I have, in my party, been one of the very few people who has stood up for this vital sector—

Mr. Deputy Speaker: Order. I call Mr. Ottaway.

6.38 pm

Mr. Richard Ottaway (Croydon, South): Time is short, so I shall not dwell too long on the speeches, other than to say that my hon. Friend the Member for Macclesfield (Mr. Winterton) has demonstrated how well Macclesfield is served by its Conservative and independent Member of Parliament.

The opening speeches in the debate could not have provided a sharper contrast. My hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) showed, with flair and imagination, why Britain has slipped in the international competitiveness league, to such an extent that Government supporters actually asked her what they should be doing. What a contrast that was with the Secretary of State for Trade and Industry. He repeated endlessly that he would take no lectures from anybody, and seemed proud of the extra burden of regulation that he has imposed on Britain's industry. At least he had the decency to admit that he had read our "Commonsense Revolution".

I should like to dwell on the speech of the hon. Member for Birmingham, Northfield (Mr. Burden), who unfortunately is not here. I did not agree much with what he said, apart from the compliments that he paid to my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). I see that the hon. Gentleman is coming into the Chamber. Let me say to him that despite not agreeing with much of what he said, we respect the sincerity with which he made his speech and his commitment to his constituency.

The hon. Member for Crosby (Mrs. Curtis-Thomas) was right to emphasise the support for small business—in particular, the enterprise zones and business links. I hope that she recalls that they were both Conservative ideas.

My hon. Friend the Member for South-West Bedfordshire (Sir D. Madel) emphasised the importance of transport to the economy.

The charge against the present Government is that during their three years in office they have failed British industry, in particular manufacturing, and much of the blame must lie with the DTI and the Treasury. In 1997 Labour's manifesto said:

> we will . . . promote dynamic and competitive business and industry at home and abroad.

It is our case that they have not only failed to do so, but have made matters worse.

My right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), in a telling speech, commented on the fact that the Government had inherited a golden economic legacy of sustainable growth, low inflation and falling unemployment. Manufacturing industry was prospering after years of decline. Consecutive Conservative Governments had provided a competitive environment for UK manufacturers through measures such as trade union reform, low taxation and light regulation.

Since then Labour has slowly squandered its legacy. Business has become disillusioned. The other day the director general of the British Chambers of Commerce said:

> The rhetoric is good, but the Government seems to be unaware that its actions seem to be working against creating a better climate for business.

We have a Government who are clearly not at ease with themselves. They talk the language of a new economy, but their instincts lie in the other direction. A commentator recently likened them to religious converts who sang the hymns but did not know what the words meant. They talk right, but they act left. They do their best to obscure the truth. The red book is indecipherable. Budget commentators refuse to be drawn into instant comment so that they can work out what the Chancellor has said.

But as the mirrors are put back into storage, as the smoke drifts away, the true picture begins to emerge. Yes, they have cut the headline rate of corporation tax to 30 per cent. Yes, they have cut it to 20 per cent. for small businesses. But it is the usual story: they are the headlines; the underlying truth is very different.

Rover is still in difficulties. Car production at Dagenham is ending. Component industries are under threat. In my Croydon constituency yesterday Avon, the tyre maker, announced 150 redundancies on the back of cancelled contracts from Rover and Ford. Strong communities face bleak futures.

Over the last three years more than 200,000 jobs have been lost in British manufacturing. It is struggling. Exporters are hit. Investment is threatened. Profit margins are shrinking. Whatever happened to that election pledge to promote competitive business? Their attack on industry has been savage.

Company pension funds have been hit, with firms such as Tesco having to go to their employees for bigger contributions. The Government changed the system for advance payment of corporation tax, a measure costing billions. Road fuel duties are hitting profits. So are stamp duty rises. The windfall tax on privatised utilities was mean and vindictive. The climate change levy will—another point made by my hon. Friend the Member for Macclesfield—impose a huge increase in taxation on manufacturing. The tax will harm energy-intensive businesses, principally manufacturers. Research indicates that it will destroy 150,000 jobs over the next decade.

Just when Britain is leading the high-tech race to make industry more competitive the Government introduce IR35, a hard-hitting tax on the self-employed, driving our best people overseas. IT consultant Steven Weaver writes:

> I am ashamed to say that I voted for this business hostile Government . . . I have no wish to remain in a country that punishes enterprise instead of encouraging it. My company turned down six months' further work in the UK implementing e-commerce systems for our major telecommunications company, entirely because of IR35.

And—can you believe it, Mr. Deputy Speaker?—just as the exodus is starting, the Department for Education and Employment announces a fast-track work permit route because—surprise, surprise—it has discovered that there is a skill shortage in the IT sector.

The Budget a few weeks ago hit the aggregates and construction industry. The changes to double taxation relief will cost manufacturers and other British companies that invest abroad billions a year. They will make Britain one of the least attractive locations for international companies seeking to relocate. Is that what the Government meant when they said that they would

> promote . . . industry at home and abroad?

[Mr. Richard Ottaway]

It comes as no surprise that Sir Clive Thompson, the CBI President, has said:

> The Government has introduced a series of well-camouflaged taxes which has put the tax burden firmly on to business. Changes by the Chancellor since 1997 will push up business taxation by almost £5 billion a year for the first five years of the Labour Government.

He made that comment before hearing the Prime Minister's speech to the CBI tonight. That comes on top of the £5 billion a year in new red tape with which businesses are having to contend.

The British Chambers of Commerce declared that Labour's honeymoon with business was over. Its chief executive said:

> I think business attitudes may well have reached a watershed. There is growing disillusionment with this Government's pro-business credentials. There is a feeling that they are not hearing us. They listen but do not hear . . . It is becoming incredibly difficult for business to match the rhetoric to the reality.

It is no wonder that Lord Haskins, Labour's own business guru, said:

> entrepreneurs are being distracted from running and growing their businesses by the cumulative burden of taxation and regulation.

For the last seven years we have had a prolonged period of economic stability, with steady growth and low inflation. Over the last three years the economy has continued to perform well. That has to be welcomed on all sides of the House. But the Government should not fall into the trap of thinking that they invented economic growth. It began in 1992, and unemployment started falling in 1993. That is why in 1997 the Organisation for Economic Co-operation and Development, an organisation that Labour was keen on quoting when in opposition, said:

> the prospects for obtaining sustained output, growth and low inflation are the best in 30 years.

That is the situation that Labour inherited.

But the House should be quite clear that below the surface the sharks are circling. The tax and regulatory burden is hurting. The problems are a symptom of the Government's failure to understand the challenges of the global economy. They are leading us in the wrong direction.

In the last Budget, the Chancellor started taking risks. Savings have collapsed. The International Monetary Fund, the Institute of Directors and the CBI have all predicted that the Chancellor's latest Budget will put further pressure on interest rates. That is bound to affect Britain's competitiveness.

To cope with this, Britain is faced with a clear choice. We can either follow the European model of higher taxation and greater regulation or head in the direction of lower taxation and a smaller regulatory burden, as found in Asia and the United States. Given the growth of global competitive pressures, the answer is—to this party at least—self-evident.

But what surprises us most is that, given our successful economy, the Government are going in the opposite direction. The tax burden has risen by 2 per cent. since 1997. Red tape is endangering our competitive position. The Government are going in the wrong direction now, as they did in the past. In opposition, they opposed every privatisation, even though they now admit that we were right. However, even in government their limited vision shows.

The lack of industrial strategy is evident. Subsidy is available for coal, but not for shipbuilding; it may be available for cars. We must have a strategy based on a proper understanding of the global economy. We need to be agile, quick on our feet and able to adapt to world conditions, as and when they develop.

Competitiveness is everything, as my right hon. Friend the Member for Henley (Mr. Heseltine) demonstrated in the last Parliament. But the Government have a problem: they are in hock to the unions and they cannot break out. In *The Times* last Thursday, under the headline "Unions plot to hijack Labour policy", there appeared a report that began:

> Britain's seven biggest trade unions have joined forces in a concerted attempt to dictate policy to Tony Blair on manufacturing industry.

He who pays the piper calls the tune. The Government are stuck with it. Nothing better illustrates why they talk right, but act left.

The Government should listen to John Edmonds, the leader of the GMB. He said:

> Thousands of jobs are being lost every week in the very heartland areas that the Labour Party is supposed to be cultivating in the run up to the next election . . . Tony Blair should wake up and smell the coffee.

What are they saying in Labour's heartlands—in a typical constituency, such as Sedgefield? An article about the Newton Aycliffe working men's club stated:

> Eddie Cadd, 61, a retired factory worker, said that new Labour's priorities since 1997 had been "all wrong . . . People here are worried about their jobs, about their pensions, about the things that really matter. But all he cares about—

That is the Prime Minister—

> are things like foxhunting, devolution and abolishing the House of Lords. What difference does that make to us?"

Another person at the club said:

> All of us here are staunch Labour. But in certain areas we know the Tories were better for us than Labour are now. If we voted according to common sense, instead of sticking to our roots, maybe we would all vote Tory and that lot would never get in again.

It is to the Conservative party that the nation will look for solutions. The Government are victims of their own rhetoric. They have no answers to the challenges facing the nation. They are victims of their own spin. They raised expectations to such a degree that it is impossible for them to deliver. We know that; the British people know that—the workers of Dagenham and Croydon certainly know that. The Government must live with the consequences.

6.51 pm

The Economic Secretary to the Treasury (Miss Melanie Johnson): I was interested to hear that the Tories left us such a wonderful economic inheritance. Did they? Let us examine the appalling economic inheritance that we actually received from the previous Tory Government.

The Conservatives left Britain's record of economic stability among the worst of the G7 countries. Since 1979, Britain had suffered the two deepest and longest recessions since the war, as well as one of the largest booms. Among the G7 countries, only Canada experienced more growth instability during those 18 years than the UK under the Tories.

In the late 1980s and early 1990s, 1 million jobs were lost in manufacturing and 1 million businesses went under. A total of 2 million jobs disappeared. Interest rates were more than 10 per cent. for four years.

What golden legacy led to Black Wednesday in 1992? On that day, interest rates were 10 per cent. when we started work; 12 per cent. by 11 o'clock; and by 3 pm, they were set to be 15 per cent. That is the record of the Tory Government, who were led by the Black Wednesday horror team of the Chancellor—now Lord Lamont—and the then Chief Secretary to the Treasury, the present shadow Chancellor, none other than the right hon. Member for Kensington and Chelsea (Mr. Portillo).

Poor growth and productivity performance were—at least partly—reflected in under-investment. In every year since 1960, the UK invested a lower share of gross domestic product than the OECD average. During the last full international economic cycle from 1982 to 1993, the UK under the Tories invested a lower share of GDP than any G7 country.

The Labour Government inherited a history of large budget deficits and a steeply rising burden of public debt, while public investment had been neglected. We have no lessons to learn from the Opposition's record of failure and mismanagement—none whatever.

What have the Government done? Let us consider our record. *[Interruption.]* For the third year running, inflation is in line with our target and is at a historically low level. The economy is forecast to grow steadily—by between 2.75 and 3.25 per cent. this year and between 2.25 and 2.75 per cent. next year and the year after. At one time, long-term interest rates were 2 per cent. or more above those of Germany. They are now level with the German rate—showing that people have confidence in a low-inflation future for Britain. That is a platform from which businesses can plan for the longer term with greater confidence.

I pay tribute to my hon. Friend the Member for Birmingham, Northfield (Mr. Burden) for his work towards the long-term future of Longbridge. He referred to the role of the banks. I emphasise that the Bank of England is keen to ensure that its existing network of 7,000 business contacts relays regional information back to it as part of the process for setting interest rates and making other decisions.

We cut borrowing by £40 billion during our first three years in office. We are on course to meet the two strict fiscal rules—*[Interruption.]* In the Budget, we decided to lock in greater fiscal stability next year and the year after than we had promised in last year's Budget and in the pre-Budget Report. Because of the tough decisions we took to cut the deficit during our first two years and lower longer-term interest rates, debt interest payments—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We cannot have these conversations between hon. Members while the Minister is speaking—[HON. MEMBERS: "Over there."] Order. I know where the noise is coming from.

Miss Johnson: Thank you, Mr. Deputy Speaker. One can but conclude that, although the Opposition did not know the answers when they were in government and clearly do not know them now, they do not want to hear about the policies that the Government are successfully pursuing.

As a result of the tough decisions we took to cut the deficit, debt interest payments will be £4 billion a year lower, so we shall be able to repay debt. Last year, we repaid £3 billion; this year, it will be £12 billion; next year, it will be £6 billion and £5 billion the year after that. That is indeed the third way in operation.

Let us consider the previous Government's record on manufacturing output and employment. Between 1979 and 1997, manufacturing employment fell by more than 2.5 million. In the early 1990s, when interest rates rose to 15 per cent. for a whole year, manufacturing output fell by more than 7 per cent; manufacturing investment fell by 28 per cent.; and more than 1 million manufacturing jobs were lost.

Since the 1997 general election, manufacturing employment has fallen by about 160,000 altogether. As my right hon. Friend the Secretary of State said in his opening remarks, we should compare that figure with the yearly reductions between 1979 and 1997—140,000 manufacturing jobs were lost for every year of Tory government.

Mr. Bercow: Will the Minister give way?

Miss Johnson: I am sorry, I cannot give way. There is a limit on speeches and many Government Back-Benchers who wanted to contribute to the debate have unfortunately been unable to do so.

From May 1997, output rose by 16 per cent. to reach its highest ever point—in the fourth quarter of 1999. During the past three months, output rose by 1.6 per cent. The volume of manufacturing exports rose 9.5 per cent. in the year to February 2000. Productivity is increasing by about 5 per cent. per annum—the fastest rate for five years. Manufacturing investment rose 4 per cent. during the latest quarter—the last quarter of 1999.

Manufacturing employment continues to contract, but our experience matches that of the United States; roughly the same proportion of people in the US and in the UK are employed in manufacturing. I understand and sympathise with those manufacturing sectors for which the current fall in the euro is a real problem. Such a euro-sterling exchange rate cannot be justified by any view of the long-term economic fundamentals, as my right hon. Friend the Chancellor remarked last week.

[Miss Johnson]

However, it would be wrong and counterproductive to adopt the short-term measures proposed by some people, including some Opposition Members. That would indeed be to repeat past mistakes. Instead, we should look to the long term. We must reject a return to the short-term, quick fix that would put at risk the long-term stability that is the foundation for steady growth, investment and job creation. Mervyn King, the deputy governor of the Bank of England, said:

> Stability must be the watchword of policy.

We have avoided recession in the economy and we now have healthy growth. That is why there are now almost 900,000 more people in work than there were in 1997 and that is why new jobs are being created in manufacturing. In the past week, the creation of 500 new jobs has been announced at Vauxhall, 150 at a new Laird plant in Wolverhampton and, as my right hon. Friend the Secretary of State for Trade and Industry remarked, 2,200 new high-quality jobs are being created by Marconi in the west midlands.

Manufacturing has responded. Productivity among electrical and optical equipment manufacturers has risen by 22 per cent. since 1997 and, in the chemical industry, it has risen by 8 per cent. British car factories are among the most productive in the world. I was saddened to hear some Members talking down our manufacturing business in general and our car production in particular.

Let us consider just one or two aspects of the car industry. I acknowledge that these are difficult times for vehicle manufacturers throughout the world, but a number of recent announcements show the strength of vehicle manufacture in the UK. Peugeot doubled its production in the UK last year; Jaguar achieved record sales and record production; Nissan announced 800 new jobs at Sunderland; and Toyoda announced 400 new jobs in Rotherham. This year, Audi announced an investment of £45 million in Cosworth engineering to expand its site in Northampton, doubling its work force to 1,500. The recent Vauxhall statement, to which the hon. Member for South-West Bedfordshire (Sir D. Madel) referred, announced £189 million of new investment that will create 500 new jobs at the Luton factory. Honda has announced £130 million of investment in Swindon to allow the production of a new model, and last month's sales figures showed that British-built cars increased their sales against the general trend.

Since 1997, more than £2.6 billion of new investment has been announced with 8,750 new jobs created. We accept that difficult decisions must be made, but that is the context in which those decisions are being made. That is the picture of the UK industry—*[Interruption.]*

Mr. Deputy Speaker: Order. It is not a good thing for the Chair to keep intervening, but there is too much noise in the Chamber. I appeal to hon. Members; the hon. Lady is entitled to be heard.

Miss Johnson: Thank you, Mr. Deputy Speaker. I again draw the conclusion that Conservative Members do not want to listen to the facts of this Government's economic good-news story. It is a good-news story that extends to many sectors of manufacturing despite, we acknowledge, the difficulties under which they are working.

I pay tribute to my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), because her contribution recognised the wider measures that the Government are taking for business. We have the lowest corporation tax levels ever—businesses' corporation tax bills have been cut by 25 per cent.—and we have introduced the new research and development tax credit, investment allowances, the venture capital fund and the new venture capital arrangements.

I could go on at great length. [HON. MEMBERS: "More, more!"] I would be delighted to go on at greater length, but I am afraid that Conservative Members have shown no inclination to listen as indeed they have shown no inclination, in what they have said today or done since 1997, to learn from the mistakes of the previous Administration. They have not learned from the past. Indeed, in November 1999, the then shadow Chancellor, the right hon. Member for Horsham (Mr. Maude), predicted a sharper downturn, and said that that was not reflected in the Government's complacency at the time. That prediction, as with all the Tories' predictions, proved to be wrong.

In contrast, this Government know how to manage the economy. We are looking to the long term, delivering a platform for stability and steady growth and delivering policies for supporting manufacturing and British industry in the competitive global economy. We are optimistic that British manufacturing and British business can match the best in the world. All that would be put at risk by the Conservative party—the boom-and-bust party that pursued short-term economic policies that produced two of this country's deepest and longest recessions and destroyed millions of jobs in manufacturing.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 173, Noes 337.

Division No. 195] **[7.5 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, Rt Hon James
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger

Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Ms Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Johnson Smith,
Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Gordon
(Dunfermline E)
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok

Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Greg Pope.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises that industry does not want a return of the boom and bust policies of the previous Government, with interest rates of 15 per cent, inflation above 10 per cent and soaring budget deficits; welcomes the Government's decisive action in taking politics out of interest rate decisions; notes that employment is currently 880,000 higher than it was when the Government came into office, and that long-term interest rates over the past year have been at their lowest for 35 years; welcomes the measures that the Government has taken to encourage enterprise, investment and innovation which particularly help manufacturing businesses; welcomes the Government's view that where firms are in difficulty the Government has a role in helping people through change as opposed to the previous Government's laissez-faire approach; and condemns the Opposition for its record in government, when manufacturing employment declined by 2¼ million.

Future of the Teaching Profession

Mr. Deputy Speaker (Mr. Michael J. Martin): I inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.18 pm

Mrs. Theresa May (Maidenhead): I beg to move,

That this House notes the failure of the Government to meet its target for recruitment into initial teacher training and the failure of Government schemes to encourage maths and science graduates into the teaching profession; views with concern the recent poll which showed that over half the profession expects to leave in the next decade and the fact that more teachers are leaving the profession than joining; deplores the Government's failure to deal with the bureaucratic workload faced by teachers, despite teachers' concerns and evidence that this is one of the key factors causing teachers to leave; recognises that this leads to children suffering in the quality of their education; and calls upon the Government to take urgent action to reduce the bureaucratic workload on teachers, to trust the professionals and to let teachers teach.

I am pleased to open this debate on the important question of the future of the teaching profession. I should like immediately to put on the record our recognition of, and thanks to, the dedicated and committed teachers in our schools who work hard to provide a good quality of education for their pupils. The quality of education that any child receives depends fundamentally on the quality of the teachers. Standards in schools depend on teaching standards, which is why the future of the teaching profession is so important.

The profession stands at a crossroads. The number of recruits is falling and many teachers are leaving the profession. Teachers are stressed, demoralised and overburdened by bureaucracy. They are imposed on by Government and uncertain about performance-related pay. That picture will not encourage people into the profession. However, if we are to ensure that all children receive a high-quality education that is right for them and which aspires to achieve their full potential, we must re-establish teaching as a valued profession of choice.

It has been said that

education is this Government's top priority. The teaching profession is critical to—

their—

mission.

First-rate teachers and head teachers are indispensable to giving all . . . children the best possible start in life. Those are the Prime Minister's words, and they ring hollow with teachers who, as a newly qualified female primary school teacher said, feel "deflated and disheartened". A male primary school teacher with nine years experience said:

Every teacher in our school feels demoralised, undervalued and overworked. Three of the younger teachers in my school are actively seeking alternatives to teaching including myself.

I agree with the Secretary of State that

Our schools depend, above all, on the skill, commitment and dedication of our heads, teachers and support staff.

Despite that, we have not had a main debate in the House on the future of the teaching profession for three years. I wonder why. Could it be that, despite the Secretary of State's protestation that

Teacher recruitment is a top priority

the number of people recruited to initial teacher training courses has fallen steadily under this Government? Could it be because this year the Government failed again to meet their target for recruitment to initial teacher training by 10 per cent.—more than 3,000 recruits—and by 17 per cent. for secondary teachers?

Could it be because, in the last year for which figures are available, almost 2,000 more teachers left the profession than joined it? Could the Government's reluctance to discuss the teaching profession be because, by mid-March, just over 9,000 applicants for secondary teacher training had been received—more than 1,000 fewer than the same time last year and 20 per cent. less than the same time two years ago? That figure of 9,000 compares with a total of more than 14,000 available places, although the number of available places itself is down on last year, despite the fact that the Government failed to meet their target. We need more trainees, not fewer.

The impact of the failure in teacher recruitment is felt in schools. Almost one in 20 teachers uses a temporary or supply teacher, which has an impact on children and on the education that they receive. That is especially so in schools where there is a high turnover of supply teachers or many supply teachers, such as the inner-London school about which I heard recently, which has as many as 20 supply teachers.

As the Office for Standards in Education annual report said,

the quality of teaching by supply teachers is weaker than for all other groups of teachers including newly qualified and trainee teachers.

The Select Committee on Education and Employment stated:

The quality of supply teachers is a matter of serious concern.

There are many good teachers who provide supply cover, including many from Australia and New Zealand, for example, who come to this country to provide long-term supply cover, but the issue of the quality of supply teaching cannot be ignored, as schools constantly face problems in recruiting teachers and must fill vacancies with supply teachers.

The head teacher of a 1,500-pupil comprehensive school in west London recently told us of the school's problems recruiting in certain subjects. It advertised for an information and communication technology teacher, both with an allowance and without, but received no suitable applicant. ICT is a popular subject and the school wanted to offer another group in it, but it has advertised several times and no one suitable has applied.

The school advertised twice for a science teacher, received four applications, felt that it was worth interviewing only one of the applicants and decided to re-advertise. The school advertised for a curriculum manager, who would be paid at plus four points on the pay spine, but after 17 inquiries received only four applications. When advertising for a head of science recently, the school had to advertise three times before filling the post. Sadly, that experience is not unique; it is faced by schools throughout the country. It reveals a demoralised profession, in which experienced teachers are leaving in droves, which sadly has implications for the quality of education that pupils receive.

Faced with such a situation, what have the Government done? They introduced golden hellos for maths and science graduates, which are being extended to other

[Mrs. Theresa May]

subjects, such as languages. However, fewer maths and science graduates apply for teacher training today than before the Government introduced their incentive scheme. The Teacher Training Agency launched MS600 18 months ago, which was designed to appeal to well-qualified mature applicants, who would train while working in school. The target was to attract 600, but the scheme was abandoned after placing only 100 trainees in 11 months—one sixth of the target. Those are yet more examples of the Government's failure to deliver.

The Government may talk of their advertising campaign and the number of expressions of interest in teacher training, but the figures show that an expression of interest is one thing and getting somebody signed up to a teacher training course is another. Indeed, even when people have trained, ensuring that they stay in the profession is another problem still. A significant number of trained teachers do not go on to practise.

Mr. Hilary Benn (Leeds, Central): What advice would the hon. Lady give to young people who are thinking about teaching as a profession? Would she encourage them to go into today's profession? It would help the debate if she made her view clear.

Mrs. May: I am perfectly happy to answer the hon. Gentleman's question. I would certainly advise young people to go into the teaching profession because I could happily tell them that the next Conservative Government would cut bureaucracy, which is one key issue that stops people applying for teaching.

Sadly, not only is it difficult to get people into training and then into the profession, a significant number of trained teachers are leaving the profession. It was sad to read a poll in *The Guardian* a few weeks ago showing that more than half the teaching profession is set to quit within a decade, with more than a third of teachers aged under 34 expected to quit in those 10 years. The biggest issues for teachers quitting the profession were heavy work load, followed by bureaucracy and stress.

Mr. Barry Sheerman (Huddersfield): May I assist the hon. Lady? Has she seen the article in *The Times Educational Supplement* of 26 March on the problem of teacher recruitment across the industrial world, particularly in Europe? There is not just a problem in this country. Will she put her comments into the context of an international crisis in teacher recruitment?

Mrs. May: The hon. Gentleman is suggesting that it is perfectly all right to say to a class of pupils, "Don't worry about having a supply teacher or about the quality of your education. It is happening elsewhere, so it's not a problem." The hon. Gentleman should face up to his Government's responsibility for doing something about the problem of teacher recruitment in our schools.

Mr. Ian Bruce (South Dorset): I do not know whether my hon. Friend has met sixth formers, as I have. Young people, often from poor backgrounds, altruistically would like to teach, but the prospect of a four-year teacher training course and possibly having to pay back £16,000 in loans on a teacher's salary makes doing so impossible.

The Secretary of State for Education and Employment (Mr. David Blunkett): Sixteen thousand? Where did the hon. Gentleman get that figure from?

Mrs. May: My hon. Friend the Member for South Dorset (Mr. Bruce) is right. It is interesting that the Secretary of State calls into question his figure. One problem is the extra financial burdens on young people entering higher education and teaching that this Government imposed by introducing tuition fees and abolishing the maintenance grant.

Those wishing to train for a bachelor of education do not receive the training salary available to those studying for a postgraduate certificate of education. The bachelor of education training course is used mostly by primary school teachers. The recent fall in recruitment in primary as well as secondary schools is sad.

I referred to the issues of stress, work load and bureaucracy. Comments of primary school teachers in a recent National Union of Teachers survey included the following:

> Too much to do with not enough time or help. The end result leads to the children suffering in the quality of their education.

That was from a classroom teacher of 20 years experience. Another comment, also from a teacher with 20 years experience, was:

> Get off our backs and allow our professional judgment and expertise to get the best from our children—that is if there are any of us left who believe in ourselves.

There is little future in a profession in which people feel that they are technicians, doing what others say. Not only will that not encourage young people to enter the profession, it will not serve children well. If we are to encourage young people and others into teaching, we must make the profession appealing to them. That means leaving them free to get on with the job of teaching and to exercise professional judgment in the classroom. We must cut the chains of red tape and trust teachers again.

Caroline Flint (Don Valley): What would the hon. Lady say to the fact that, under the previous Tory Administration, 40 per cent. of 11-year-olds could not read to the standard expected for their age and, under this Government, the latest chief inspector's report shows that standards are rising and that children are benefiting? Is she saying that the choice to be made is between children benefiting from rising standards—a success that teachers should celebrate—or going back to the old system under the Conservative Government, when 40 per cent. of 11-year-olds realised neither their ambition nor their potential?

Mrs. May: The hon. Lady should have listened to the quote I gave from the primary school teacher with 20 years experience. It is strange that Labour Members now wish to quote the chief inspector. Having opposed the introduction of Ofsted and attacked the chief inspector time and again, they now pray him in aid when they want to oppose the views expressed by teachers. The primary school teacher I quoted said that the end result of the bureaucracy was that the quality of children's education suffered.

The Government have failed to tackle bureaucracy, despite giving numerous promises to do so during the past three years. They have promised to cut red tape, to give red tape a caning, to cut through red tape, to take action to cut bureaucracy, and to tackle red tape. They claim to have taken steps to reduce unnecessary bureaucracy—but what have they done? They are

working to provide an alternative to paper communication

by providing "more on the Net." Do not Ministers realise that whether information is on paper or in electronic form, it still has to be read? The plans required by the Department for Education and Employment still have to be produced, and the time that that takes cannot be reduced simply by providing the plans in electronic form, rather than on paper. It is clear that the Government do not understand the problem of paperwork.

In addition, the Government appear to have a warped sense of humour. That can be seen in their amendment to the motion, in which they claim that one of the ways in which they are improving

teaching and the rewards for teaching

is through

the Better Regulation Task Force Report on 'Red Tape Affecting Headteachers'.

That report was a damning indictment of the Government's failure to reduce bureaucracy. It described the situation under the current Government as follows:

over-elaborate processes are being used to achieve straightforward objectives, leading to unnecessary duplication and confusing excessive lines of accountability

yet the Government claim that the quality of teaching is being improved by such processes.

Mr. Jon Owen Jones (Cardiff, Central): I speak as one who has direct experience of that sort of bureaucracy. When I was a teacher, I was in charge of delivering the science element of the national curriculum that the Conservative Government introduced. I recall also being in charge of three filing cabinets that were filled with material designed to justify the amount of paperwork that that Government had imposed on schools. The national curriculum was overly bureaucratic and probably remains so, but it is now far less bureaucratic than it was when the Conservatives introduced it.

Mrs. May: The problem with the Labour Government is that they are making things worse. I have some advice for the hon. Gentleman: at the next general election, people will be asking him not what the last Conservative Government did, but what his Government have done—and what they have done is introduce

over-elaborate processes . . . to achieve straightforward objectives . . . unnecessary duplication and confusing excessive lines of accountability.

The Government have increased the bureaucratic burdens on teachers and then told them that, if they want to lighten their load, they should stop doing things such as collating pupil reports, classroom display, administering cover and administering examinations. That misses the point entirely: the Government are creating too much paperwork and they should put their own back yard in order before telling teachers to sort out theirs.

It is time that Ministers put their money where their mouth is and cut their own bureaucracy. How did sending out 23 press releases last week help to raise standards in education? It did not. New initiatives are being introduced at a time when teachers are coping with standard assessment tests, GCSEs and A-levels, and with all the work needed to go through the threshold of the new performance-related pay scheme. Perhaps the Government should listen to the warning given by the head of St. Clement's high school in King's Lynn: when called to Downing street to receive an award for consistent improvement, he said that he would tell the Prime Minister to

allow schools to concentrate on the real business in hand.

In addition to the bureaucracy facing them, teachers also have to cope with disruptive pupils in schools. Not only are such pupils a threat to the education of other pupils, but they are often a threat to the teachers themselves. Last September, it was reported that Unison directly blamed the Government's policy of reducing the number of exclusions for the fact that assaults on school support staff in Southampton had doubled in a year. The union said that the Government's emphasis on keeping disruptive children within schools, rather than excluding them, had resulted in staff being exposed to the threat of violent pupils. The Government should abolish their targets for reducing the number of exclusions and let teachers get on with the job of exercising the discipline that is needed in their classrooms.

Another cry I frequently hear from teachers is, "Trust us again". There is too much interference in what teachers do; it is time to let them get on with the job of teaching. The Government cannot even trust teachers to decide which computer to buy under the subsidy scheme. Teachers were told that they would be given £500 toward the cost of a computer, but they then learned that the money would be taxed. They were told that they had to show that they had been trained before they could get the money, but then that they needed to show only that they would be trained. I understand that only 15,000 teachers applied. I assume that they were worried about receiving an on-screen message from the Prime Minister saying "I love you". I do not know which they found more frightening—knowing that the message was a virus, or thinking that it might be true. The list is now closed, but the Government do not even trust teachers to go out and buy the machine they want. They have been given a list of acceptable manufacturers that happens to exclude the UK market leader in retail computer sales. What message does it send when teachers cannot even be trusted to make such a decision for themselves?

On top of all that, the Government are pushing through an overly bureaucratic, cumbersome and administratively expensive performance-related pay scheme, against the wishes of many teachers.

Mr. Richard Allan (Sheffield, Hallam): On a point of information, will the hon. Lady tell us the name of the market-leading company that has been excluded from the list?

Mrs. May: If the hon. Gentleman chose to look at the market share listings, he would know the answer to his question: Packard Bell.

I have always said that it is right to reward good teachers and that there should be open and recognisable appraisal systems in all schools. I also believe that, whatever teachers think of the performance-related pay system, strike action is wrong because the greatest impact is suffered by children.

[Mrs. May]

The Government are pushing the scheme through without proper training. Most head teachers to whom I have spoken tell me that their training was of little value because trainers did not have the answers to more than half their questions. Apparently, in one case trainers said that they did not know the answer, but if the heads wanted to write their question on a piece of yellow sticky paper and stick it on the wall, they would take the bits of paper down after the session and try to find the answers. Those head teachers were given only one day of training.

Teachers are rushing to get their applications in in time, and schools are worried about the funding implications of the scheme. As one governor of a small primary school in north Yorkshire told me this afternoon, the school has three good teachers, but it faces difficulty because it does not know whether it will get the funds to support future pay increases. [HON. MEMBERS: "Ridiculous."] I suggest that Labour Members talk to governors about the problems that they are facing, and listen to what they say.

Mr. Blunkett: What answer did the hon. Lady give to that individual? Did she say to her, "I don't know the answer, but I shall make sure I find out and write to you"? Did she say, "No, the money will not be available"? Or did she say, "Yes, the Secretary of State has made an absolutely clear pledge that the money—new money—will be made available to pay the award, that it will be consistently paid, and that it will be ring-fenced to ensure that the school does not lose out"?

Mrs. May: Had I said to that lady and other governors and teachers who have raised the issue with me that the Secretary of State had made an absolutely clear pledge, they would probably have said that it was like the Labour manifesto pledge to

raise the proportion of national income spent on education—

a pledge that the Government have failed dismally to keep.

Just as schools think seriously about whether they will be able to support teachers through the threshold, they discover that the Government have spent £4 million on a contract—one that did not even go out to tender—with Hay McBer to tell the Government what makes a good teacher, as though teachers could not have told them and as though there is only a single model of a good teacher. That simply adds insult to injury.

It is not just bureaucracy that is demoralising teachers. I hear complaints, as do others, about the increasing interference in what goes on in the classroom, and the heavy degree of prescription from the centre that is sapping the job of its scope for innovation and spontaneity. As a result, Government interference and centralisation are sapping teachers of the means and energy to inspire pupils to aspire to reach their highest potential. That is why the issue is so important.

Mrs. Anne Campbell (Cambridge): Will the hon. Lady give way?

Mrs. May: No, I have given way several times. I shall make progress.

The issue is the quality of education that our children are receiving, as a means of enabling all young people to reach their full potential. The Government are levelling down in education and taking away the spontaneity that made the job appealing. That is why the Government are failing not just teachers, but pupils and parents.

Teachers are snowed under with bureaucratic burdens My experience is that teachers work with whatever system they are given, but try as they might, the work load and centralisation are having an effect on what teachers can achieve in the classroom. The profession is facing a crisis, and that will not be solved by yet more initiatives, by an over-bureaucratic form of performance-related pay, or by setting up a General Teaching Council with large numbers of Government appointees.

It is difficult to recruit young people into teaching, but to ensure the future of the profession and to encourage them to enter the profession we need to show them not only the value of teachers, but that they will be treated as professionals and will be given the freedom and flexibility that they need to get on with the job, without constantly being subjected to interference from the bureaucrats in Whitehall.

I shall end with a quote from a recent survey of members of the National Union of Teachers. *[Interruption.]* We usually hear sniggers from the Government Benches when the NUT is mentioned. That is sad, but I hope that hon. Members will not snigger at a direct quote from a primary school teacher with 11 years experience, who said that teachers were like suns shining in the classroom for their children. She said:

Oh, let us be "suns" again, not weary, insistent personalities. Trust in us and let us shine once more.

With the burdens of bureaucracy, constant initiatives being introduced without time to get any of them properly established, performance-related pay being pushed through without proper training, and disruptive pupils being kept in school, it is hardly surprising that teachers feel let down by the Government and are leaving the profession. The Government need to cut the bureaucracy, trust the professionals again, and let the teachers teach.

7.42 pm

The Secretary of State for Education and Employment (Mr. David Blunkett): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the substantial steps taken by the Government to improve teaching and the rewards for teaching, which include the introduction of a General Teaching Council, the development of better pay for good teaching, the introduction of training salaries to improve teacher recruitment, new measures to improve the training of headteachers, the Better Regulation Task Force Report on 'Red Tape Affecting Headteachers', administrative support for schools, more classroom assistants, lower infant and junior class sizes, reform of induction and teacher training, and significant improvements in funding for school budgets and school modernisation; and notes that these measures have already reversed a legacy of budget cuts, rising class sizes and inadequate training inherited from the previous administration."

I shall make one promise to the hon. Member for Maidenhead (Mrs. May). I promise faithfully never to send her an e-mail saying "I love you."

The hon. Lady is right about one thing, of which all of us on the Government side are mindful. At the next general election, we will be judged on our record, the improvement in children's education and the standards in our schools. The electorate probably will forget what it was like under a Conservative Government. Regrettably,

people will forget the low standards, the indifference to schools in the most deprived areas, the divisions, the conflict, the break-up of co-operation between schools in their efforts to raise standards for all children, not just for a few, and the elitism in the provision of extra resources for some and the reduction in resources for the many.

Mr. Chris Ruane (Vale of Clwyd): As a primary school teacher who had 15 years' experience of teaching, all under the Conservatives, may I remind my right hon. Friend of some of the other measures that they introduced? They increased the bureaucratic burden on teachers and were responsible for a drop in morale. At the National Union of Teachers conference in the early 1990s, a teacher brought on to the main stage a five-foot pile of paperwork. The national curriculum was introduced by the Conservatives without any consultation with the teaching profession. That was pure hypocrisy.

Mr. Blunkett: I agree with my hon. Friend.

In their motion, the Opposition purport to encourage and support teachers, yet, throughout her speech, the hon. Member for Maidenhead denigrated what was going on, discouraging aspiring teachers from entering the profession. She said that the teaching profession was demoralised, that teachers were being oppressed with bureaucracy, that, contrary to reality, standards were falling, that we were not allowing teachers to teach, and that the little sunshine to which she referred at the end was not shining through. The implication of her speech was that it was no good entering the teaching profession because, over the past three years, the big bad Government had brought teachers to their knees.

Mrs. May: I am grateful to the Secretary of State for giving way. I suggest that, in future, he listens a little more carefully to what I say. The quote that I gave about the "suns" was from a teacher. I know that the Secretary of State does not like listening to teachers, but all those comments came from teachers. The Government's impact on the teaching profession is causing the demoralisation. It is nothing to do with the teachers. The right hon. Gentleman's actions as Secretary of State are causing people to leave the profession.

Mr. Blunkett: I hear those things from some of the 400,000 people employed in teaching. I ask them how many teachers they think left the profession on ill health or early retirement grounds over the past few years. They say that a great many more people are leaving now, because they are under stress and they have difficulty keeping up with the standards.

I examined the figures and discovered that in 1990, 4,000 teachers left the profession on ill-health grounds. In 1997—the last year for which the Tories can carry responsibility—the figure was 4,400. Last year, it was 2,100. With premature retirement, in 1990 the number leaving was 8,100. By 1997, it had risen to 14,100. Last year, it was 2,700. That shows the terrible legacy that we inherited, and the terrible burden on teachers now.

The proposals for early retirement for teachers were changed by the previous Government precisely because they were terrified at the number of teachers leaving the profession. Teachers could not get out of the profession fast enough because the bureaucratic burdens about which we have heard were piled on, starting with a national curriculum that was so over-burdened that the then Secretary of State was ordered by the then Prime Minister, Lady Thatcher, to slim it down.

With the introduction of the key stage tests and assessments—some of the terrible things to which the hon. Lady referred—there was industrial action and one union brought a court case which resulted in the then Government backing off, slimming down the tests and putting in place resources to ensure that the tests were marked externally. That is what we inherited, and illustrates the difference between what was and what is.

There is a problem of teacher recruitment. Targets for primary school teaching have been met by the previous Government and the present Government consistently since 1993. However, targets for secondary school teacher recruitment have not been met by either Government for any of that period. That is why we decided to take decisive action. We introduced the training salary for training schools—the £13,000 for the year, with extra money to enable schools to supervise and train, to bring in mature students. It is why we provided for the £6,000 for graduate teachers so that they can work through the last year of training with the assurance that they will receive £150 a week over the nine months. It is also why postgraduate teacher trainees do not pay the tuition fee. I therefore intervened on the hon. Member for South Dorset (Mr. Bruce) to correct him about the £16,000 debt hanging over teachers' heads.

Mr. Ian Bruce: Will the Secretary of State give way?

Mr. Blunkett: I shall give way, but let me correct the hon. Gentleman before he asks another question. Students who, after three years of a degree course, are taking a postgraduate certificate of education, which is a one-year course—I know something about that because I took such a course—do not pay fees in their fourth year. Such students will be paid £150 a week—£6,000 over nine months—for the training. That is hardly a fourth-year bill.

Mr. Bruce: The right hon. Gentleman may be Secretary of State but I am the father of a daughter who is leaving teacher training college after a four-year teaching degree. Surely the Secretary of State knows that the majority of teachers qualify through that route. Four years multiplied by £4,000—I believe that it is now more—is £16,000 at today's prices. That is why sixth formers do not want to go to teacher training college.

Mr. Blunkett: I was not referring to the BEd qualification. My remarks were specific; I referred to postgraduate certificate of education. A BEd course is a sub-degree, undergraduate course. To put the record straight, the majority of teachers do not qualify through that route. Secondary school teachers take PGCEs; the majority do not take BEd degrees. *[Interruption.]* No, they do not.

There is no shortage of primary school teachers. We have met the targets that I described earlier. The hon. Member for Maidenhead was wrong to say that the maths golden hello failed; it did not. The recruitment of maths graduates increased by 17 per cent. as a result of the golden hello.

However, there is a recruitment problem. There is a problem in recruiting teachers in the industrialised world. The problem also exists in the university sector. There is

[Mr. Blunkett]

a similar age profile problem in terms of people who leave universities to that of schools. That has nothing to do with the bureaucratic burden on schools. It has nothing to do with the imposition of standards, key stage tests or the morale of primary school teachers who talk to the hon. Member for Maidenhead. We are considering universities, where the same pattern exists. We must do something about that. We must ensure that people feel and know that the teaching profession is worth entering, and that they will receive support and be valued when they are in it. It is important to convey the message that we value good teachers and that is why we intend to pay them well.

Mr. Phil Willis (Harrogate and Knaresborough): It is unfair of the Secretary of State to deal only with postgraduate routes into teaching and ignore many people who become teachers, especially primary school teachers, through studying a BEd. Those people will not receive training salaries and the fees for their final year will not be paid. We will have a two-tier system: those who go through the traditional BEd route will be treated differently from those who go through a postgraduate route. Is that the way in which we value teachers?

Mr. Blunkett: First, two thirds of teachers go through the PGCE route. Secondly, I would be grateful if the hon. Gentleman said whether he agreed with the package we have devised for teacher recruitment: the £13,000 trainee salary in training schools and the £6,000 that we are providing for PGCE students. That is primarily, but not exclusively, aimed at secondary school teaching, for which it is most difficult to recruit.

Mr. Willis: I am happy to say that our policy at the last general election was to give trainee teachers a 50 per cent. salary in their final year. We are delighted that the Government have adopted our policy. However, we do not believe that it is right for the policy to apply only to a specific group of students. It should be available for all students who are entering the teaching profession.

Mr. Blunkett: If we had put only the equivalent of 1p on the amount we spend on education, we could not afford the package. If we consider the measures that I described together with performance-related promotion, the uplift of £2,000 to the majority of teachers, and access to, dare I say it, the new incremental scales—the sketch writers will be enjoying a good dinner, so I will not be ribbed for using jargon, but there is no other term for incremental scales—teachers will receive substantial pay for doing a good job.

I want to pose the Opposition a simple question: when did the hon. Member for Maidenhead change her mind about performance-related pay? After the Select Committee's deliberations, when she signed up to performance-related pay, when did she decide that she no longer believed in it? Like so much Opposition policy, did she decide it when she read or heard that it would be popular for one moment in one hour in one day to say the opposite of what she had said before? Did she hope that she would mislead some people somewhere into believing that she was on their side?

On whose side is the hon. Lady? Is paying teachers well for doing a good job being on their side? Is opposing that being on their side? When asked about one's approach, whether there will be continuity and additional money and whether a school will therefore be able to pay, is it right simply to keep silent or is it better to be honest and say, "I don't agree with the Government's actions, but money will be available because I don't want you to be under any illusions and thus fail to adhere to the targets and the threshold regulations."? Some honesty is required. I am prepared to admit that there is a recruitment problem. I am even prepared to admit that we have not cracked the problem of low morale in teaching. I expect a little honesty in return.

For example, I expect some honesty about bureaucratic burdens. Yes, there is more to be done, and we shall do more. Not only the Government, but the Qualifications and Curriculum Authority, Ofsted and education authorities need to do more. Education authorities often duplicate what other agencies send out and add to it a note of the education authority's view of the issue.

I shall tell the House how many bureaucratic burdens have been imposed since the beginning of January. Forty-nine documents have been sent to primary schools. They include one on consultation, one on data collection, 13 on guidance and 34 for information only. The latter consist of two pages or less and simply provide information back-up on relevant matters. Secondary schools have been sent only 46 documents: one on consultation, two on data collection, 12 on guidance, 31 for information, again on topics of immediate interest. I agree that even 46 is too many, and we shall do better. However, deciding which document we do not send out is always a moot point.

Fifteen documents for action and guidance have been about teaching able children. Should we have sent them out? Further guidance has consisted of an update on literacy and numeracy. I have never managed to persuade the hon. Member for Maidenhead to say whether she supports the literacy and numeracy programme, which she constantly describes as a bureaucratic burden. Tonight, she described it as interfering with teachers' teaching. Teachers are teaching, and teaching better. They are doing well for their students. Teachers and pupils say that the literacy and numeracy programmes are working and that they enjoy them.

Voluntary schemes for key stage 1 save teachers having to duplicate work by re-inventing the wheel and they can also be drawn down from the Department's Standards website—something that never existed under the previous Government. Should we have not sent out guidance on employing disabled teachers and on performance management? The guidance is about helping people to do their job. There is more to do, but we are doing a great deal to ensure that what arrives—fewer than two and a half documents a week over 20 weeks—enables people to read and to learn if they want to. They can be in the same world as the rest of us in terms of paperwork, deciding priorities and doing the job.

What have we done? We have done terrible things to the teaching profession such as paying teachers more; providing better support; introducing the General Teaching Council; providing better pay for good teachers and the training salary of £6,000; improving head teacher training; providing administrative support for small schools, which never existed previously; providing more classroom assistants—20,000 by the end of next year; achieving lower infant and junior class sizes for the first

time in 10 years; and reforming the induction and the teacher training programme, which the hon. Member for Maidenhead did not mention.

For the first time, there is a teacher training curriculum and proper induction with reduced contact time. For those watching the Parliamentary channel, contact time is time spent in contact with pupils in the classroom, which we deliberately reduced in the first year to enable the introduction of the induction programme. Funding improvements have been made for schools across the board and 17,000 benefit from the new deal for schools capital—£4.5 billion of extra money is going in this year. *[Interruption.]* The hon. Member for Buckingham (Mr. Bercow) is having a good laugh, but the head teachers and teachers who will receive the extra money from the Budget are the ones who are really having a good laugh. They know that secondary schools will receive between £30,000 and £50,000 and that primaries will receive up to £9,000, which they certainly would not have got were the Opposition in government. That £4.5 billion is an 8 per cent. real-terms increase, which represents the real-terms spending power for schools during the whole of the previous Parliament.

We have modernised the teaching profession and we make no apology for driving up standards. We make no apology for demanding the best from teachers or for paying the best well to do the job. We make no apology for driving hard to achieve the best way in which to teach in the classroom, but we deny entirely that we have failed to allow teachers to teach or to enable them to do so in decent conditions with decent pay and prospects. Teachers will teach, and teach well. They will ensure that all children—not only some—have the opportunity to learn and the life chances that they deserve.

8.3 pm

Mr. Phil Willis (Harrogate and Knaresborough): I have agreed to speak with my usual brevity in the hope that my hon. Friend the Member for Romsey (Sandra Gidley) may catch your eye, Mr. Deputy Speaker, and make her maiden speech.

On behalf of Liberal Democrat Members, I welcome the opportunity to debate the future of the teaching profession. Sadly, I agree with much of what the hon. Member for Maidenhead (Mrs. May) said. I am sad because I, too, remember the 18 years under the previous Administration, when I was a head teacher. The Conservative party invented bureaucracy in our schools, but she has repented of the evil doings of former Secretaries of State—I remember Mr. Patten very well—and for every sinner who repents we rejoice.

Teachers have to meet the challenge of change—no Member of the House would disagree with that—and we support the efforts of the Government, the teacher unions and the profession to do so. Sir Claus Moser recently commented that

> uniquely, education alone is both the cause and the consequence of national prosperity . . .

Few would disagree, and, if that is so, surely we must also recognise that the teaching profession is fundamental to realising that vision. As Lord Puttnam, the new chairman of the General Teaching Council, so aptly said:

> Teachers are the agents for change in society—they have the ability not just to alter this country for the better, but to actually secure its future. No other sector of the population can do that . . .

At last year's National Association of Head Teachers conference, those comments were echoed by the Prime Minister. He said:

> I know that the success of what we are trying to do will succeed or fail on the efforts of individual teachers in every classroom in the country . . .

That is strong stuff.

Whatever criticisms the Secretary of State may make of me or of my party's policies, I hope that he will not criticise my commitment to the teaching profession or my admiration for much of the work that goes on in so many schools throughout the country. However, where is the evidence that the Prime Minister's proud words and aspirations are being put into action? Whether the Secretary of State likes it or not, the profession feels betrayed by a Government who promised to rescue it from the draconian clutches of the previous Administration, but who have succeeded only in further emasculation. They ooze good intention, but simply will not listen to the profession. Teachers are regarded as part of the problem rather than most of the solution, and the same applies to others in respect of many of their public service policies.

A three-year delay in tackling the challenges that the Government faced on taking office, and there were many, will cost the nation dear. Since 1997, my party has warned the Department for Education and Employment that there would be a crisis in our classrooms unless recruitment and retention became a top priority. That crisis has become a reality. There is a record number of vacancies for our schools this September, and last week, for the first time in its history, *The Times Educational Supplement* ran to 500 pages, 440 of which were filled with job vacancies.

Mr. Blunkett: Will the hon. Gentleman confirm that the vacancies represent 0.8 per cent. of the total number of teaching posts?

Mr. Willis: Whether the vacancies represent 0.8, 1 or 1.5 per cent. of the number of posts, a significant number of schools are desperately trying to recruit teachers for next September. Most of those 440 pages advertised vacancies for maths, science and modern language secondary school teachers. Maths vacancies counted for 20 per cent. of all advertised vacancies.

Mrs. May: Does the hon. Gentleman agree that the official vacancy figures to which the Secretary of State referred underestimate the situation in our schools? They show about 2,600 vacancies, but the figure of 16,600 for supply teachers represents a more accurate picture.

Mr. Willis: I am grateful to the hon. Lady for those comments. The Secretary of State referred to the January 1999 figures, which are the latest available. According to the House of Commons Library, the number of secondary school vacancies has increased by 25 per cent. since 1997. Between 1988 and 1997—the so-called bad years of the Tory Administration—there was a 60 per cent. fall. However, perhaps more disturbingly, the number of unqualified teachers working in our schools has risen by a staggering 19 per cent. That alludes to the hon. Lady's point. Most of the vacancies are in London, because many

[Mr. Willis]

London schools, especially schools in inner-London boroughs, cannot recruit anyone to put before children. That really is an indictment.

Mr. Blunkett: I am keen that no one out there should be misled. Perhaps the hon. Gentleman will give us his definition of "unqualified teachers".

Mr. Willis: I am happy to give the Secretary of State that definition. An unqualified teacher is a teacher who does not have qualified-teacher status—and I regard a teacher with qualified-teacher status as a qualified teacher. If the Secretary of State is saying that the Government intend to deal with the teacher crisis by allowing anyone to teach our children—actually to appear before a class of youngsters—he ought to confirm that now.

Mr. Blunkett: Perhaps the hon. Gentleman will allow me to speak.

I am prepared to accept equivalent qualified-teacher status from countries that we recognise, with the same quality of training, in order to provide the access that we expect from them for those who receive qualified-teacher status here. What has just been said is an insult to New Zealand and Australian teachers who come to our country and do a good job.

Mr. Willis: I do not recall mentioning New Zealand and Australian teachers, and I think *Hansard* will record that I did not. I did, however, mention a definition of unqualified teachers. I have given the Secretary of State a clear definition of what I would term an unqualified teacher. It is rather sad that he now says that if we are to staff London schools—40 per cent. of teacher vacancies throughout the country are in London primary schools, and 30 per cent. are in London secondary schools—we should bring teachers in from the Commonwealth. If that is the Government's policy, my goodness, we have reached a sorry state of affairs.

A recent ICM poll declared that a third of teachers under 35 wanted to leave the profession within 10 years, and 50 per cent. within 15 years. We need not look far for the reasons. Teaching is fast becoming a "technician" activity under the present Government: teachers are told what to teach, when to teach, how to teach, how to assess and how to record, and somehow that is regarded as being part of the profession. Teachers are bombarded by bureaucracy and form-filling to an extent that beggars belief.

The Secretary of State referred to the number of documents that had been released since January. During three months of probing, his Department refused time and again to respond to my requests. By March 2000, it had sent each school 366 pieces of paperwork since May 1997: 73 consultation papers, 220 guidance documents, 58 data collection documents, and 15 separate letters from Ministers. Under the present Government, schools have received 18 documents a month, rather than the 2.5 per week that have been referred to over the past few months. If we add the 1,291 separate pieces of paperwork sent to local education authorities, many of which compound the bureaucracy that already exists in schools, we can see why teachers want to get out.

There is no end in sight, however. It seems that nowadays Ministers cannot make a comment without issuing a new target. At present, teachers are coping with the 4,585 targets set by the Government, the 129,330 targets set by LEAs and the 306,430,710 targets set for individual children—I thought the Secretary of State would like that! Teachers must report on all those targets. In the words of Lord Puttnam, teachers need to be

> in charge of their lives and their jobs.

But they are not.

When the distressing figures about staff illness came out last week, showing that last year 60 per cent. of full-time teachers took some sick leave and that more than 2.5 million days were lost, what was the Government's response? It was not to look for reasons, or to offer sympathy; it was to set a target for schools to reduce the incidence of sickness, because it was affecting children's education. Well, of course it is. Stress does not just affect our children's education; it permanently disables some good teachers, drives others out of the classroom, and—although the Secretary of State rather sadly laughs at this—sends others to early graves.

There is real evidence that teachers are under huge stress. According to their review body, they are working an average of 60 hours a week. The review body's recommendation to the Government was clear:

> Action should be taken to ensure that the hours worked by all teachers are kept within reasonable bounds and that they have reasonable rest periods and breaks.

The Government's better regulation taskforce, chaired by Lord Haskins—it was mentioned earlier—has criticised the bureaucratic burden placed on the teaching profession. In the 5 April edition of *The Guardian*, Lord Haskins said that the Department for Education and Employment was

> the most Stalinist department I have ever come across.

The Secretary of State applauds that. My goodness!

In-depth surveys by the National Association of Head Teachers, the National Association of Schoolmasters/Union of Women Teachers and the National Union of Teachers have indicated that, in terms of stress, work load and added value, the biggest problem facing schools is bureaucracy. Is this the climate in which we hope to recruit our brightest and best young graduates to the teaching profession? "Everyone remembers a good teacher", says the advertisement, but soon we will be asked, "Will anyone good want to become a teacher?"

The challenge for the Government is not how to reward 30 per cent. of teachers by demanding that they jump through yet more bureaucratic hoops, but how teachers are to be liberated in schools. No one will be attracted to, and few will stay in, a profession that does not value the professional ethics. Ministers must understand that creative teachers cannot be bred in captivity. We echo the call for our teachers to be allowed to teach and our children to be allowed to learn: then, and only then, will our teachers realise their potential, and the potential of their profession.

8.17 pm

Mr. Barry Sheerman (Huddersfield): Because of the ten-minute rule, I must make a short speech. I shall base it not only on my role as Chairman of the Select Committee, but on the fact that that role has given me the privilege over the past few months of visiting many

schools around the country that I would not have visited otherwise, in Oxfordshire, Cambridgeshire and, last week, the Bristol area. Members of the Select Committee have been getting out and about, talking to teachers about how they view their jobs and the profession in general.

I was stunned by the two Opposition speeches that I heard. They bore no relation to what was said by the teachers whom I met, and whom the rest of the Select Committee met. I met a group of people who, on the whole, were optimistic and proud of their profession. They were professionals, they took great joy in their jobs, and they were getting on with their jobs. I had to draw out any negative views and criticisms. By and large, the people whom I met said, "We are very pleased with the extra resources that we are receiving."

Early-years teachers are profoundly grateful. They have never had anything as wonderful as the early-years partnerships and the money that allows young children to go to school, if that is appropriate, at the age of three, four or five. This is a marvellous time to be a pre-school teacher.

Unlike the hon. Member for Maidenhead (Mrs. May), I shall not quote anecdotal evidence. Most of it is not attributable to any particular person, so we must trust the hon. Lady: if she is indeed honourable, she will not have made it up on the train. The fact is, however, that we all have experience of visiting schools in our constituencies.

Mrs. May: Perhaps the hon. Gentleman would like to read the NUT survey report, which includes a number of quotations, a number of which I quoted, which do not give names. I did identify them as classroom teachers of various years experience. I suggest that he listens to the speech from the Opposition Front Bench, rather than giving a speech in response to the speech that he thought would be given.

Mr. Sheerman: I reiterate that, in her speech, the hon. Lady did not attribute most of the comments to a particular person. That is easy. We can all do that, but the fact is that, as I go around the country, I do not find the picture that she or the Liberal Democrat spokesman have described.

In what profession would people not be saying, "We have a range of criticisms. We want some things to be changed. Not everything is perfect"? Let us go through them. I do not want these debates. I believe that they should not be allowed because they become the usual slanging match between Opposition and Government. The remarks that are made in these debates put more people off teaching than anything else I can think of.

Anyone who listened to the hon. Member for Maidenhead (Mrs. May) would have had a large question mark about entering what is a very interesting profession at this very exciting time. I want to try to get a balanced view. We have a teaching profession that is excellent. I agree with every word that Lord Puttnam said—I shall not quote those well-known remarks again. The profession is at a very exciting stage.

After all, we rely on teachers to turn out our children. We give them our children and we end up with a wonderful body of kids coming out of school who are educated, trained and employable. They have good moral standards and values. I am talking about the kids of our country and the success of the teachers who teach them.

That is the truth. Not enough people in this place say that. We are always reading about the problems, about certain incidents and about the tiny minority of children who perhaps misbehave. On the whole, as we know, our teachers produce excellently educated and trained children and good citizens. That is the truth, so let us start with the basic truth.

Of course, all Governments do not get it absolutely right. The present Government have not. Some of their communication is not good enough. I personally believe that performance-related pay is good for the profession. I also believe that it has been poorly communicated. There is one thing that we do find when we go into a staff room and start a conversation over a cup of tea—teachers say that they are worried that performance-related pay will disturb the collegiate atmosphere in their school and be divisive.

There are good arguments that that need not necessarily be so; that, in fact, it will not be the case; and that it is a fine way of rewarding teachers in the way in which they should be rewarded, but I say to the Minister and to Ministers who are not present: we could do better in communicating what we are about from the beginning. I hope that Ministers will take that on board.

I do not want to go through the stress side too much, but that is an important area. Teaching is a lonely job. People teach in their classrooms on their own. There is a disturbing trend—many teachers have mentioned it. I think that it is to do not with the Government, but with the society in which we live. At the Easter conferences, we saw dramatic examples of teachers speaking at the rostrum who had been accused of abusing a child. There is one sector of the British justice system where people are guilty until they are proven innocent: where the allegation is of child abuse. I sometimes wonder whether one of the great deterrents to people going into teaching is the way in which our criminal justice system has changed for that one area.

I spent a lot of time dealing with the criminal justice system, speaking in the House on criminal justice matters. In terms of a number of professions, including social workers, probation workers, care home assistants and teachers, we are getting into a hysteria about children and child abuse and probably have the balance wrong. It cannot be right if prospective teachers who are thinking about coming into the teaching profession are deterred by the real fear that their lives and their families' lives could be destroyed. All of us have constituents to whom it has happened—constituents who have faced an allegation of abuse from one child. That can mean months, if not years, of suspension, torture and misery.

Dr. Evan Harris (Oxford, West and Abingdon): Does the hon. Gentleman accept that there is widespread support among Members on both sides of the House for the points that he has just made? It underlines the importance of the Government really getting right, for example, the sex and relationships education guidance, which advises teachers on what they should and should not say to children, and some of the culture, as well as the criminal justice rules about schools, to avoid those false accusations.

Mr. Sheerman: I thank my hon.—I should say the hon. Gentleman. He is a member of the Select Committee, so it is hard to remember. He made an important point.

[Mr. Sheerman]

What I am trying to draw out is that we can get into a situation where we say it is the Government's fault, it is always the Government's fault, or it was the Opposition's fault that we had 18 years of neglect. We all know that. Sometimes we should strip those arguments away and say, "Come on. There is a problem."

I intervened on the hon. Member for Maidenhead and said, "Look, it is an international problem." I was at a well-known college in Oxford last Thursday evening. I talked to the teaching staff there. They said that one of the sad things is that people do not want to go into teaching any more. They all want to go into the City and to be highly paid lawyers. Those teachers regretted that, but something in our society, which we are perhaps all responsible for, has demoted working in the public sector and in the public interest. Whether that is to do with Thatcherism or greed, or whether it is something that has happened in all countries, I would rather look at the matter with some balance and with some basis of research, rather than just blame others in the usual way, as in a Punch and Judy act, in the House.

Mr. David Drew (Stroud): I worked in teacher training for many years. We always had to accept that entrance into the teaching profession was inversely related to economic prosperity. It is a simple fact that it has always been more difficult to recruit people to teaching when we have done relatively well in terms of economic development. Would my hon. Friend care to comment on that?

Mr. Sheerman: I take my hon. Friend's point. He is right. In times of economic boom, recruitment to teaching is less good because there are many other alternatives, it is a demanding, tough job and it is not the best paid job in the world, although it is reasonably paid. However, a significant number of people are moving away from valuing teaching as a profession. It is the American pattern. I regret that.

I still remember the last speech that the late John Smith made the night before he died. It was about trying to get back into our society the value of public service, the value of doing a job that is about not just making as much money as possible, but getting a reasonable income for doing a job that is rewarding. There is nothing more rewarding than teaching young people.

There is the matter of the burden on teachers. We can look at it rationally. One person's bureaucratic burden is someone's helpful channel of communication; there was a bit of that in the exchanges across the Floor earlier. If teachers are left to teach with no helpful advice, no guidance and no communication, we would be in a sorry state. They would be alienated, thinking that no one cared about them. They would say, "They never communicate. We do not know what they want us to do." Interestingly, from talking to teachers, I perceive the problem to be that there are too many lines of communication. They are all blurred.

Teachers are responsible to head teachers—who are responsible to governors, the local education authority, the Government and various other bodies. There is a fuzzing and blurring of the lines and channels of communication. We should earnestly and seriously consider that issue, because there is a problem.

Lord Haskins—undoubtedly with his characteristic good humour—offered an interesting insight when he said that the Department was the most Stalinist that he had ever come across. I do not take the comment that seriously, but this morning, when the Select Committee was interviewing Sir Michael Bichard, the Department's permanent secretary, we quoted it. Although I suspect that we must take it with a pinch of salt, there is a grain of truth in it. Communication could be better and more sensitive.

Mr. John Bercow (Buckingham): It is obviously a matter of balance. However, does the hon. Gentleman honestly believe that every one of the extra 3,468 new regulations introduced last year was essential? Does he not acknowledge that the sea of regulation is now deeper and more hazardous than any other with which teachers have had to contend? What proportion of those circulars or regulations does the hon. Gentleman honestly think that the average head teacher has time fully to read?

Mr. Sheerman: I am sure that, in the past 20 or 30 years, there has been a gradual increase in communications between Departments and schools and between LEAs and schools. The truth is that all Governments have tried increasingly to control education and educational output. I therefore imagine that a graph would show exponential growth in such communication. I probably also understand the reasons for that growth.

I should like to finish on a very serious point. One of the Select Committee's roles is to interview the chief inspector of schools. I regret that, very often, bashing the chief inspector is considered to be popular sport—everyone likes to do it. Although there may be reasons for doing it, I shall not do it today. On the most recent occasion when the chief inspector gave evidence to the Committee, we had a very positive exchange with him. I should perhaps add that our report was issued this morning—in case anyone wants to rush out and get a copy direct from the printers.

Who would deny, however, the problem that is expressed when one goes into schools and talks about inspection to teachers? Of course we want to know about the standards in our schools, and of course we want not only to measure, but to raise standards. I am also a believer in the old business adage, "If you can't measure it, you can't manage it." However, although I believe that that adage is very important in terms of literacy and numeracy—in which the Government have done a very good job—I think that there is still a very real problem with inspection.

Although I am hesitant to refer to the tragedy of a suicide after an inspection recently, I was speaking to a group of teachers who said that the most stressful thing that they have had in their lives—not this month or this year, but in their lives—was the inspection. They were good teachers in an excellent school and they achieved a wonderful rating. We have to do something about how the inspectorate is viewed and how it performs its task. In a good society and good educational system, there should not be such a reaction to inspection.

In inspection, there should be such good co-operation that the school knows what to expect. We do not need a witch-finder general in education, to frighten people or to cause them stress. We have to get the balance better.

If we do not do that, I believe that something that is very good will be brought into disrepute. We need an inspection system that identifies weaknesses and problems, and then makes a positive partnership to get it right for the kids who are being taught in the schools and the teachers who teach them.

In my experience, one does not get very far by frightening and demoralising people and then walking away. Yes to inspection—but let us go back to the very best of the old Her Majesty's inspectorates, which built, worked at and improved a positive relationship. If one thing would help teacher morale and increase recruitment, it would be that.

8.35 pm

Sandra Gidley (Romsey): I am grateful to you, Mr. Deputy Speaker, for calling me to speak in this debate, because education was one of our key campaigning themes in the by-election.

First, however, as is customary on these occasions, I pay tribute to my predecessor, the late Michael Colvin. It is impossible for me to pay tribute to Michael without also paying tribute to his wife, Nichola. They were very much two for the price of one, and a frequent and prominent sight in the constituency. I knew Michael for a number of years, and he was always very charming. My overwhelming memories, however, are of Nichola's warmth and generosity of spirit, and of Michael's charm and unerring knack of calming any troubled situation so that everyone came out of it feeling happy. I first heard the tragic news on my return from holiday in early March, and I still find it difficult to believe that they are no longer with us. On a personal level, they are missed by many people in the constituency.

Many hon. Members attended the moving memorial service in Romsey abbey, and then had a small taste of what Romsey has to offer. Romsey is regarded by many people as a rural constituency. Although I grant that the constituency includes a large, attractive rural area which includes the River Test and an expanse of rolling Hampshire countryside, to me, constituencies are more about the people who live in them. In Romsey, 80 per cent. of constituents live in urban and suburban areas.

The nature of the constituency is probably best reflected by looking at its senior schools. Test Valley school, which is in Stockbridge and serves the north of the constituency, has an excellent educational record that belies the fact that the headmistress often has to deal with real problems of rural deprivation.

Moving closer to Romsey, there is Embley Park school, which is in the private sector. It is particularly interesting because it was once the home of Florence Nightingale.

We also have Stanbridge Earls school, which is also in the private sector. It is, however, a different type of private school, with a strong record of helping children with dyslexia. Its examination results may not look good on paper, but they hide the fact that much good work is being done for pupils who have certain types of learning difficulty. We must not always look superficially at statistics.

In Romsey itself, we have the Mountbatten school—which has educated my two children very well—and the excellent Romsey school. Both schools have strong academic records. Of particular note, however, is the unique co-operation between the two schools. By working together, they have achieved joint specialist language status—a joint project partnership, involving the community, which will widen language learning opportunities in both the school and the community.

Moving to the Chandlers Ford area, Thornden school has an outstanding academic record, with 74 per cent. of children obtaining five or more A to C passes at GCSE. The school has also received specialist status for its music provision. Toynbee school also has a good record and a good recognition of its sports provision.

Moving towards the Southampton part of the constituency, the picture changes a little. The Atherley is a private school with an excellent reputation, but St. George's Catholic boys school presents a rather more interesting picture. The verdict of its last Ofsted inspection was that there were "serious weaknesses". Despite that, the school achieved a very creditable five or more GCSE pass rate of 59 per cent. The school has been through a difficult period, with four heads in three years. Unfortunately for the school, it is being Ofsteded this week. I hope for the sake of everybody there that it is going well.

Last, but by no means least, is Cantell school. Its GCSE pass rate of 39 per cent. does not sound quite so good, but its catchment area includes some of the most deprived parts of Southampton. We are all too quick to judge a school by a superficial glance at the figures, but that does not reveal that the school has a strong community base and copes well with the broad ethnic mix of its pupils.

Those are my local schools. Most are doing well at the moment, but we need to ensure that they continue to do well and that our education service continues to attract and retain teachers of the highest quality. I have come across many teachers in the past few weeks. I came across one lady who conforms to many of the averages. She had just left the teaching profession to start her own business, after teaching for just four years—the average life of a teacher entering the profession today. Her reasons for leaving were stress and bureaucratic overload.

I was told today that 40 per cent. of our teachers are over 50. A teaching crisis looms, even though officially there is not one at the moment. Is there any good reason any more for anyone to want to become a teacher? We have more graduates than ever, but fewer of them want to become teachers. Salaries are part of the problem, particularly in trying to attract teachers with science, maths or modern language skills, especially in the prosperous south. However, that is only part of the problem. No one is trying to address the other problems of the demanding pupil population and the stress of having to deal with badly behaved, disaffected children. We have high expectations of our teachers. The public and politicians are slow to praise and quick to criticise. That is why I wanted to celebrate our local successes today.

Then there is bureaucratic overload and central control, leading to a relentless pattern of long days, working over weekends and perpetual tiredness. One teacher told me that she works a 60-hour week and cannot physically or mentally work any harder, but she is now supposed to try to find the time to gather evidence towards performance-related pay. She simply cannot do it. She is one of many. All the evidence shows that performance-related pay is unsettling and highly divisive. It undermines staff morale and discourages team working.

[Sandra Gidley]

The concern is that more pay will be given to teachers in high-performing schools, leaving schools in deprived areas at the end of the queue for good teachers.

A profession is attractive only if its members feel that they have some professional freedom and are rewarded with respect and suitable pay. Professionalism for teachers has been diminished. As they are ever more straitjacketed, they are rapidly losing motivation, because they are increasingly being forced to teach to a formula.

I have already noticed that there is a lot of inspiration and individuality in the way in which many Members of Parliament conduct themselves. Why do we not allow our teachers to show a little of the same?

8.42 pm

Mr. Derek Twigg (Halton): I congratulate the hon. Member for Romsey (Sandra Gidley) on her thoughtful maiden speech. I did not agree with every word of it, but I know how nerve-racking a maiden speech can be, having made mine just a few years ago. I also express my sympathy to the family and friends of Michael Colvin on their tragic loss.

I shall consider the issue from a different perspective from the Opposition. I pay tribute to the excellent work of the vast majority of teachers in my constituency and around the country. They do a great job under great pressure. The job has not got any easier. Given some of the pressures in society, it has become much more demanding. Teachers often have to be social workers as well. The Government have recognised that it can be very difficult.

It would be remiss not to accept that there is a recruitment problem and we have not yet been able to do away with the morale problems, but that situation has not come about overnight. The problems have been entrenched for a while and dealing with them properly will take some time, but the Government have made a good start.

Our education reforms have placed the emphasis on good teaching, improvement, getting better performance out of teachers and paying good teachers for good performance. In areas such as mine, before 1997, up to 50 per cent. of 11-year-olds were not reaching the required standards in maths and English. That was unacceptable. I understand the argument that we should just let teachers teach and get on with it, but we sometimes lose sight of the fact that in some areas, the standard of education that a child received was often determined by the lottery of which school they went to. Similarly, the choice of teacher within a school could sometimes be a lottery. No child deserves that. It is unacceptable for which school or teacher a child gets to be a matter of luck, which clearly was the case in some areas, not least in parts of my constituency. That is something that the Government have tried to do something about.

I have young children and I have stood at school gates and heard parents say, "I hope my child gets Mrs. So-and-so next year, not Mr. So-and-so." That should not happen. We will always have exceptional teachers, and we have many of them, but it is not acceptable that parents have to hope that their child does not get a certain teacher.

Teaching is a demanding, frustrating and stressful job at times, but many jobs are like that. Of course, teachers have an especial responsibility for our young people. Teachers have an influence on children's futures, both at school and in their careers and contributions to society. Probably no other profession has such a profound effect and the Government recognise that. That is why we cannot just let poor teachers carry on as they always have before.

We have seen continually rising standards since Labour came to power. Like most Members of Parliament, I have visited the schools in my constituency and seen the effect that the money from the Government has had. We want to see better pay for teachers, and the new system will achieve that. Substantial amounts of money are available, and the recruitment package that the Government have put together, better teacher training and the General Teaching Council are all attempts to try to improve the situation.

I do not claim that everything in the garden is rosy. Problems still exist, and it will take time for some of the initiatives to take effect. Certain schools still have recruitment problems, and it is often—but not always—the case that those schools have some of the most difficult problems and worst results. That is no coincidence and it also sends a clear message.

I know that some teachers worry about initiative overloads. I talked to a head teacher in my constituency and she said that she had a lot of work to do and was unable to do some of the things that she would like to do. I asked her about the literacy and numeracy hours, because they have been cited as part of the overload, but she said that the hours were having an effect and focusing classroom teaching on raising standards. A teacher told me last year that instead of trying to improve literacy individually and being interrupted by other children, she was able to help the whole class during the special hours.

The Government have said that they wish to reduce bureaucracy. However, the suggestion that bureaucracy is a new problem under Labour is garbage. The Tories were famous for their initiatives. One of the teachers' union conferences illustrated that with stacks and stacks of paper. Teachers are always willing to talk about the burdens of the national curriculum, and we have tried to make some changes to it. The fact remains that the biggest burden was placed on teachers by the Tories, and I am still waiting for them to apologise.

The literacy and numeracy hours are working. They are improving standards and giving more of our children a better chance. We have nothing to apologise for in that. Standards are rising, and that is what is important. Under the Tories, some 50 per cent. of children in my constituency were having great difficulty in reaching the standard. I have not forgotten that, and no one should.

The Tories have said that people do not talk about what the Tories did, but people do because there is a clear contrast between what the Tories did and what we are doing. Education has been made a priority under Labour and we are making a difference for all our people, not just a few. After all, the Tories' proposal to improve standards is to have a grammar school in every town and I remember a Tory Front Bencher asking at Question Time recently why private schools could not have the extra money for information technology.

Some schools have very outdated IT equipment and Labour is making a difference in that area. Schools are getting new equipment and having lines installed, and that will make a difference to children's IT skills. Our vision, together with improved teacher training in IT, is making a difference.

What is the Government's general education policy and how is it affecting teacher morale? I accept that there are pay issues and that teachers want to feel that they are valued. Indeed, I think that they are valued. Issues arise also about the environment in which they work and the resources that are made available to them. My constituency includes the towns of Widnes and Runcorn, and it provides an example of what the Government have been doing and how that will help the future of the teaching profession. There has been a 6 per cent. improvement in reading and writing standards over the past year, and a 10 per cent. increase in maths. Those are phenomenal and regular increases of which parents in Halton are aware.

The overall increase in expenditure is much better than it was under the Tory Government. Ditton primary school in Widnes in my constituency waited 11 years for a completely new school building. In terms of teacher morale and support for teachers, the buildings are appalling. They are not fit for children. There is a split site and insufficient space, resulting in cramped conditions. What happened? The Labour Government provided the full sum that was needed to replace the school, not merely support for rebuilding costs. If a one-off example of improving the teaching environment is required, it is provided by Ditton primary school. There are also five new classrooms that have been provided in Halton.

I talk to teachers who work in cramped classrooms with poor facilities. In many instances, office facilities are poor. However, there have been many improvements to schools that have struggled in some of the most deprived areas. The improvements have been badly needed and they have been made under a Labour Government.

The new deal for schools was introduced recently. Eight or nine schemes have been approved in my constituency at a cost of about £1.8 million. Perhaps the teaching environment has been forgotten during the debate, but there are new science buildings for some schools along with better office facilities. One school has not had a playing field for 100 years. At long last it is getting one—and who from? It is being provided under the Labour Government. That will make a real difference.

We have recently qualified for excellence in cities. Thousands of pounds have been made available this year and last year for new books in schools. Many secondary schools will receive an additional £50,000, while primary schools will receive an extra £9,000. I spoke to a head teacher, who said that she wants the money now. She cannot wait for it because there are so many things that she can do with it. The quicker that she receives the money, the better. These extra resources would never have been provided under the Tory Government.

It seems that the class-size initiative for five, six and seven-year-olds has been forgotten. We want to improve class sizes overall, and we have made a start. We have seen the difference in infant classes. Teachers are saying that it is good news for them. In Halton this year, there will be no classes of more than 30 children for five, six and seven-year-olds. That is a tremendous achievement under the Labour Government. Again, it will help to boost teacher morale.

There are various issues that surround exclusion, especially for certain schools. I am sure that the Government have listened to comments. There is talk about providing facilities for pupils who have been excluded. There can be difficulties that lead to a decline in morale. I understand and accept that some schools were excluding pupils too easily while others took a much better approach. In those schools, exclusion was a rarity. They did all that they could to support pupils who might have been subject to exclusion. The issue has been raised by a head teacher in my constituency.

We must give the reforms a proper chance. Teachers are delivering in a way that we have not seen for some time. They are doing so in a broad sense throughout schools and classrooms. A pupil's teacher or the school which he or she attends is becoming much less of a lottery, and that is a clear message. The Government have no apology to make to parents for raising standards. Indeed, the raising of them is something of which we can be proud, and something which parents want to see. We shall be judged on the issue when we come to the next general election, and that will be in our favour.

There is a need for support and partnership, but Governments have a responsibility to raise standards and improve education. We should never forget that teachers are a pivotal part of that process. It is incumbent upon us to form a partnership with teachers.

Finally, education is crucial in areas such as mine. For many years, some schools, teachers and pupils have under-performed. I said earlier that some 50 per cent. of pupils did not reach the appropriate standard at age 11, but that figure is improving. I make no apology for the fact that I come from a working-class, council-estate background, but I do not think that coming from a difficult or deprived background is an excuse for lower results.

The hon. Member for Romsey mentioned a school in her constituency that is in a deprived area. However, there is no excuse for such schools producing poor results. A lot of good-quality teaching goes on in such schools, and good results are being obtained. Social factors must be taken into account, but they should never be an excuse for poor performance.

All schools should attain average or above-average results. Schools in parts of my constituency are achieving better results: where they were attaining percentage scores in the late teens and low 20s, they are now achieving scores of between 42 and 44 per cent. One particular school has doubled its achievement levels in three or four years. Part of the community served by that school is among the most socially and economically deprived in the area, but that merely shows that the argument that such schools cannot improve is wrong.

Teachers have a pivotal role in such improvement. Most of them do a great and valuable job, but we cannot accept that any teacher should be able to get away with not delivering for our children. We must press ahead with the reforms, although I agree that we need to do more for teacher morale. We can do so, and I am sure that our policies will prove to be right.

8.57 pm

Mr. Bowen Wells (Hertford and Stortford): I hope that the House will find that the two things that I want to say are pleasant and complimentary. First, I congratulate the hon. Member for Romsey (Sandra Gidley) on her outstanding maiden speech, in which she outlined those parts of her constituency that are especially interesting from the point of view of education.

[Mr. Bowen Wells]

I also thank the hon. Lady for the very gracious, warm and lovely compliments that she paid to our late friend Mr. Colvin, and to his wife, Nichola. We treasure our memories of both of them and much regret their departure. I am sure that the House looks forward to hearing from the hon. Lady often in the future, and to benefiting from her presence.

Secondly, like the hon. Members for Halton (Mr. Twigg) and for Huddersfield (Mr. Sheerman), I take great pleasure in paying a compliment to the teachers in my constituency. Over the past 20 years, under Conservative as well as Labour Governments, education has improved in this country. I am not interested in a party political scrap on the matter, but the teachers who have achieved that improvement deserve to be complimented.

Many teachers in my constituency are married women, and the job of teaching fits well with their duties in the household and as mothers. We are very fortunate to have many highly qualified teachers who have helped schools to improve their standards. Many hon. Members have described how hard teachers work, day in and day out. I was a teacher and I remember very well how drained and exhausted one felt, having given all one's mental capacity to the job.

We must pay enormous compliments to teachers, as their achievements are not confined to pushing up academic standards. Their work is evident in music and on school playing fields, for example, and in the many extracurricular activities from which pupils benefit hugely. All the schools in my constituency have improved over the past 20 years. Some difficulties remain, but I do not want my compliments to the teachers to be overshadowed by the problems that we still face.

However, one such problem is that many women will not enter the teaching profession in the future. The statistics show that in the next 10 to 15 years the teaching profession faces a huge exodus of experienced teachers whose children have grown up and who wish to retire. The problem, which is becoming a crisis, is how to recruit sufficient teachers to replace those who leave the profession. We need more men, as well as women. There are many more opportunities available to women than there were 20, 30 or 40 years ago. I rejoice in the fact that they are entering all kinds of professions and activities, but that means that they will not be available to teach in our schools. That will create a recruitment and retention crisis.

The hon. Member for Romsey talked about a lady who had taught for four years—the average length of time that someone teaches—and was going to start up her own business. That is typical of what happens and, while it is to be welcomed, it creates a problem that we must all face.

We must work hardest to tackle this problem in the inner-city areas. The inner cities are letting our children down because there is no stability in the teaching force. Schools in inner cities have the greatest concentration of supply teachers and unqualified teachers. This January, almost one teacher in 20 was a temporary supply teacher or an instructor. Before he gets over-excited, the Secretary of State should know that an instructor is an unqualified teacher. The number is going up—for the second year running there are 3,000 instructors. According to John Howson, visiting professor at Oxford Brookes university, instructors are supposed to be used by schools only as a last resort, as they usually lack formal training and teaching skills.

Unqualified and supply teachers provide the major teaching force in our inner-city schools. Who makes up inner-city populations? Very often, they are dominated by minorities—black, Asian and immigrant populations. We should be ashamed of having unqualified and supply teachers in schools that do not enable children to grow up with a capacity to compete with their peers. I have had to advise some parents to send their children back to the West Indies, where they will find a higher standard of teaching, a higher standard of school and a more stable teaching force compared with what is available in schools in London and other cities.

We should be concerned about that. We must find a way of attracting teachers into schools and then retaining them. In my view, we must pay them more, even if that means creating jealousy among teachers in my constituency who do not earn as much. Indeed, the Government have done this—they are attracting more teachers to the subjects in which there are is an insufficient teaching force, particularly maths and science.

There should be a differential in the pay scales. I welcome performance-related pay, but I do not think that the Government have got it right. I was talking to a friend who is a teacher and is, of course, tempted to apply for the £2,000 performance-related pay rise on offer from the Government. It is no good the Secretary of State saying that it is quite easy to do that and that the Government are not over-burdening teachers with bureaucracy. Let me tell the House what teachers have to do, on top of their teaching load, and on top of helping pupils revise for their A-levels. They have to submit evidence, giving concrete examples from the past few years, that they

> Have a thorough and up-to-date knowledge of their subjects.
>
> Consistently and effectively plan lessons to meet individual pupils' needs, use a range of appropriate strategies for teaching and classroom management, and use information about prior attainment to set their pupils appropriate targets.
>
> Take responsibility for their professional development and make an active contribution to the school's policies and aspirations.
>
> Challenge and support all pupils to do their best by inspiring trust and confidence, building team commitment, engaging and motivating pupils, thinking analytically and taking positive action to improve the quality of pupils' learning.

They have to fill in a six-page application form proving that their pupils make good progress as a result of their teaching.

That is a burden on each teacher wishing to benefit from performance-related pay. It is over-burdensome and over-bureaucratic, and will not achieve the objectives. Teachers to whom I have spoken say that they do not have the time, that they are too exhausted and simply will not apply.

The Government must look at the matter and get it right. It is not right now, and I should like an undertaking from the Minister replying to the debate that the Government will look at the system, streamline it and make it easier, so that many more teachers can benefit from what has been put forward as an incentive for them to teach well. I do not think that it will work under the present system.

Much has been said about the extra money coming into schools. In fact, in my constituency less money is coming into schools. Many of them have been grant-maintained

and have been cut back year after year after year. They are now having to cut back on the teaching force, and pupil numbers in my secondary schools are going up. There may be an increase overall. I am not a Minister and do not know the centralised facts and figures that they keep repeating on the radio to anybody who listens. In schools in my constituency pupil numbers per class are going up and the amount of money coming into the schools is going down.

Even with the recent announcements of additional money, that money will not come to my schools. Therefore, there is a high degree of stress in the schools in my constituency. It is no good crowing that "education, education, education" is being given to all people in this country—the money is simply not coming into many schools.

Mr. Graham Brady (Altrincham and Sale, West): Would my hon. Friend also note that the cut in budgets for grant-maintained schools came in spite of a clear pledge from the Secretary of State that budgets for non-grant-maintained schools would be increased to the level of grant-maintained schools? What the Government have done is precisely the opposite: they have cut the budget for schools that were grant-maintained.

Mr. Wells: The Government have indeed cut the amount of money going to grant-maintained schools, which are now called foundation schools. The result is that we are getting higher numbers in each class and the teachers find it much more difficult to achieve the standards that they want to achieve on behalf of their pupils. Far from there being less stress, there is far more in those circumstances. The Ministers in charge should take note of that. I hope that they will listen to what I have said and to what my hon. Friend has said and do something about it, because the situation cannot go on for long without something breaking.

Another matter that is very serious and needs attention is the secondary school transfer system, which the Government are severely changing, resulting in very serious stress for many parents and many pupils in my constituency. The Government have to find a way to make the secondary school transfer much less stressful both to pupils and parents. They should drop the ideological idea that they must create community schools, and should advance more along the line of finding schools for pupils—that is, have a variety of schools with different specialities to which people can go, wherever they come from, whether in my case from Essex, from Bishop's Stortford or from the villages.

Whether pupils want a technical education, an academic education or a musical education, or whether they want a school concentrating on sports, that choice should be available to them. They should not be forced into the nearest school, but nor should they have to travel across the town—as they are being forced to do in Bishop's Stortford—because there is no place for them at a nearby secondary school that they want to attend. The secondary school transfer system is not working; it needs to be rethought and thoroughly overhauled.

The real way to push up standards will be by concentrating on the courses for teachers at training colleges. The colleges must increase and improve the standards required for those entering the teaching profession. At present, primary teachers are not required to achieve sufficient A-level and GCSE passes—indeed, they do not always need A-levels to get into teacher training.

We need more highly qualified teachers. The foundations for numeracy and literacy are set in primary schools. The colleges need to raise standards for primary teachers, although that is not to say that we should neglect standards for secondary schools, but children spend those foundation years 1 to 5 in primary schools. We should then tell teachers to teach to the standards that they learned in college and that they will be inspected to ensure that they are doing so. We should reward those teachers adequately and differentially, so as to attract more people into the profession.

Teaching is a vocation. People do not go into teaching just for the money, but for the huge satisfaction of helping children—perhaps those who perform least well. They can help such children pull themselves up and become stars in their own right. We should be attracting people into the profession so that they can experience the joy of helping others to learn.

9.13 pm

Mr. Colin Burgon (Elmet): I congratulate the hon. Member for Romsey (Sandra Gidley) on her highly effective maiden speech. I look forward to hearing from her again—after the next general election as well.

Most of the speeches so far have been decidedly non-partisan. I hope that we can carry on in that vein. I bring to the debate my experience of some 16 years as a teacher. Most of that time was spent in the classroom, in a fairly tough school in east Leeds—I still bear the scars of one or two clashes with my pupils. Some of my friends and relations are also in teaching. As a Member of Parliament, I keep in touch with schools in my constituency and with teachers who live there.

Present-day teaching is a hard job; it gets harder as each year goes by. Anyone who thinks that Mr. Chips, Billy Bunter or Greyfriars are still around in our education system must be from another planet. To be blunt, teaching in many of our schools is a hard grind. It is not glamorous and is carried on in difficult circumstances.

As my hon. Friend the Member for Huddersfield (Mr. Sheerman) pointed out, teaching can be a lonely job. When that classroom door closes, the teacher is, in effect, alone. When the door used to close behind me, I often thought of the American humorist who said:

> For every person wishing to teach, there are 30 not wanting to be taught.

I can assure hon. Members that I battled against that apathy.

The strain of teaching in difficult conditions should not be underestimated, especially when teachers face daily challenges to their authority, personality and ideas of self-worth. In a world that is increasingly assertive, litigious and consumer driven, the job of teaching is becoming harder and harder. I contend that the classroom teacher is the most vital element in the whole educational process. Our support—in all its forms—for that teacher should be of prime concern.

In that respect, I am delighted to highlight three facts from the Labour Government's record. First, under the Conservatives spending fell by £60 per pupil in their last

[Mr. Colin Burgon]

three Budgets. Since we were elected, spending has risen by £300 per pupil in real terms. Secondly, education spending is forecast to increase by more than 16 per cent. in real terms in this Parliament compared with an 8 per cent. rise in the previous Parliament. Thirdly, we have invested to improve and modernise schools, with more than 11,000 of them already allocated funding through the new deal for schools. Several hon. Members have alluded to the improvements that have taken place in their constituencies and I echo their comments.

Specifically in relation to teachers, I wish to highlight about half a dozen moves that the Government have taken. In addition to the annual pay increase that all teachers receive, from September the majority should be eligible for a further £2,000 with the new performance threshold payments. What especially pleases me is that, for the first time, teachers have the prospect of significant pay progression within, and recognition of, the core job of classroom teaching.

In my days in classroom teaching, I often thought that two brands of teachers fled the classroom. The first were those who were very effective and wanted to progress in their careers. The only way that they could do that was to go more into administration in a school. Secondly and quite bluntly, the second group was made up of those who were incompetent in the classroom. They were kicked into higher-paid administration jobs, which did nothing for the morale of teachers in the classroom. I have always and consistently taken the view that the most undervalued section of the teaching force is the classroom teacher.

To support classroom teachers, I am pleased to read that, by April 2002, about 20,000 non-teaching assistants or learning support assistants will be in place. Initially, teachers reacted in a guarded way to the implementation of the programme, but they now welcome the assistants because they recognise that they give valuable assistance to, for example, pupils with statements. That particular Government initiative is to be praised.

I am glad that the Government have recognised that the burden of administration can be especially disproportionate in small schools, many of which are in my constituency.

Caroline Flint: Does my hon. Friend agree that the Government's initiative, which values and expands the role of the classroom assistant, lays the bedrock for classroom assistants possibly becoming the fully qualified teachers that we hope to have in a few years time?

Mr. Burgon: As always, my hon. Friend makes an excellent point and, as always, I agree with her.

I move quickly on to flag up the fact that £80 million of funding for small schools will allow them to employ extra administrative staff. The Government have consulted on, and agreed, an information management strategy for schools and local education authorities. It aims to help raise standards by cutting unnecessary data collection and promoting more effective use of information. About £700 million is being invested in the national grid for learning programme for schools up to 2002 and one of its key targets is that, by 2002, communications, including data collection, should cease to be largely paper based.

The final initiative that I particularly welcome is the excellence in cities initiative, which will bring nearly £20 million into my home city of Leeds. I have had a long chat with teachers in Leeds about that and they are especially pleased with the introduction of learning mentors. These non-teaching but skilled people identify under-achieving children and plan an effective programme to help them. Learning mentors can be employed for holiday periods or after school hours and that very flexibility adds to their effectiveness in helping teachers.

Excellence in cities also aims to identify the top 5 or 10 per cent. of gifted and talented pupils in what would not be classed as our most salubrious schools so that they can be given extra support. That allows teachers to put plans in place beyond the normal curriculum to expand the learning capacity and experience of, say, a pupil who is a gifted musician, a gifted rugby player or a gifted badminton player. Thankfully, Leeds does not need too many gifted footballers, because the place is already crammed with them. [HON. MEMBERS: "Hear, hear."] I thank Members for that support.

So much of what the Government are doing is praiseworthy and has been welcomed by teachers. However, if we are honest and listen to teachers, we have to be aware that they face problems that we should do our best to address. Most teachers to whom I speak actively support the individual initiatives undertaken by this Labour Government

Literacy and numeracy hours, updating teachers in the use of information and communications technology and excellence in the cities are all welcomed by teachers. However, we must be honest and accept that they regard the number and frequency of the initiatives as a problem. The Government take the view that children get only one chance, and they make no apology for hurrying to raise standards. As a parent with a nine-year-old daughter in school, I have no problem with that.

One might argue that, in effect, the Government are pushing through a cultural revolution in education, which will ultimately benefit hundreds of thousands of children. As with all revolutions—which we have read about in books, even if we have not experienced one ourselves—we must carry the key groups with us as we strive to achieve our aims. Supporters of change must be largely self-motivated and enthused. In my opinion, the classroom teacher is the key agency in delivering the improvements that we want.

Of course, as with any revolution, people need a period of stability, or at least the prospect of stability. The Government have done a great deal, and I urge them to listen carefully to what teachers are saying about the number and frequency of initiatives and the need for a bedding-in process. I shall give some practical examples, based on my experience and contact with teachers, on which we could perhaps move forward together.

Could we not examine the period needed to review an application for threshold pay? Recently, a head teacher told me that it is estimated that it will take three hours or so to assess each individual case going through the process. For example, if 30 members of staff have applied for one of those payments, that will work out as 90 hours of extra work for the school head. Even I, who have not been through the numeracy hour, can work that out. Will Ministers examine how head teachers are meant to find that time?

The document "Teachers: Meeting the Challenge of Change" examines the idea of sabbaticals. The scheme is already in use in countries such as Austria and Israel. To avoid what is known as burn-out in teaching, we should introduce sabbaticals as soon as possible. I certainly wish that I could have had one. After, perhaps, 10 years' service, a teacher should be able to have a term or six months off to pursue work or outside interests. There may well be losses to the profession, but that may be a good thing if people are unhappy or unsettled. We would find that the vast majority of teachers would return to teaching committed, refreshed and reinvigorated.

The issue of summer holidays is also connected to burn-out. Some may think that hon. Members are vulnerable in discussing that but, of course, we all work tremendously hard during that period. I know how and why I looked forward to the summer break as a teacher. Those who have not been in teaching cannot understand the treadmill nature of the job. Day after day, the curriculum and timetable bear down on teachers, so they desperately need that break. I agree with the National Union of Teachers which, in its evidence to the commission on the organisation of the school year, said that

> the summer break is essential to allow teachers and pupils to recuperate from the stress and workload of the school year and to gear up for the next.

I therefore urge the Government not to press ahead with ideas about shortening the summer holidays without the clear support of all teachers.

Discipline is another vital issue on which the Government need to support classroom teachers. The idea that most teachers are unreconstructed versions of Wackford Squeers is untenable. Many teachers facing classes in difficult schools have a daily battle on their hands. If we accept that we need order in classrooms as a necessary precondition for learning, we must adopt policies to achieve that objective. The excellence in cities initiative involves an inclusion policy and funding for learning support units, which will take pupils who prove to be too difficult to be taught in the normal classroom situation. The Government must monitor closely the effectiveness of those units and ensure that we listen to teachers involved in them.

In addition, the language that we use about teachers is sometimes a bit inconsiderate. As my hon. Friend the Member for Huddersfield (Mr. Sheerman) said, Ofsted is trying to be increasingly school and teacher friendly. I welcome that much more open approach. It may well be that the teaching unions could club together and send Mr. Woodhead on a crash course in diplomacy. That might be welcomed by a majority of teachers.

I know that Ministers will listen to the points that I have raised, for they, like me and the teaching profession, are overwhelmingly united in a desire to improve standards in education and with that the life chances of our people. Teachers cannot stand alone. They cannot be expected to address every conceivable problem that finds its way into the classroom, but if they know that they have a Government who listen, care and are committed to shared goals, we will be able to achieve a tremendous amount in this most vital of all human activities—education.

9.25 pm

Mr. Tim Collins (Westmorland and Lonsdale): Given the lateness of the hour and the shortness of time, I shall be brief.

I pay tribute to the first-class maiden speech of the hon. Member for Romsey (Sandra Gidley). She did extraordinarily well. I know that those of us on the Conservative Benches particularly welcomed her comments on her predecessor; both Michael and Nichola Colvin will be much missed. However, it is clear that the hon. Lady will make some interesting contributions to our debates, which I look forward to hearing. I hope that she enjoys her time in the House.

I agreed with some of the remarks of the hon. Member for Huddersfield (Mr. Sheerman), the Chairman of the Education Sub-Committee, who is not now present, particularly the point that he—and the hon. Member for Elmet (Mr. Burgon)—made about the need for backing up teachers who are trying to enforce discipline. The hon. Member for Huddersfield said that we should consider how we might move away from circumstances in which teachers believe that they can be treated as guilty until proven innocent, simply on the word of one child who might have a reason for making up a rather unpleasant story about them.

I pay particular tribute to the teachers in my constituency. In the past couple of weeks or so, I have visited Crosscrake primary school near Kendal and Settlebeck secondary school in Sedbergh, where there is excellent and inspirational teaching. I should, on behalf of the teachers in my constituency, confirm the point made in the excellent speech of my hon. Friend the Member for Hertford and Stortford (Mr. Wells) that, for those of us who have a majority of former grant-maintained secondary schools in our constituencies, the first years of this Government were not a cornucopia of additional funding. It was quite the contrary; they were years of cuts and, in some cases, reductions in teaching staff, which were necessitated by the Government breaking their clear election pledges and lowering funding for those schools.

For a number of parents in the Kendal area particularly, the imposition of the Government's rigid target of 30 pupils for classes of five-year olds has meant in that growing town, in which the number of applicants for schools is also growing, the separation of siblings. Those who were able in some families to get into a school a few years ago are not able to do so now. That has caused distress and also appears to have been bought at the expense of growing class sizes for those aged eight and over.

The hon. Member for Huddersfield said one other thing, which I must pick up. He implied that, in her superb speech, the shadow Secretary of State, my hon. Friend the Member for Maidenhead (Mrs. May) made up some quotations from teachers. It should be on record that the quotations were provided by the National Union of Teachers. If the Chairman of the Select Committee is alleging that the NUT makes up quotations from its members, that is very serious and rather regrettable.

I could not help but notice that the Secretary of State claimed something fairly remarkable in his speech. He said that not only were teachers not particularly fussed by the amount of bureaucracy and paperwork imposed on

[Mr. Tim Collins]

them, they welcomed some additional paperwork that they could access by logging on to the Department for Education and Employment website.

We have a Secretary of State who appears to live in a world where teachers, having given their best in the classroom, having gone home to complete course work, marking and reports and having flogged their way through the forms of the day and all the rest of it, are so desperately anxious that they might have run out of things to do that they log on to the internet and go to the DFEE website where, yippee, they find more work. We need a Secretary of State who lives in the real world.

9.29 pm

Mr. James Clappison (Hertsmere): This has been a very good debate, adorned by the hon. Member for Romsey (Sandra Gidley), who made a model maiden speech. I am sure that her remarks about Michael and Nichola Colvin were appreciated throughout the House and struck a chord with all who knew them. Her warm words were much appreciated. She also made some interesting points about her constituency, and those hon. Members on both sides who said that they looked forward to hearing her speak again were speaking for the whole House.

The debate began with a powerful speech from my hon. Friend the Member for Maidenhead (Mrs. May). She made it clear at the outset that we did not set out to denigrate teachers, and it does not do justice to her case to suggest that we did. Those who listened to her speech will have heard her pay a warm tribute to teachers and place on record our appreciation of the hard work that they do.

That appreciation was echoed by my hon. Friend the Member for Hertford and Stortford (Mr. Wells), who gave teachers full credit for their work to raise standards, and by my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), who put on the record his appreciation of teachers in his constituency. Both were right to draw attention to the problems of grant-maintained schools. I can confirm from my own experience that the pupil-teacher ratio in grant-maintained schools has deteriorated since the general election, and that such schools have suffered financial problems as a result of the Government's failure to honour their commitment to level up. Grant-maintained schools have found their budgets, in effect, frozen and they have been forced to make difficult economies and to appeal for funds from certain quarters.

From the other side of the House, we heard speeches from the hon. Members for Halton (Mr. Twigg), for Elmet (Mr. Burgon) and for Huddersfield (Mr. Sheerman), the last of whom I congratulate on his appointment as Chairman of the Select Committee on Education and Employment. Like him, I am interested in issues of criminal justice; the comments he made about teachers who face allegations of abuse were thoughtful and interesting, and I am sure that we shall return to the subject in future debates.

We also heard from the Liberal Democrat spokesman, the hon. Member for Harrogate and Knaresborough (Mr. Willis). He said that, sadly, he was forced to agree with my hon. Friend the Member for Maidenhead. I shall return the sentiment by saying that, sadly, I am forced to agree with him, especially his remark that there is a gap between the fine words of the Prime Minister and the actions of the Government. That gap is obvious to everyone. There is a gap between what teachers were promised in 1997 and what the Government have delivered.

In case that had escaped Labour Members' attention, we told them about the experiences of teachers. Teachers are not exactly jumping for joy about what has been done since 1997; still less are they dancing with glee at the prospect of the Government's bureaucratic plan for performance-related pay. We have heard about teacher after teacher facing stress and problems arising from increased bureaucracy, but I make no apologies for adding one or two more examples to the long list that we have heard already.

Angie Rutter, a teacher of special needs children, spoke for many when she told the *Daily Mail* last week

> I went into the profession because I enjoy working with children. I get a buzz out of seeing children learn . . . But in those days most of us didn't realise that all this paperwork was coming. There's a limit to how much you can take on board.

Those sentiments were echoed by a head teacher in my constituency, Mr. Nick Nelson, who was so disgusted by the volume of documents that landed on his desk one morning that he took the step of writing to the Secretary of State to protest. It should be acknowledged that not all of the 10 documents came from the Department for Education and Employment, but six of them did. When one hears, as we have this evening, that the Department has issued 366 separate documents since 1997, it is not surprising that teachers such as Mr. Nelson have been driven to despair.

If the Government will not heed those examples, perhaps they will listen to the views revealed by the National Association of Head Teachers. Some Labour Members have said that what we have told the House does not accord with what they have been told by teachers and head teachers, but perhaps they will listen to the NAHT, which conducted a survey of 3,200 head teachers. The headline conclusion of the survey is that there is

> an urgent need to reduce workloads and stress amongst heads and to reduce the number of tasks which are of little value to the education of pupils or to the effective running of schools.

If the Government will not take the NAHT's word for it, perhaps they will take that of Lord Haskins, of the better regulation taskforce. Generally, he is far from being a friend of the Opposition, but the headline conclusion of his report states that

> there is a widespread and deeply held view that increased red tape is acting as a distraction from the drive to raise standards.

When asked about that at the launch of his taskforce report, he admitted that the outlook for a business with similar handicaps would be "virtually zero".

It is time the Government began to listen to the volume of evidence about the work load that is being placed on teachers and, in particular, on head teachers. Perhaps they will listen to a head teacher who responded to the NAHT survey. When asked how he had managed to cope, he said:

> To cope, I drink alcohol and employ staff with a sense of humour.

I am not suggesting that teachers have been driven to drink by the Government, and I do not condone excessive drinking, but a good sense of humour would come in

handy in dealing with a Government who issue toolkits for cutting bureaucracy—a two-volume handbook on good practice in cutting bureaucracy; who produce such a volume of plans that they need a plan of plans co-ordinating all the other plans; and who refer teachers to the Department for Education and Employment website on cutting burdens on teachers.

My hon. Friend the Member for Westmorland and Lonsdale referred to that. I can tell him that if teachers had consulted that website at the end of a busy working day, I am not sure how much use they would have found it. They would, however, have been given access to EASEA, which is described as a means to

keep up to date on policy developments with your own customised electronic intray of DfEE publications for schools.

The tip of the day for teachers from the Department for Education and Employment website today is:

The school office collects money for school trips.

I am sure that teachers would never have thought of that.

Against that background of helpful tips from the Government, we are concerned about the effect on recruitment to teacher training. We understand from the Secretary of State that that is a world problem. That may be so, but it has got markedly worse in this country since the Government came to office.

The number of applicants for secondary training courses in particular has gone down significantly. In recruitment to initial teacher training courses, applications are down by 9 per cent. for mathematics, 15 per cent. for science and almost 13 per cent. for technology since the Government took office.

On the Government's statistics, for technology teaching the number of applications has gone down every year since the Government took office, and it is still going down. It is down markedly on the numbers applying under the previous Government, and the Government fell 41 per cent. short of their target for technology teachers. Although the Government make great play of technology, teachers are not coming into the profession to teach the subject.

The Secretary of State referred to the golden hellos and all the other schemes that the Government have introduced. On the basis of figures in May 2000 for teachers starting in September 2000, it seems that the problem is getting worse. Mathematics applications are down by 15 per cent., science applications are down by 12 per cent. and technology applications are down by 17 per cent. That is after the introduction of the Government's much-vaunted golden hellos.

In the words of the old song, it seems that the Government are saying hello, but the applicants are saying goodbye. They are not applying for those courses. To confirm the point made by my hon. Friend the Member for South Dorset (Mr. Bruce), they are also not applying for BEd courses; applications for those courses are down as well. The Secretary of State mentioned that in his opening speech this evening.

The problem with the debate about class sizes, which is of interest to teachers and parents, is that the Government tend to be selective in their statements about the subject. We hear much about class sizes at key stage 1, on which the Government made a pledge. However, we hear less about class sizes for other age groups. Key stage 2 classes are larger today than when the Government took office.

The Secretary of State referred to smaller junior class sizes as an achievement on the Government's part. However, they have managed only a reduction in the higher figure, which they created after taking office. The figure remains higher than when the Government took office. *[Interruption.]* The hon. Member for Dunfermline, West (Ms Squire) may shake her head, but the Government provided the statistics.

Matters are even worse in secondary schools, where class sizes have increased every year since the Government took office. More pupils than ever are in classes of more than 30. The classes that have increased most are those for children under 14, yet the Government claim that they need particular attention.

The problem is reflected in pupil-teacher ratios, about which we hear from the Prime Minister from time to time. He is somewhat selective about the subject. There is some excuse for that: the Prime Minister may be selective about facts because he receives an inadequate briefing from specific quarters. Perhaps I can assist hon. Members by providing the full picture on pupil-teacher ratios.

In 1997, the overall figure for pupil-teacher ratios for all schools—I am not selecting some and leaving out others—was 18.6; in 1998, it increased to 18.9; in 1999, it decreased slightly to 18.8. The prediction for 2000 is that the figure will decrease to 18.6. What a wonderful achievement by new Labour. The Government have managed to return to the position that they inherited in 1997 and about which they complained. The figures increased in the subsequent three years. The Government have delivered nothing on pupil-teacher ratios. *[Interruption.]* If the Secretary of State disputes the figures, they came from the Department and were placed in the Library.

I shall give the Secretary of State another statistic on an achievement by the Department. According to a written answer he gave me recently, he has managed to double the Department's advertising budget in the past three years on top of all the press releases and extra regulation.

I am tempted to say that the Government's performance on teaching is all mouth and no delivery. However, when considering red tape, a better description would be all mouth and too much delivery. The teaching profession is being suffocated by the volume of red tape and burdensome regulations. Ministers refuse to listen or accept that. Ministers in the Department for Education and Science are the biggest culprits. They talk about cutting bureaucracy, but they continue to churn it out, to the frustration of teachers. That leads to teachers leaving the profession and possibly deters others from joining it. The Department's actions do not assist teachers' cause.

We pay tribute to teachers, who deserve credit. We are worried about the burdens that the Government are placing on them. The voice of teachers has been heard from all parties in the debate.

Ms Dari Taylor (Stockton, South): Will the hon. Gentleman give way?

Mr. Clappison: I shall not give way at this stage because hon. Members have had an opportunity to speak. When Labour Members return to their constituencies, they must face the fact that they have failed to deliver their promises. They have delivered far too many burdens and regulations, failed to help children and not stood the teaching profession in good stead.

9.45 pm

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): I thank hon. Members for their contributions and, in particular, congratulate the hon. Member for Romsey (Sandra Gidley) on making a well-informed maiden speech in which she clearly showed an understanding of and concern for the schools in her constituency. She also paid a generous tribute to her predecessor and his wife. As hon. Members have said, we look forward to hearing many more speeches from her.

The views expressed in this interesting debate reflect the importance of highly skilled, highly motivated teachers to our national well-being. I should like to thank teachers, as have many other hon. Members, for their commitment and hard work, which is producing results for our children. The successful introduction of the literacy and numeracy strategies, higher key stage 2 results, better results for our 16-year-olds in GCSEs and GNVQs and the fact that schools come out of special measures within 18 months rather than 25 all show that teachers have responded to the challenge and are delivering for our children.

We know that we have set a challenging pace of change and recognise the challenges and pressures that that puts on schools and teachers, but we are not interested in change for its own sake. We are interested in outcomes—what we can achieve to raise standards for our children and ensuring that opportunities for higher standards are open to all our children, whatever their background. We are passionate about continuous improvement and helping teachers to do what they do best—teach and raise standards.

The culture that we want in our schools is one not of permanent revolution, but of permanent improvement because that is what our children deserve. It is no good simply telling schools to improve. That call must be backed up with the resources needed to make improvement possible and the support that schools and individual teachers need to find out how they can improve.

The Government are providing that support—an extra £300 million is going to schools as a result of the Budget. As part of that, secondary head teachers will receive between £30,000 and £50,000 each to spend as they choose. I assure the hon. Member for Hertford and Stortford (Mr. Wells) that the schools in his constituency will receive that money, which they can use as they wish.

Schools could use that money to buy 3,500 extra teachers—enough to ensure yet another substantial cut in class sizes and, consequently, in teacher work load.

Mr. Patrick McLoughlin (West Derbyshire): The Minister has made an important point: she says that that money could be used to employ teachers. Will she guarantee now that money would be available for those teachers in future years?

Jacqui Smith: As my right hon. Friend the Secretary of State said, we have shown our commitment to putting more money into schools; we have delivered on it and will continue to do so.

We have made £5.9 billion available to improve school premises. My hon. Friend the Member for Halton (Mr. Twigg) rightly highlighted the effect that the school environment has on raising standards. The Government have delivered on that and are providing up to £1 billion this year and next for the improvements proposed in the teaching Green Paper, including better teachers' pay.

My hon. Friends the Members for Halton and for Elmet (Mr. Burgon) made thoughtful speeches and referred to the challenges faced by those who teach disruptive pupils. The Government recognise the pressures and challenges that teachers face. That is why we have already made more money available to support schools and teachers in dealing with those children and why my right hon. Friend recently announced further support for schools and teachers such as learning mentors and learning support units.

Hon. Members will be aware of the descriptions given in the media—and, I regret, on the Floor of the House—of demoralised, disenchanted teachers waiting only for the first chance to leave the profession. That is not the teaching profession that I recognise nor that which my hon. Friend the Member for Huddersfield (Mr. Sheerman) eloquently described. Thousands of dedicated people are working to help the children in their charge to reach upwards, whatever their background. Their success is shown time and again—not only when exam results are published.

As class sizes are falling, the number of teachers is increasing. There are now nearly 3,000 more teachers in permanent posts than there were last year, and the percentage of unfilled posts in schools is less than half of what it was 10 years ago. For every secondary-school vacancy there is an average of 12 applicants, and for every primary-school vacancy there are 16. That is not evidence of a profession that is in decline, but evidence of one that is at last beginning to be properly resourced in terms of money, support, training and leadership.

I was concerned by some of what was said by the hon. Members for Hertford and Stortford and for Harrogate and Knaresborough (Mr. Willis) about supply teaching. We need to make it clear that supply teachers are qualified: they have qualified-teacher status.

Mr. Willis: Will the Minister give way?

Jacqui Smith: No, because Opposition Members did not.

Quality, however, needs to be approved. We are consulting on measures to introduce a quality mark, to provide a distance-learning package and to give more support to teachers in schools.

Mr. Willis: Will the Minister give way?

Hon. Members: Give way!

Jacqui Smith: No, I will not.

It is because we recognised the need to ensure that good-quality people come into teaching and that "shortage" subjects were covered that we announced, on

30 March, a package of measures to boost teacher training recruitment, involving a training salary of £6,000, £150 a week for all secondary postgraduates during their training, and a further £4,000 for those who find posts as newly qualified maths, modern foreign languages, science and technology teachers. Since that announcement, applications for postgraduate teacher training courses are 22 per cent. up on those in the same period last year, and 500 more people have applied than did so during the corresponding six weeks in 1999.

Mr. Willis: Will the Minister give way?

Jacqui Smith: I will give way now.

Mr. Willis: I am grateful to the Minister for giving way. I thank her for her courtesy.

My point was not about supply teachers. I accept that most supply teachers are fully qualified. I was talking about people who are teaching in our schools, but do not have formal teaching qualifications.

Jacqui Smith: I think my right hon. Friend the Secretary of State responded to that point earlier.

Let me make a point about the hon. Gentleman's commitment to getting more people into the teaching profession, which I do not doubt. Tonight he has taken a statesmanlike and, dare I say, headmasterly approach to the debate—not an approach that he took in his speech to the National Union of Teachers, which he commended for its militancy. He said:

> Well it is just like old times! Government ministers being heckled! Conference in militant mood! Delegates walking out! Well conference it is about time teachers displayed their anger at the way they are being treated!

I do not think that that is the sort of example we would want to set the people whom we are trying to encourage into the profession.

Many have commented on the burdens being placed on teachers, especially paperwork. Let us be honest about what is being distributed to schools. As my right hon. Friend pointed out, the vast majority of communications sent to them this year have concerned the literacy and numeracy strategy, teaching reform and pay. Only two documents sent to primary schools, and three sent to secondary schools, required responses from head teachers.

Is it being suggested that we should not have supported teachers in their delivery of higher standards in reading, writing and maths? Should we not be telling schools about the support and training that are available to implement teacher reforms and higher pay? I accept the points made by my hon. Friends the Members for Huddersfield and for Elmet about the need to communicate, about the threshold, and about the importance of supporting head teachers. That is why we must communicate with schools, which is what we are doing.

The Conservatives, of course, oppose the literacy and numeracy strategy. They are not clear about performance-related pay: that is why they oppose our communications with schools. However, I am keen for us to free up teachers to teach.

As has been mentioned, the Haskins report identified the steps that we have already taken and that are planned. It said, for example:

> We found that the Government's radical agenda for raising standards in schools is widely respected and already seen to be delivering results. Additional regulation is inevitable in implementing such an agenda.

However, I am concerned that we ensure that we do everything that we can to free up teachers to teach. That is why we introduced rigorous—

Mr. Clappison: Will the Minister give way?

Jacqui Smith: No.

That is why we introduced rigorous controls over—

Mr. Clappison: Will the Minister give way?

Jacqui Smith: No. The hon. Gentleman did not.

That is why we introduced rigorous controls over what is sent to schools and are increasingly making publications and information available on the internet—an innovation mocked by the Opposition. As they are keen to quote teachers, may I quote two comments about our EASEA website? One person said:

> I find access to the material straightforward and it is helpful that my own office does not become cluttered with paper.

Another person said:

> The In-tray has shown itself to be very useful in accessing relevant documents; can it now be developed as suggested by another respondent to include information from other agencies?

There is support for our activities from those people who are using the system.

We are working vigorously to reduce unnecessary requests for information from the centre and to improve management systems at all levels in the education service. We estimate that, since August, our changes to what is collected and to how it is collected have saved about 10,000 hours of work for schools and local education authorities.

As was recognised by my hon. Friend the Member for Elmet, we are aware of the pressures that fall on small schools. That is why we have gone even further in providing support for them. This year and next, £80 million will be available, so that small schools can employ extra administration staff and invest in information and communication technology to help with administration.

We are funding the recruitment of 20,000 teaching assistants to help teachers in the classroom. My hon. Friend the Member for Huddersfield made an important point about Ofsted. We have already acted to reduce the lead-in time and developed light-touch inspections.

The Opposition have been quick to carp, but slow to tell us what they would not have done and not have issued. Do they want to scrap the literacy hour? It appears so. Do they want schools not to teach a daily maths lesson? Apparently. What would they do to help schools to deal

[Jacqui Smith]

with disruptive pupils? Let them get on with it. How would they encourage the best people to come into the teaching profession? Apparently, by talking down the profession in the way in which they have this evening.

Not only does the Conservative party not take any responsibility for developing policy now. It does not take responsibility even for what happened when they were in government. The hon. Member for Maidenhead (Mrs. May) recently addressed the NUT. She was jeered by delegates—fair enough, that happens to the best of us. However, her response to the jeering was to say:

> I can hear your scepticism, but I was not here last time.

That may be the case, but many of us were here during the Tory years as teachers and as parents. We know what it was like to have national curriculum folders dumped on us with no consultation, to have our youngest children starting their school career in large classes, to spend our time shifting buckets around to catch drips from ceilings that there was no money to mend, and to have four out of 10 primary children leaving school without the basic reading skills to progress. The induction year for new teachers had been scrapped and there was no support for head teacher training. The hon. Lady may wash her hands of those realities, but they are what the Government have started to address.

Our key themes are better pay, more training for leadership, more support for schools and teachers and a commitment to improve training for teachers throughout their career. We are already delivering on them.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 170, Noes 313.

Division No. 196] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Ms Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and Mr. Stephen Day.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen

Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 309, Noes 158.

Division No. 197] **[10.13 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen

Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Ms Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Maginnis, Ken
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev Ian
Paterson, Owen
Pickles, Eric
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyler, Paul
Walter, Robert
Waterson, Nigel
Webb, Steve
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Stephen Day.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the substantial steps taken by the Government to improve teaching and the rewards for teaching, which include the introduction of a General Teaching Council, the development of better pay for good teaching, the introduction of training salaries to improve teacher recruitment, new measures to improve the training of headteachers, the Better Regulation Task Force Report on 'Red Tape Affecting Headteachers', administrative support for schools, more classroom assistants, lower infant and junior class sizes, reform of induction and teacher training, and significant improvements in funding for school budgets and school modernisation; and notes that these measures have already reversed a legacy of budget cuts, rising class sizes and inadequate training inherited from the previous administration.

Northern Ireland (Flags)

10.26 pm

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I beg to move,

That the draft Flags (Northern Ireland) Order 2000, which was laid before this House on 15th May, be approved.

I am sure that the House will appreciate, in the current circumstances, the urgency for dealing with this issue this evening without, I am afraid, the usual courtesies of consultation, for which I apologise.

It does not need me to point out that in Northern Ireland symbols matter a lot, and this is something that we need to address. Symbols represent the different identities and different traditions of those who live in this part of the United Kingdom and, like other symbols, flags have historically been a source of conflict that has driven people apart. My reason for bringing this draft order before the House tonight is not to perpetuate such symbolic clashes, but to try and ensure that they do not become a permanent source of division in the future.

Northern Ireland, in my view, has never had a better chance than now to leave behind it the divisions of the past. In under a week, I hope that, following the IRA's historic statement, the restored institutions will get down once again to the business of governing in the interests of all the people of Northern Ireland. I believe that these institutions—politics itself—have no hope of functioning smoothly and effectively until old constitutional sores and provocations are put to one side.

That was the thinking behind the Good Friday agreement, a framework in which both Unionists and nationalists can participate together in the interests of all the people of Northern Ireland. They can do so while remaining every inch a Unionist, nationalist or, indeed, republican, as they wish, as long as they do so by peaceful and democratic means. This is the foundation of the new dispensation being created in Northern Ireland.

Without in any way surrendering their fundamental political beliefs, both main traditions now agree on the fundamental constitutional issue. They agree that it should be settled exclusively on the basis of consent, with the will of the people, freely expressed, prevailing over guns, bullying and intimidation. In particular, the participants in the agreement explicitly accept:

the present wish of a majority of the people of Northern Ireland . . . is to maintain the Union and accordingly, that Northern Ireland's status as part of the United Kingdom reflects and relies upon that wish . . .

Let me say in parenthesis that I think that it is extraordinary that such an agreement, which enshrines the principle of consent, should be misrepresented by some people as putting Northern Ireland on a motorway out of the United Kingdom. That is emphatically not the case. All the Good Friday agreement does is put the people of Northern Ireland in the driving seat. They, and only they, decide and will decide where Northern Ireland goes. It cannot go anywhere, whether by motorway, highway or byway, without the consent of the people of Northern Ireland, and with this Government it will not.

As far as Her Majesty's Government in the United Kingdom are concerned, let me make this clear: that means that the Union flag continues to fly over our buildings in Northern Ireland on the basis applied elsewhere in the United Kingdom. The principle of consent was a cornerstone of the Good Friday agreement. As such, it must receive more than lip service, as too must another cornerstone—the principle of equality: that both traditions are equally valid and that there must be

just and equal treatment for the identity, ethos, and aspirations of both.

Mr. Eric Forth (Bromley and Chislehurst): Can the Secretary of State guarantee the House tonight that, were it to give him the powers that he seeks in the order, only the Union flag will fly over government buildings in Northern Ireland?

Mr. Mandelson: Yes.

On this basis, let me address directly a concern which I know is sincerely held by some Unionists: that the rights of equality for the minority in Northern Ireland are currently in danger of cutting across the principle of consent enjoyed by the majority, that the agreement has led to a climate in which, bit by bit, the last vestiges of Britishness are being dismantled, and that the argument about flags is symptomatic of a deeper malaise.

I understand that analysis and the fears from which it springs, but I completely reject it. There may be a simplistic view among some nationalists—not, I hasten to say, my colleague the Irish Foreign Minister, who is too wise for such an approach—that the display of emblems of Britishness is somehow incompatible with the Good Friday agreement. That is emphatically not the Government's view. As long as, consistent with the Good Friday agreement, symbols and emblems are used sensitively and in a manner which promotes mutual respect rather than division, I see no difficulty in their use, and my actions will be based on that view.

Mr. Peter Robinson (Belfast, East) *rose—*

Mr. Mandelson: I will give way in a moment.

The fact is that the Good Friday agreement is no more about decommissioning Britishness than it is about suppressing Irishness. In a society such as Northern Ireland's, either approach would be wrong in principle and bound only to lead to the alienation of a significant section of the population. As I have said before, we will have failed if at the end of the day, with all that we are trying to do and all the progress that I believe we are making, we have simply replaced an alienated nationalist tradition with an alienated Unionist one.

Nor do I believe that, as the agreement is worked out, we will see any significant diminution in the sense of Britishness in Northern Ireland. Speaking for myself, I welcome that. The Union has great strengths and brings benefits to all those living in its constituent parts. But there is—and I take this as an example of where our actions are resisting any diminution of Britishness—no recommendation in the criminal justice review to drop the title "royal" in the courts of justice or the royal arms from the outside of courtrooms. I hope and believe that the royal family's close connection with and interest in Northern Ireland will be not only be sustained, but enhanced. Britishness, therefore, far from being on its way out, will remain while there is a population wishing to express it.

Against that background, let me turn to the issue of flags, unless the hon. Member for Belfast, East (Mr. Robinson) wishes to intervene at this stage.

Mr. Robinson: I am grateful to the Secretary of State for giving way. My intervention is on that issue.

Does the right hon. Gentleman believe that the provisions of the order and his remarks to the House would apply to Parliament Buildings, Stormont?

Mr. Mandelson: I have considered that matter. In the circumstances, I believe that it would be better to leave the arrangements for Parliament buildings—which have worked quite satisfactorily to date—to the Members of that Assembly. If the matter has to be reviewed, then reviewed it will be, but the hon. Gentleman will accept that the problem has been not at Parliament buildings, but elsewhere.

It would be surprising indeed if all evidence of the past clashes and conflicts in Northern Ireland disappeared overnight. Of course, it will not do so. As I have said, the flying of flags has been a battleground in the past, and proved something of the same during the first weeks of the devolved Executive. Under direct rule, the position was that the Union flag was flown from all Government buildings on certain set days. Those included most of the days on which the Union flag was flown from Government buildings elsewhere in the United Kingdom. However, also included were some extra days specific only to Northern Ireland; for example, St. Patrick's day and 12 July.

The basis of flag flying is, formally, a royal command by Her Majesty issued on the royal prerogative. There is no other basis in law. Under devolution, those powers of the royal prerogative were transferred, in respect of devolved matters, to the individual Northern Ireland Ministers and Departments. During the 10 weeks of devolution, there was—broadly—a common position among the Northern Ireland Ministers on how they should exercise their prerogative powers in relation to the Union flag within their respective Departments.

The result was that most Departments flew the Union flag from all their buildings on all the specified days. However, two Departments, under the instructions of their Ministers, did not fly the Union flag at all. Let me make it clear: I believe that this difficult—though symbolic—issue would be best resolved by the Executive Committee itself and I believe that the best way of doing so is by accommodation on the principles of the Good Friday agreement and the principle of respect for both identities.

I believe that practice in Northern Ireland should reflect practice elsewhere in the United Kingdom.

Mr. Dominic Grieve (Beaconsfield): I think that the Secretary of State has half answered the question that I was about to put. When one reads the Good Friday agreement—especially the first pages of the text—is it not clear that there can be only one answer, under the agreement, as to what flag should be flown over Government buildings? Therefore, the actions of certain members of the Executive in not doing so flew completely in the face of the text and the spirit of the agreement.

Mr. Mandelson: Arguably, yes. That is why I am taking this action this evening. It is not for me to rehearse arguments that are better put by those who believe in them—notably Sinn Fein Ministers and members of the Executive. The argument that they would put to the hon. Gentleman, if they were here, is that the Good Friday agreement also enshrines respect for the identities, the ethos and the traditions of all in the community; and that they should not be forced to accept and to fly the flag—the chief emblem or symbol—of somebody else's tradition.

None the less—

Rev. Ian Paisley (North Antrim): Will the Secretary of State give way?

Mr. Robert McCartney (North Down): Will the Secretary of State give way?

Mr. Mandelson: If hon. Members do not mind, I should like to make a little progress.

Notwithstanding the argument that those Ministers and members of the Executive would put to hon. Members if they were here, the Union flag remains the flag of the United Kingdom, of which Northern Ireland is a constituent part and, while that is the wish of the majority of its people, the flag will continue to fly over Northern Ireland.

As I said, this matter is best resolved by the Executive. If it were possible to reach a collective view and to move by consensus, I should welcome that. An initial attempt was made during the early stages of the Executive.

However, I do not want to see the Executive consumed for weeks and months by shadow boxing over an essentially symbolic issue. I want to see the Executive build up a sense of common collective purpose and approach to the business of governing Northern Ireland in the interests of all the people of Northern Ireland.

Therefore, the draft order provides me with a reserve power to set regulations on flag flying from Government buildings. I shall use this reserve power only if it becomes clear that the Executive is unable to agree a way forward and the issue is becoming a palpable source of division among its members.

Rev. Ian Paisley: On parity of esteem, does the Secretary of State believe, in this instance, what the negotiator of IRA-Sinn Fein told the people of Northern Ireland last night on television? He said that the two flags must fly and that that was the only way that there could be parity of esteem. He said that the tricolour must fly beside the Union flag on these buildings.

Mr. Mandelson: The negotiator said that as an act of generosity, but it is not a view that I accept and it is not my definition of parity of esteem.

Moreover, if I believe that it is best to exercise the reserve power, I shall exercise it in consultation with the Assembly and the Executive. The draft order requires me to consult the Assembly on any regulations that I may be minded to make, and to take into account any views it reports to me on those regulations. It also requires me to have regard to the provisions of the Good Friday agreement and it requires any regulations to be approved in both Houses of Parliament.

Mr. Robert McCartney: If Northern Ireland is part of the United Kingdom and if, as the Secretary of State suggests, the same regulations on flying the flag as apply in the rest of the United Kingdom should properly apply in Northern Ireland, why cannot the matter be solved by simply stating that instead of through the process of consultation?

Mr. Mandelson: The hon. and learned Gentleman will acknowledge and accept that, at the moment, this is a devolved matter. I do not want to go simply crashing into the situation; I want to show respect for the principles of devolution that the House has previously debated and agreed. All that I am doing at this stage is asking the House to agree a draft order that will enable me to bring forward regulations to regulate these matters if local parties, local politicians and Ministers are simply unable to reach agreement among themselves on the best way forward. That would surely be the preferable and the ideal course for them to take. However, as I say, if they cannot do that, I do not want to sit back powerless, watching a not unimportant but ultimately symbolic issue continuing to divide the Executive and pulling apart what might otherwise be a potentially consensual approach on other matters in the Assembly. Bigger and greater matters, other than the flying of the Union flag, are of direct relevance to the people of Northern Ireland and they are there for the Executive and Assembly to trouble themselves with.

Rev. Martin Smyth (Belfast, South): I accept the Secretary of State's point that there are other important issues, but surely this is the constitutional issue of the flag of the nation flying throughout the nation and throughout the kingdom wherever that may be. It is not a devolved issue for Northern Ireland, but one that affects the kingdom as a whole.

Mr. Mandelson: At the moment—and until the House agrees the draft order—it is a devolved matter.

Rev. Martin Smyth *indicated dissent.*

Mr. Mandelson: It is a devolved matter and it also has very great constitutional implications not just for Northern Ireland, but—I readily accept—for the United Kingdom as whole. Therefore, it is not unreasonable that the House should address itself in the way that it is doing to the draft order that I am asking it to agree.

Mr. Michael Howard (Folkestone and Hythe): If the Secretary of State exercised his powers in the order only in accordance with the unequivocal undertakings that he has given to the House—for example, to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)—this evening, would it not follow that the consultation exercise, which is provided for in the order, would be a sham? Indeed, does it not mean that the Secretary of State would be rendering himself vulnerable to judicial review? *[Interruption.]* I should be very happy to give him the benefit of my experience.

Would not it be far better to avoid any such difficulties and for the Secretary of State to act on the suggestion that was just made to him? He should give effect to those unequivocal undertakings in this order and provide that in the event that the Executive Committee is unable to reach agreement, the Union flag will fly on Government buildings in Northern Ireland as it does in the rest of the United Kingdom.

Mr. Mandelson: Obviously, I defer to the right hon. and learned Gentleman's experience of judicial review, which is superior to mine. [HON. MEMBERS: "So far."] Indeed, so far. Every day that I have woken up in Northern Ireland, I have been exposed to the perils of judicial review. The situation is not quite as simple as the right hon. and learned Gentleman says because the prescribed days for flying the national flag can change from year to year.

There is another flag that some might want to fly in Northern Ireland; indeed, it was recently flown from the Parliament buildings. I do not want to provoke the right hon. and learned Gentleman, but I refer to the flag of the European Union. The flying of all sorts of flags has to be regulated.

I hope that a common-sense arrangement, respecting the principles of the Good Friday agreement—and I mean all the principles—can be arrived at.

Mr. William Cash (Stone): Will the right hon. Gentleman give way?

Mr. Mandelson: No. Many other hon. Members want to participate.

Mr. Cash *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The Secretary of State is not giving way.

Mr. Mandelson: As I was saying before I was nearly so rudely interrupted, I think that it is possible—

Mr. Cash *rose—*

Mr. Deputy Speaker: Order. Only one Member can address the House at a time. The Secretary of State is trying to make a speech.

Mr. Mandelson: With reasonable good will on the part of all members of the Executive—

Mr. Cash: Will the right hon. Gentleman give way?

Mr. Mandelson: No, I have made it absolutely clear that I will not give way to the hon. Gentleman.

Mr. Cash *rose—*

Mr. Deputy Speaker: Order. The Secretary of State has made it clear that he is not giving way. I can hear what the right hon. Gentleman is saying, so the hon. Gentleman should also be able to hear him.

Mr. Cash: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that the hon. Gentleman—

Mr. Cash *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman should sit down while I am addressing the House. I hope that he is not going to make a bogus point of order because he has been unable to intervene.

Mr. Cash: My point of order is simple, Mr. Deputy Speaker. If I may say so, the Secretary of State is misleading the House with respect to an important point about the Belfast—

Mr. Deputy Speaker: Order. The hon. Gentleman will have to withdraw that statement. The Secretary of State is not misleading the House. No Member is misleading the House.

Mr. Cash: I am perfectly prepared to say that the Secretary of State has misinterpreted the Belfast agreement—

Mr. Deputy Speaker: Order. Do I take it that the hon. Gentleman is withdrawing his statement?

Mr. Cash: I regret to say that I will withdraw the original statement—

Mr. Deputy Speaker: Order. The hon. Gentleman must withdraw his statement that the Secretary of State is misleading the House. Will he do so?

Mr. Cash: I will withdraw the statement, but I also—

Mr. Deputy Speaker: Order. Does the hon. Gentleman wish to withdraw the statement?

Mr. Cash: Yes, I have said so.

Mr. Deputy Speaker: Well, there is no point of order. I call the Secretary of State.

Mr. Mandelson: As I was saying, I hope that with a reasonable amount of good will on the part of all members of the Executive this matter can be properly resolved. Rather than see the enthusiasm, vision and high hopes with which many people greet the prospect of a return of devolved power to Northern Ireland frittered away on endless symbolic disputes such as this, I am prepared to try to settle this potentially divisive issue myself. It is on that basis that I commend the draft order to the House.

10.50 pm

Mr. Andrew MacKay (Bracknell): I accept the Secretary of State's apology and explanation of why he could not give the House, myself and other spokesmen more notice of the draft order. We are in a fast-moving situation and it was right and proper that, at short notice, the draft order was brought before the House.

As far as the order goes—although I do not think that it goes far enough—it is broadly helpful. I think that hon. Members would agree, in reflecting on legislation that we passed a year ago, that we were unwise to have transferred to the Executive the decision on flags flying from public buildings. That view is now clearly shared by the Secretary of State. The order, to all intents and purposes, but not as specifically as we would like, will ensure that the decision is a reserved matter.

I shall briefly describe the Opposition's position; it is very straightforward and simple. We are the first to acknowledge readily, happily and warmly that Northern Ireland is very much part of the United Kingdom. It is absolutely clear that, by way of consent, the majority of people in Northern Ireland wish to remain part of the United Kingdom. While that consent is forthcoming, which I hope will be for a very long time, it must be right and proper that Northern Ireland is treated exactly the same as the rest of the United Kingdom—no better, no worse—and that on the matter of flying flags on public buildings, it should be treated identically to other parts of the United Kingdom. That is my understanding of what the Secretary of State said, particularly in his answer to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

I endorse the comments of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the hon. and learned Member for North Down (Mr. McCartney) and the hon. Member for Belfast, South (Rev. Martin Smyth) that, given that the Secretary of State is so clear and so much in agreement with us, we cannot quite see the point of the order not being more specific and clear—that the matter is reserved and the Secretary of State rightly believes that, as Northern Ireland is part of the United Kingdom, it should be treated identically to the rest of the United Kingdom.

Mrs. Maria Fyfe (Glasgow, Maryhill): Has the right hon. Gentleman considered that there are wider implications? We also have devolved bodies in Scotland and Wales. Is he agreeing with his hon. Friends on the Back Benches, who seem to imply that any time such a body disagrees about something, we in London should simply step in and say that we will take over? Surely there is a principle that devolution must be allowed to work, and therefore the terms of the order make more sense than his hon. Friends have suggested.

Mr. MacKay: I am grateful to the hon. Lady because she neatly takes me to my next point.

Huge offence was caused because two Ministers in the Executive, both representing Sinn Fein—the Minister for Education and the Minister for Health, Social Services and Public Safety—refused to fly the Union flag on days when it was flown elsewhere in the United Kingdom, and instead wished to fly the tricolour. That has been very harmful to the process that the hon. Lady and I support. Therefore, it must be right and proper that the matter is reserved. As the Secretary of State rightly pointed out just a moment ago, that means that the Executive can get on with more relevant matters and he can make the final decision.

Mr. Edward Leigh (Gainsborough): The Secretary of State has made it absolutely clear that only the Union flag will fly, but I am not entirely clear whether Sinn Fein Ministers will still be able to refuse to fly any flag. Is that right?

Mr. MacKay: Subject to the Secretary of State putting me right, my understanding of the order is that if agreement cannot be reached within the Executive, he will take the decision. He has made clear to our right hon. Friend the Member for Bromley and Chislehurst what his decision will be. Those Ministers will not be entitled to overrule the Secretary of State's decision in respect of their public buildings. I do not see the Secretary of State rising to tell me that I have misinterpreted the order—in fact, I think that he is now vaguely acknowledging that I am correct. That is as close to confirmation as I am likely to obtain from him, and I am grateful for that apparently positive movement. I think that we can take my answer as accurate.

I have a word or two to say to any Members of Parliament who are thinking of opposing the order. If they do so and they win, the status quo will remain. It is distinctly possible—even probable—that a new Executive

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will soon be formed, and the rules state that that Executive must contain two Sinn Fein Ministers. Therefore, the result of rejecting the order will be a return to the situation in which Sinn Fein Ministers provocatively fly the tricolour instead of the Union flag. I cannot believe that that is what those hon. Members want.

We support the order, but we regret that the Secretary of State has not gone further and put in the order his clear and unambiguous response to questions asked today. He has clearly and categorically said that, as and when he takes over responsibility for the matter, which I fear that he will inevitably have to do—deep down, he knows that the Executive will not agree on the flags issue, which was the subject of fundamental disagreement between Ministers of different parties within the Executive—the Union flag will fly on public buildings on appropriate days, exactly as it does elsewhere in the United Kingdom.

Mr. Nicholas Winterton (Macclesfield): I still require clarification. Does my right hon. Friend think that the Secretary of State would in any circumstances permit the tricolour and the Union jack to be flown side by side on a public building? I hope that the answer is no. Through my right hon. Friend, I say to the Secretary of State that the issue is not merely symbolic: as one Member said, it is constitutional, and that is more than symbolic.

Mr. MacKay: It is not for me to stand at the Dispatch Box and translate the Secretary of State's words, but my understanding of his remarks is that they were absolutely clear and unequivocal—to echo my right hon. and learned Friend the Member for Folkestone and Hythe. If and when—in my view, when—the matter becomes one for the right hon. Gentleman's decision, the Union flag and the Union flag alone will fly from public buildings, exactly as it does in Macclesfield and elsewhere. I think that the Secretary of State is now nodding, so we have an absolute, categoric answer.

To conclude, we support the order, even though we regret that it is not more straightforward. None the less, we are pleased that, in replying to various interventions, the Secretary of State has, from the Dispatch Box and from a sedentary position, made clear what the position will be when he is in charge of flags. For that, we are grateful.

10.58 pm

Mr. Lembit Öpik (Montgomeryshire): First, I have a small gripe about the process of communication. I understand the importance of moving quickly to keep pace with events and circumstances that change hourly, if not minute by minute. However, it has been difficult to obtain information: at one point, I was given the impression that officials had no knowledge whatever of what would happen tonight, even though it had been announced to the press and, through the Government Whips Office, to other parties that the order would be debated tonight. I understand that the situation is fast moving, but the "I can neither confirm nor deny" approach was not 100 per cent. helpful. Perhaps we can tighten up communication between the parties on such matters.

My main point relates to how issues of devolution and flags have been handled elsewhere. In February, there was a debate in the Northern Ireland Assembly about the flying of flags. An Alliance party staff member was asked to research the attitude adopted to flags by the Welsh Assembly and the Scottish Parliament. He telephoned the Scottish Parliament first and was passed around several extensions before he found anyone who could tell him which flags, if any, were flown from the building. Upon calling the Welsh Assembly, he was greeted by a long silence from a Liberal Democrat researcher, who went to look out of the window and was astounded to find not only the Welsh flag and the Union jack, but the European flag flying over Cardiff. Interestingly enough, that did not cause a walk-out or any suspension of the process of the Welsh Assembly—*[Interruption.]*—although I know that some members of the Opposition think that it should.

Not surprisingly, flags have taken on profound symbolism in Northern Ireland, as the debate suggests. In that context, it makes sense to put the order through Parliament. The Secretary of State has been clear about the implications. However, I should like to think that what is needed is a not a change of flags, but a change of attitude. That is the ultimate goal of the process.

The challenge is not to attempt to eliminate the difference and the strongly held national identities in Northern Ireland. Instead, we should try to eliminate the fear of the difference and start to value that difference. Once we do that, I have no doubt that the flags issue will fade away into the ether, and more importantly, we will make significant progress in valuing the difference between the communities and getting on with the process of allowing Northern Ireland to govern itself.

11.1 pm

Mr. David Trimble (Upper Bann): For many years, it was traditional for members of our party to say on occasions such as this that it was regrettable that legislation was being enacted for Northern Ireland by this abbreviated procedure, instead of being enacted properly on the Floor of the House. Were it being enacted properly on the Floor of the House through a normal Bill, it would be possible for the Bill to be comprehensive and apply to all parts of the United Kingdom, and thus to anticipate problems that might arise elsewhere. The Government should be aware that problems of a similar nature might well arise elsewhere.

It is necessary that the legislation goes through, and goes through quickly, because it is necessary that the issue be settled. Unfortunately, however, I believe that the form of the order will not settle the issue and may contain the seeds of future trouble.

The legislation would not be necessary if there were any proper law on the existence of the United Kingdom's national flag. The existence of the flag and the occasions on which it is flown are matters of custom, practice and administrative procedures, not of law. That was not a weakness in the past. It is part of the way in which we are accustomed to doing things, but it has caused a weakness on this occasion. Because of the difficulties that have arisen, it is necessary to put the flying of the flag on a legal basis.

That would not be necessary had nationalists in Northern Ireland observed the agreement. As was pointed out to the Secretary of State in an excellent intervention, the agreement is clear on the matter. It is clear about Northern Ireland's position within the United Kingdom. In the agreement, nationalists recognised the legitimacy of Northern Ireland's position in the United Kingdom.

There is only one sovereignty and only one national flag, and the issue should not have arisen. It has arisen because some nationalists do not, in practice, operate the agreement and are failing to implement it. Obviously, Sinn Fein Ministers come into that category, but we wonder whether some other nationalists are in that category as well.

The Secretary of State was extremely kind to the Irish Foreign Minister in his reference to him. However, comments have been attributed to the Irish Foreign Minister, and not repudiated by him, in which he has asserted that the institutions in Northern Ireland should have no element of Britishness about them. That assertion is utterly unacceptable, quite wrong and completely contrary to the agreement. I hope that it is clearly squashed by the Government's action tonight. That mistaken view should not be sustained.

I fear that the legislation will not settle the matter that should have been settled. As my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) pointed out, it should not have been a devolved matter at all. The existence of the national flag is not a regional matter. The existence and the treatment of the national flag should not come under the purview of a devolved regional administration; it should have been reserved as a constitutional matter. The draftsmen of the Northern Ireland Act 1998 slipped up. The order should have repaired that omission simply by treating the national flag as a reserved matter.

The order contains weaknesses. Making the order a matter of apparent discretion for a Secretary of State from time to time is a mistake. I accept that successive Secretaries of State from 1972 to now have, as a matter of administrative practice, issued a list of official flag days each year. However, the order will be matter of dispute in future. It would therefore have been better to place official flag days on a statutory basis and thus avoid future dispute.

A further mistake by the Secretary of State is to refer the matter to the Assembly. I understand the right hon. Gentleman's reasons for doing that, but the whole point of the constitutional provisions in the agreement was to settle such issues. Why is he pushing a constitutional issue on to the Assembly? How will that facilitate smooth working together? Putting a constitutional issue back on to the Assembly will be divisive; it will create division on constitutional lines. Does the Secretary of State want that? I am sure that his consultation procedure was well intentioned, but the order will be divisive.

The order will also be unfair to moderate nationalists. We know the position that extreme nationalists will adopt; we know what Sinn Fein will do. The order will make life difficult for moderate nationalists, including those in the Social Democratic and Labour party. Does the Secretary of State want that? The Unionists' position, and that of Sinn Fein will be clear. The only people who will be put in a spot by the Secretary of State's consulting the Assembly are members of the SDLP. From their practice in the past, I am sorry to say that they will probably feel that they have to be more nationalist and republican than the republicans. It is unwise to push them into that position when some of them do not want to be there.

There is an interesting contrast, which the Secretary of State mentioned, between the order and chapter 8, paragraph 61, of the criminal justice review. It states:

> We considered the removal of symbols but this could be misinterpreted as inconsistent with Northern Ireland's constitutional position.

That is right. The Secretary of State rightly said that the criminal justice review provides for the retention of the word "royal" on the royal courts of justice, its badge and the flag. It is right to do that. However, what did the Patten commission do with policing? It might remove the word "royal" and it recommended the removal of the badge and the flag.

The Secretary of State has rightly held up the criminal justice review as an example of good practice. He is right to do that. We urge him to be consistent and to extend its principles—which he upholds in the order with regard to Government buildings—to policing. Why except police stations? They should be treated in the same way as courts and Government buildings.

11.8 pm

Mr. Malcolm Savidge (Aberdeen, North): It is right that paragraph 4 (4) of the statutory instrument sets it in the context of the Belfast agreement. It is important to remember that the Good Friday agreement enjoyed the overwhelming support of people north and south of the border and the majority of both communities. Despite the uncertainties and vicissitudes of recent months, the agreement continues to enjoy majority support.

For some people, flags are merely coloured pieces of cloth. However, for others, they are potent symbols. I am aware of that because I have recently returned from North America. It is definitely the case in Northern Ireland, as the hon. Member for Montgomeryshire (Mr. Öpik) suggested. It would also be fair to say that, in Northern Ireland, if flags are a potent symbol, symbols are perhaps more potent than in many other parts of the United Kingdom.

Flags can be potent symbols in a positive fashion. They are symbols of community identity and sources of pride and celebration. However, they can undoubtedly cause offence and, as my right hon. Friend the Secretary of State said, they can cause conflict.

In the right context, the Union flag, as my right hon. Friend correctly referred to it, or the green, white and orange tricolour can inspire bonhomie and a spirit of community. However, in the wrong context in Northern Ireland, they can undoubtedly inflame aggression. Not for nothing have flags been thought of as battle standards or battle honours, but we must consider them in the context of peace. We are working towards peace in Northern Ireland, albeit an imperfect one. The guns are mostly silent and the number of murders and bomb outrages has reduced.

To respond to a remark made by the hon. Member for West Tyrone (Mr. Thompson) only this weekend, let me say that we are not talking about preventing the planting of bombs only in London. The overwhelming majority of Members on both sides of the House want an end to bomb outrages and murders throughout the United Kingdom. That is what we are working for. Although there is not as much violence and thuggery as there once was, we want them to end and we recognise that punishment beatings and knee-cappings are unacceptable. No Member of the

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House accepts that such actions can be called community policing. They should be known as what they are—vicious, fascist gangsterism. They must end. Arms inspections are not in themselves sufficient; ultimately, they must lead to the total disuse and decommissioning of arms. That is the context in which we should consider an accommodation over flags.

Last week, I was in Canada with other members of my Select Committee, which is why I am wearing a Union jack and maple leaf badge on my lapel. I celebrated my birthday exactly a week ago and attended a birthday party at which the Union flag flew next to the green, white and orange tricolour. At the risk of antagonising the hon. Member for Stone (Mr. Cash) even more than did my right hon. Friend the Secretary of State, in a place of superiority over all was a blue flag with gold stars. I happen to share a birthday with the European Union, which was celebrating its 50th. I draw a veil of silence over which birthday I was celebrating.

I hope that a time may yet come when the Union flag can fly alongside the Irish tricolour or the flag of any other EU member—in Northern Ireland as easily as anywhere else—without inflaming bitterness and unhappiness. I take the points made by the right hon. Member for Upper Bann (Mr. Trimble) but, until that time, it is perfectly sensible for the Assembly to seek accommodations on such matters in the first instance and it is totally right for my right hon. Friend to have the capacity to mediate where that cannot be achieved.

Tragically, many lives have been lost in Northern Ireland. Flags can be symbols of honour for lives lost, and that is the basis of battle honours, but there is a far better memorial for those who have lost their lives in Northern Ireland: pursuing the dangerous process of building peace—however difficult, tawdry and imperfect that may be—and ending the carnage and the needless sacrifice of innocent lives. I hope that the order can contribute to that purpose.

11.14 pm

Rev. Ian Paisley (North Antrim): I support what the hon. Member for Aberdeen, North (Mr. Savidge) said about the fascist thugs who continue to perpetrate outrages in Northern Ireland, but I say to him that I am glad that every person who watched a television programme on Sunday last saw a former member of the Executive, Mr. McGuinness, make it clear that he would not appeal to people who know those who are guilty of the crime of Omagh to give their information to the police. When a so-called Minister in a so-called democratic Government in this United Kingdom says in public that he would not encourage people who knew about such a diabolical outrage and such diabolical terrorism to go to the police, we realise what is at the heart of these divisions. They are not minor divisions; they are very major divisions.

The IRA made a statement, part of which has been given very little publicity, in which it forthrightly told us what it saw as the root causes of the troubles in Northern Ireland. First, there was the claim of this United Kingdom Government to hold sway in part of Ireland. Secondly, there was the partitioning of Ireland. Thirdly, there was the right of self-determination.

We have been told from the Dispatch Box that all who took up the agreement believed that the right of self-determination was vested in the people of Northern Ireland alone—that it was for them alone to decide their destiny. But here we have the IRA saying that that is not so: that one of the root causes that must be eliminated is anyone saying that Ireland as a whole has not the right to decide the destiny of the whole island, and therefore the destiny of the people of Northern Ireland.

The last point consisted of the IRA's wrongful accusation about the way in which republicans are treated under the law in Northern Ireland. Well, Northern Ireland people have not been governed in Northern Ireland for a very long time, so that is a charge against successive British Governments.

Those, then, are the root causes. The IRA went on to express its belief that, if what it was now saying was accepted, it would have a structure under which it could deliver to the people the removal of all those root causes.

Nothing will persuade the majority of people in Northern Ireland that they should join the Irish Republic. Nothing will persuade them that that partition will not remain; nothing will persuade them that they should give up their right of self-determination, and hand it over to a united Ireland; nothing will convince them that everything that is done in Northern Ireland is a strike against nationalist or republican people. Therefore, the structure that we are asked to accept by the Government is a structure to destroy the very things that the Government say will stay in place.

One of the questions put to the Secretary of State was the right question: why have the order at all? We are not talking about ordinary buildings, or about meeting-places where flags are displayed within. Many of us who go to European institutions know that the tricolour is displayed there, because Ireland is a member state of the European Union. We are talking about public buildings in part of the territory of the United Kingdom Government. Surely such buildings are different.

The other day, I asked the Prime Minister why the European flag was not flying on here, on the Houses of Parliament—here, in Westminster—for the same reason that it is allowed to fly in Scotland. I think the Secretary of State made a confession: it was through his wish that the flag was put up there. Well, the only laws that govern that are the laws of a commission, and that commission does not exist now. My hon. Friend the Member for Belfast, East (Mr. Robinson) was a member of it, and this matter was argued on it; but it could not agree.

The Secretary of State tells us that he is not going to bother. Surely he should have been troubled about what was happening, because it was in the commission that governs the Parliament buildings that the arguments were put, and it could not reach a consensus. Why? Because IRA-Sinn Fein wanted the tricolour to fly at the same level as the flag of this United Kingdom.

That is the real issue that the Secretary of State must apply himself to, but that is not in the order; it is left out. He told us that he did not think that he would enter into that realm, but surely that is the realm where the difference started.

The difference was carried on, as has been said, when the two Sinn Fein members of the Government refused to fly the flag. I do not think that the Secretary of State has power under the order to command those two members to

put up a Union flag over their offices. Does he? Does he feel that, when he gets the order, if those two members say, "We will not fly the Union flag," he has the power to enforce the flying of the Union flag over those offices? He needs to come clean on that one and to tell the House whether that is what he thinks he has.

The order is to do with flags. It is not to do with the Union flag. Why, if it is in defence of one flag, are other flags mentioned? He needs to come straight with us tonight and to tell us because he knows perfectly well that the IRA will not give in on the matter. He knows that both Ministers, if they are returned, will not fly the flag. He knows that he does not have the power to make them fly the flag. What, then, will he do? What about the Parliament building, which has five commissioners who have already been divided on the issue, with no decision being taken?

Perhaps the Secretary of State would find out who commanded that the European flag should be put up in equality with the Union flag. I am a Member of the European Parliament, but I do not look at that Parliament as being equal with this House or with this kingdom. We are not part of a European super-state yet—please God, we never will be—but what I am saying is that that flag should not have been put up there. The Secretary of State is solely responsible at this moment for that flag, and he tells us that he had nothing to do with it. He needs to come clean.

Those who have foolishly negotiated with terrorists are to blame for the mess that they are in. They cannot negotiate with IRA terrorists or other terrorists and think that they will get democratic attitudes from them because those terrorists are determined that they will not bow and kneel to democracy. They are dealing not with people who will be reasonable, but with people who will forward the republican agenda. By their actions, they have made real, true and just peace less likely than ever before. Negotiating with them gives them legitimacy. People think, "They have been in government. They must be democrats," but they are not. One of them, as I have mentioned, told the world, "If people knew who did the Omagh bombings, I would not be calling on them to go to the police." Where else would they go?

Think of the atrocities of Omagh. The Minister of State, Northern Ireland Office, who has responsibility for the victims, is sitting on the Front Bench. He knows what happened in Omagh. It is dreadful to think that a Minister in Northern Ireland is saying publicly, "I will not call on anyone who has information to go to the police." How else can the people who did that awful act be brought to justice? Those are the issues that the House should be aware of.

In bringing forward this legislation, the Government play entirely into the hands of terrorists. It is the legislation that they want. They are quite happy. When there is an issue about the flag, it will be made a major issue. As I have said, the Secretary of State will not be able to make them do anything. In Northern Ireland, we have flags flying everywhere by default around the area where the new markets have been formed. There is a tricolour on perhaps every pole. If one says anything about it to police, they say, "We cannot interfere with it. There would be trouble." What are we going to do? What is the Secretary of State going to do?

Mr. Öpik: I have an Estonian background, and the Estonian flag means a lot to me, although I respect the tradition and culture in which I have grown up—including the Union jack. Does the hon. Gentleman agree that the position of those who support the case for flying the tricolour is nevertheless respectable? Regardless of whether he agrees with their position, surely, from a human perspective, he understands why they set such store in a flag.

Rev. Ian Paisley: I am talking not about people flying flags—that is nothing to do with this—but about flags on public, Government buildings. Would the hon. Gentleman debate in the House if someone moved a motion that a foreign flag should fly on Government buildings here?

Mr. Öpik: I would if it were an Estonian one.

Rev. Ian Paisley: I certainly look forward to seeing in the hon. Gentleman's constituency a motion in his name saying that that is what he wants. I know rightly that that is not what he wants, and that he would not even sponsor such a suggestion. We are dealing with Government property and with public buildings.

Public buildings are defined as those in which the majority of people are civil servants. A majority of people in the Stormont building are not civil servants, but staff members of the Assembly. They are employed by the Assembly. The Assembly even considered a rule that they would not be civil servants, but direct employees of the Assembly. The particular order that we are debating is therefore not even clear in its definition of a public building.

We are addressing the issue of what flag flies on a public building, and who commands that the flag should be flown there. If people want to put up tricolours and fly them, that is their business, but they should do it in keeping with the law. If one were to put up a Union jack in an area of Belfast where it was likely to cause a breach of the peace, it would be taken down by police. However, they are not so ready to take down tricolours in predominantly Unionist areas. Those are the facts of life.

What can we expect from a Secretary of State who believes, as he does, that he has to refer to the agreement when he addresses this particular issue? The agreement talks about parity of esteem, but what is parity of esteem? Is it giving equal esteem to the two flags? If so, and if that is what the agreement meant, of course I can understand IRA men arguing that the flag should fly along with the Union jack. However, I do not think that any Member of this House believes that the Secretary of State, when he looks at the agreement and sees "parity of esteem," must immediately say, "Yes, both flags must fly." But that is how those men have interpreted the phrase's meaning, and that is what they will continually fight for.

There will be fights. Does the Secretary of State really think that, because he is the final arbiter, there will be no rows over this matter? Does he really think that all will be lovely in the garden? It will not be, and the House should know that.

The order will enable the Secretary of State, if he so desires, to prevent the flying of the national flag on Government buildings in Northern Ireland. He can say, "I am dealing with flags, and the Union flag is not to be flown here." However, he will have no right to direct a

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Minister to refuse to fly the national flag. The Secretary of State has got to come to a decision about what he is going to do and what concessions he will make.

It is all right for the Secretary of State to say today, "There are really no concessions to be made. There is no road to a united Ireland. There is nothing really happening. All in the garden is wonderful." All in the garden is not wonderful. We have today's debate in the House on what national flag should fly over Government buildings. The fact that we have to discuss the issue shows that all is not well. The issue was supposed to be settled, but the Executive refused to deal with it, because some people thought that there would be such a hullabaloo that the Executive could not keep together. I trust that the Secretary of State will state unequivocally that there is only one flag that should fly on public buildings and that is the flag of this nation.

11.30 pm

Mr. Robert McCartney (North Down): It is evident from some of the speeches that have been made tonight that the true significance of the symbolism of the flag in Northern Ireland has been misinterpreted. In Surrey or Cardiff or many other places, the flag is taken for granted, just as constitutional rights are taken for granted. The citizens of those places know that their British citizenship will never be called into question. Only in those areas of the United Kingdom where there is a real fear and appreciation that British citizenship is conditional is an extra importance attached to symbols.

The Secretary of State suggested that there had been a tremendous breakthrough, but it is abundantly clear from the opening paragraph of the Provisional IRA's statement that there will be no lasting peace in Northern Ireland until the basic causes of the conflict are removed. That means the end of partition, the end of the British claim to part of Ireland and self-determination on an all-Ireland basis. The first paragraph of that much-heralded breakthrough says specifically that there will be no lasting peace until partition and the British presence are removed.

The next paragraph makes it clear what the Provisional IRA considers to be the true import of the Belfast agreement. If the agreement is fully implemented according to their Provisional IRA's specification, it will provide a political context in an enduring peace process that will give the potential for meeting all its objectives. If it does not provide that potential, there will be no lasting peace and the Provisional IRA will have recourse to its weapons, which it has not and will not put beyond use.

What significance does that have for flags? The pro-Union people of Northern Ireland have seen their Britishness and their position in the United Kingdom as British citizens constantly eroded. The Royal Ulster Constabulary's name is to be changed. Why? Because the word "royal" is an indication of its Britishness. Even though the crown in the RUC's insignia is coupled with the harp and the shamrock, it will be removed because it is deemed unsuitable. It is a British symbol. The royal coat of arms has traditionally been set above a presiding judge. It will be removed because it is said that it in some way intimidates litigants or causes them to be unhappy. I have practised in Northern Ireland courts for 40 years and represented all shades of opinion, all denominations and all political allegiances. I have never heard a single client make such a suggestion. Nevertheless, the insignia must be removed. The Minister for External Affairs, Mr. Cowen, has made it abundantly clear that all the symbols of Britishness in Northern Ireland must go. The pro-Union people have become increasingly conscious of the importance of their symbols, because they have become increasingly conscious of the substance that those symbols represent being removed.

I am sorry to say that I view the order as a piece of political expediency. It was evident that the issue of the flag would be a major obstruction to the new seismic shift—the conditional offer from the IRA that if the process delivers Irish unity it will withhold the use of its arms, but will not dispense with their availability. The truth is that the issue of the flag, like the suspension that will be put on the determination of the RUC name, will be put on hold to lull Unionists into a false sense of security that something may yet happen that will preserve their symbols.

Under the order, it is left to the discretion of the Secretary of State to decide. On what principles will he decide? If the principle of consent means what it is declared to mean—that Northern Ireland will remain part of the United Kingdom until such time as a majority decide otherwise—where is the problem? If we are part of the United Kingdom, we are entitled to fly the flag on public buildings on such occasions as is done in other parts of the United Kingdom. That being the case, what need is there for a devolved Assembly, which derives all its powers from the constitutional rights vested in this Parliament, to decide what is a constitutional issue? The Secretary of State need simply state that he has decided. There need be no consultation. He should say, "This is a constitutional matter. Northern Ireland is part of the United Kingdom. I, in discharge of my constitutional obligation, declare that the flag of the United Kingdom, and that flag alone, will fly on the public buildings of Northern Ireland in the same way as it flies on the public buildings of Canterbury or Salford."

There is no need for the order unless it is a political expedient, designed purely to put on the long finger what will be equally divisive. At great length, the right hon. Member for Upper Bann (Mr. Trimble) detailed all the mischiefs that will arise from this proposal. They were amplified by the contribution from the hon. Member for North Antrim (Rev. Ian Paisley). Those mischiefs are real and they will occur, but they could be knocked out in one stroke by the Secretary of State acknowledging the real meaning of the principle of consent, which he alleges is in force, and acting upon it. The rest is mere surplusage, which will create more mischief than it was designed to remove.

The Secretary of State should reflect on what has been said tonight because, as Dr. Faust found, there is a moment of reckoning, when the Mephistopheles of making this discretionary decision will return and will knock on the door of the Secretary of State—or, possibly, his successor—and say, "Now is the moment of truth, what are you going to do?" At that time, it may not matter for the people of Northern Ireland, but it will be another stain on the integrity of this House.

11.40 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): I shall be very brief. Of course, there can be no question but that it is the civic duty of any person with information about the Omagh bombings, or any other atrocity, to give that information to the proper authorities.

Two principles are involved in the discussion of the order: we must stick to the terms of the Good Friday agreement, and we must stick to the principles of devolution. The order is sensible because it does not say that the Secretary of State will take over and make a decision that the Northern Ireland Assembly has been unable to make. Rather, the order makes it clear that the Secretary of State would regulate the flying of flags only after the Executive Committee of the Northern Ireland Assembly had failed to reach agreement. The order therefore provides an opportunity for the Assembly to reach that agreement.

I accept that that is a difficult proposition, but it is safe to predict that the Assembly will encounter many other difficult decisions. Its members will simply have to learn to work together and to find solutions with which at least the majority of the population—and preferably everyone—can manage to live. It is true that the SDLP will be put in a difficult position, but other elected members of the Assembly will be in difficult positions in other contexts as the months and years pass.

Finally, if members of the Assembly cannot manage to work through a problem such as this, what hope is there that they will come to sensible decisions on bread-and-butter issues such as housing, health, education, and so on, which affect all the people of Northern Ireland? Let us hope for some common sense in this matter. We must realise that no one has it easy in the context of Northern Ireland.

11.41 pm

Mr. William Cash (Stone): I read this weasel order with great sadness. Paragraph (3)(1) states:

> The Secretary of State may make regulations regulating the flying of flags at government buidings.

Leaving aside the fact that the word "buildings" has been misspelled, that paragraph makes one wonder to what body the word "government" refers. If the order is needed at all, to what "government" will it apply?

The short answer is that there is complete ambivalence in the mind of the Secretary of State, who has no answer to the question for reasons that I shall explain to the House.

Paragraph (4)(2) states:

> The Assembly shall, within such period as the Secretary of State may specify, report to the Secretary of State the views expressed in the Assembly.

In other words, the Assembly will merely go through the motions of reporting. Paragraph (4)(3) provides that the Secretary of State "shall consider any report", but what does that mean? It means that he will think about a report. There is no need for him to make a decision, as he is merely under a requirement to "consider" any report.

The crucial point arises in paragraph (4)(4), which states:

> In exercising his powers under Article 3 the Secretary of State shall have regard to the Belfast Agreement.

It was on the point of "shall have regard" that I intervened on the Secretary of State earlier.

Some of us have some small experience of looking at the nuts and bolts of legislation. This order will have the force of law when the House agrees it tonight, as will no doubt happen, yet the Secretary of State will not have to comply with the Belfast agreement, only "have regard to" it.

I assure the House that the Secretary of State, and those who drafted the order, know exactly what the words "have regard to" mean.

This is extremely difficult territory. I do not accept that the Secretary of State, the right hon. Member for Upper Bann (Mr. Trimble) or any others in the House do not realise exactly what the order involves. To put up a flag on a Government building, in terms of regulating the flying of flags on Government buildings, is not merely a symbolic act, but a declaration of the constitutional status of that Government building. According to one newspaper report today, the Union jack is apparently not flown on our embassy in France. It is an extraordinary state of affairs.

I have no objection to people wanting to declare their allegiance, but I want to know what their allegiance is. The order gives no one any confidence about the continuation of the flag that represents the constitutional status of the Government of the United Kingdom, with respect to Government buildings, in this House.

I say to the Secretary of State that I am extremely disappointed at the order, as I am with others in the House. It is a sell-out, and the Secretary of State knows that it is a sell-out. I have got used to sell-outs in relation to the United Kingdom with regard to a number of treaties that have been passed in the House. I need say no more, because everybody knows what I am talking about. [*Laughter.*]

Just as other Governments are created, parallel to and absorbing the Government of the United Kingdom in respect of this Parliament, so, with respect to Northern Ireland, there is the gradual absorption—some may think imperceptible—which is none the less relentless, through the continuing diminution, reduction and assimilation, provided by orders of this kind, of the government of the people of Northern Ireland into another constitutional status.

The Secretary of State knows this, because nobody with half a wit could fail to know it. It is very simple: it is going on. All the talk about the consent of the people of Northern Ireland will mean nothing when, bit by bit, gradually, by absorption, the government of the people of Northern Ireland is subsumed by orders of this kind.

11.48 pm

Dr. Norman A. Godman (Greenock and Inverclyde): The hon. Member for Stone (Mr. Cash) talked about difficult territory. The implementation of devolution puts

[Dr. Norman A. Godman]

us into difficult territory, because it is new territory for many of us. The hon. and learned Member for North Down (Mr. McCartney) talked about the erosion of the citizenship of pro-Union citizens in Northern Ireland. He was, if I may say so, using extreme language.

We must remember that the principle of consent is the linchpin of the establishment of democracy and the Assembly in Northern Ireland. Whatever the hon. and learned Gentleman may say, that holds fast, just as it holds fast for Scotland. If a majority of the people of Scotland said that they wanted independence, this or any future Government would have to accept the will of the people. The principle of consent is very important. At least the hon. Member for North Antrim (Rev. Ian Paisley) emphasised the importance of the principle of consent in his opening remarks in what was, for him, quite a brief speech. We all share his revulsion for those who commit murderous acts of terrorism. We also share his revulsion for those who acquiesce in such acts of terrorism. It must be exceedingly difficult to sit down in a newly constituted Assembly with the apologists for such people—on both sides of the fence, incidentally. That cannot be easy for hon. Gentlemen opposite. It is in every sense difficult territory. But at least these people are in a democratically elected Assembly.

The right hon. Member for Upper Bann (Mr. Trimble) talked about custom and practice determining the question of the flying of the flag. Perhaps he will allow me to be facetious for a moment. The only time I see the two flags being waved almost side by side is at Ibrox or Parkhead when Celtic are playing Rangers. That is when we see it in Scotland.

The right hon. Gentleman says that the flying of the flag of the state should be a reserved matter and that this is a deficiency in the Northern Ireland Act 1998. I disagree wholeheartedly, because such a matter should be left to the devolved Assembly or legislature. I must admit that even though I took part in—

Mr. Grieve *rose—*

Dr. Godman: I do not have time to give way.

Although I took part in most of the debates on the Scotland Act 1998, I cannot remember whether the flying of the flag is a matter devolved to Scotland. *[Interruption.]* I learn that it is a devolved matter. I have visited the Scottish Parliament on a number of occasions, and I know one of its Members quite well, but I cannot remember whether I saw the saltire the last time I was there. We have people in Scotland who would like to see the saltire flying there, at the parliament of an independent Scotland.

Mr. Grieve *rose—*

Dr. Godman: Time is against me. The hon. Gentleman will have to accept my apologies for not giving way.

I wish to tell the right hon. Member for Upper Bann that I think tonight's debate is a precursor of a perhaps much livelier debate on a Bill that will come before us in the near future.

I also disagree with the right hon. Gentleman on police reform. If I had the power with regard to the design of a new police uniform, which is badly needed, I would change the colour from green to blue. Saying that may lose me a few votes among some of my Celtic supporters, but I believe that blue, not green, is the colour of a police uniform. However, I will not go down that road.

I agree with my right hon. Friend the Secretary of State that the order is needed. The Union is strong. The Northern Ireland people are, in every sense of the word, citizens of this United Kingdom, but I have to tell right hon. and hon. Gentlemen opposite that it is a Union that is changing quite dramatically. The Union to which some of them pay such undying allegiance has largely disappeared, with devolution to Scotland, Wales and Northern Ireland.

I disagree fundamentally with the right hon. Member for Upper Bann. As my right hon. Friend said, the Union flag remains the flag of the United Kingdom, and that is based upon the principle of consent. That must be determined by the representatives in the Assembly. If they fail to come to an acceptable compromise, I can well understand why my right hon. Friend feels that he needs the power to step in and sort things out, but it is better that the MLAs determine this than that we do it here in London.

Question put:—

The House divided: Ayes 240, Noes 8.

Division No. 198] **[11.55 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Atkinson, Peter *(Hexham)*
Austin, John
Barnes, Harry
Barron, Kevin
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Day, Stephen
Dean, Mrs Janet
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Golding, Mrs Llin

Gordon, Mrs Eileen
Grieve, Dominic
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hope, Phil
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Luff, Peter
McAvoy, Thomas
McCabe, Steve
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
MacKay, Rt Hon Andrew
McKenna, Mrs Rosemary
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Brien, Stephen *(Eddisbury)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Rendel, David
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

NOES

Beggs, Roy
Gorman, Mrs Teresa
McCartney, Robert *(N Down)*
Paisley, Rev Ian
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Swayne, Desmond
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. William Cash and
Rev. Martin Smyth.

Question accordingly agreed to.

Resolved,

That the draft Flags (Northern Ireland) Order 2000, which was laid before this House on 15th May, be approved.

Northern Ireland (Decommissioning)

12.6 am

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) (No. 2) Order 2000, which was laid before this House on 10th May, be approved.

The order appoints 21 May 2001 as the date before which the amnesty period identified in a non-statutory decommissioning scheme must end. The amnesty period is the time during which firearms, ammunition and explosives can be decommissioned in accordance with the scheme, thereby attracting both the amnesty and prohibitions on evidential use and forensic testing of decommissioned items provided by the Northern Ireland Arms Decommissioning Act 1997.

Section 2 of the Act requires that a scheme must set out the amnesty period and that it must end before 27 February 1998—the first anniversary of the Act's passing—unless the Secretary of State, by order, appoints a later day. Three such orders have already been made. Under that made in February this year, the amnesty period will expire at midnight on 22 May.

The purpose of this order is to extend that period until midnight on 20 May next year. When I last spoke to the House on this subject, three months ago, to seek approval for a further extension of the amnesty period, the political process had just experienced a significant setback. As a result of the lack of substantive progress on decommissioning and consequent decline in confidence in the institutions, my right hon. Friend the Secretary of State had no option but to suspend the Assembly and Executive on 11 February.

However, if a week is a long time in politics, three months is almost an eternity. Those three months have involved a great deal of hard work on the part of many people, not least the right hon. Member for Upper Bann (Mr. Trimble), as a result of which the political climate is now vastly improved. The details of those improvements were brought to the attention of the House by my right hon. Friend the Secretary of State last week, and of course were touched upon in the previous debate.

However, it is appropriate in the context of the order before us today to draw attention once again to the significance of the statement issued by the IRA last week. I believe that it holds out the very real prospect of progress on decommissioning. In its statement the IRA says that

the IRA leadership will initiate a process that will completely and verifiably put IRA arms beyond use.

That is the first time that it has made such an undertaking. It is making its arms dumps available to outside inspectors. That is unprecedented, and it makes this order even more important.

Without the extension, progress on decommissioning will simply not be possible, whatever commitments are made by the IRA or any other paramilitary organisation. To continue to fulfil our commitments under the agreement, it is essential that we extend, through the order, the period during which an amnesty is provided in respect of offences that might otherwise be committed in the course of decommissioning in accordance with a decommissioning scheme.

The confidence-building measure announced by the IRA last week is the first step in a process that will lead to arms being placed completely and verifiably beyond use. The IRA will re-engage with the Independent International Commission on Decommissioning to take that forward. To quote from the IRA's statement again, it said:

We will resume contact with the Independent International Commission on Decommissioning and enter into further discussions with the commission on the basis of the IRA leadership's commitment to resolving the issue of arms.

That is what the decommissioning Act required. Precisely how and when that should take place is a matter for the IICD.

However, the British and Irish Governments asked the IICD, as set out in a joint statement of 5 May, to consider whether there are other possible decommissioning schemes that would offer it greater scope to discharge its basic mandate effectively. I should emphasise that that does not in any way affect the commission's basic mandate, including the definition of decommissioning under which it operates. In short, that is not a departure from the decommissioning Act. Indeed, it is wholly consistent and compatible with what was envisaged under the Act. I shall briefly expand on that point.

The decommissioning Act, which was passed under the previous Government, set out four options for decommissioning arms and provided for more to be created if necessary. That Act also says, in effect, that arms can be destroyed or made permanently inaccessible or permanently unusable. If other schemes are proposed to or conceived by the IICD, the commission would be required to consult the two Governments. If the two Governments were satisfied with the proposals, they would introduce the necessary schemes in each of the two jurisdictions.

The understanding is that the confidence-building measure will involve the securing of arms in separate dumps, which will be inspected by independent third parties: former President of Finland, Martti Ahtisaari and Cyril Ramaphosa, former general secretary of the African National Congress, who will of course report to the IICD. The Government are obviously most grateful to those distinguished figures for taking on that crucial task.

The two inspectors visited London and Belfast yesterday for an initial round of discussions. In Belfast, they met the IICD to discuss how they will be taking forward their important roles. The Government have every confidence that they will carry out their task with the highest standard of professionalism, ability and integrity. Their visit indicates the speed with which we are moving forward. It also demonstrates the real nature of what has been offered by the IRA. We are no longer dealing in words or intentions, but in actions that represent real progress.

As my right hon. Friend the Secretary of State has already informed the House, we believe that those developments are hugely significant. We are confident that we should be able to restore devolved government to Northern Ireland on a lasting basis. This Government are committed to both devolution and decommissioning. The order is essential to ensure the conditions to make decommissioning happen. I commend it to the House.

12.13 am

Mr. John M. Taylor (Solihull): After the 23rd of this month, the amnesty for decommissioning will come to an end, and with it, of course, any facilitation of decommissioning or surrendering of weapons. We on the Opposition Benches have always taken a position supportive of the Belfast agreement in its entirety. Decommissioning remains an integral part of that agreement, although I am bound to say that in more recent exchanges I have heard the word "deactivation" spoken of with approval by my right hon. Friend the Member for Huntingdon (Mr. Major) and the Secretary of State. However, whether it is decommissioning or deactivation, it is an integral part of the Belfast agreement and we must continue to stand in earnest hope of it. That being so, we must allow the proposed extended amnesty. The official Opposition will support the Minister.

12.14 am

Mr. John McFall (Dumbarton): I am delighted to support the order. On 6 May, for the first time, we had a statement from the IRA, not from Sinn Fein; that fact was recognised by the right hon. Member for Strangford (Mr. Taylor) when he spoke in the House last week. For the first time, the IRA is speaking on its own behalf, and it has said that it will put its arms beyond use.

My right hon. Friend the Minister of State mentioned the 1997 Act, introduced by the previous Government. We have been talking about decommissioning for five years or more, and that talk has bedevilled the making of progress. Whatever we call it, we all want to ensure that the arms are put beyond use and lives are saved. With good will from all sides, the process with which the order deals will ensure that happens. That is why it should be welcomed.

I am especially pleased that the confidence-building measures include the recruitment of two distinguished international statesmen, Mr. Ahtisaari, the former president of Finland, and Cyril Ramaphosa. Those two individuals, especially the latter, have learned about conflict and conflict resolution in their own society. Conflict resolution worked with a conflict as deep and as widespread as the one in South Africa, and it will work in Northern Ireland.

These events take place against the background of the operation of the ceasefires declared in 1994. To put it bluntly, that has meant that, since 1994, hundreds of lives in Northern Ireland have been saved. There are people walking about in Northern Ireland today who would not be doing so had the ceasefires not been in place—that is reality. Everyone in the House should be saying three cheers for ceasefires—three cheers for ensuring that more of our citizens live a decent life and have a prosperous future. That is the sort of society we want and everyone entering the negotiations should have that goal in mind.

Whether or not we are of a cynical disposition, we should rejoice in the fact that lives have been saved. At the weekend, Martin McGuinness made a significant statement on the "Jonathan Dimbleby" programme. He said that, irrespective of whether or not the Executive was resumed, the arms verification process would continue. That is cause for optimism.

Sure, we have travelled a long road and, sure, there are people who remain cynical, but, as one who served for a short time as a Minister at the Northern Ireland Office, I have witnessed the transformation of Northern Ireland's society. I know what the people of Northern Ireland want—they want the same things as the rest of the people in the United Kingdom want. They want good education facilities, good health services, and good prospects for themselves and for their families. That message was repeated daily in my ministerial briefings.

I conclude by mentioning Senator George Mitchell. In his autobiography, he said that he hoped one day to return to Northern Ireland with his young son, to traverse the hills and glens and, on a rainy day, to go to the Visitors Gallery in Stormont and from there watch the politicians of Northern Ireland debate the real issues of Northern Ireland. Those issues are the economy, agriculture, transport and health. The order contributes to the realisation of his vision, and I wish it well.

12.19 am

Mr. Lembit Öpik (Montgomeryshire): It is not surprising that we are keeping the flag flying on decommissioning at such a late hour. We always seem to discuss such issues after midnight. However, consideration of the order is a source of encouragement, not least because of the statements that have come directly from the IRA. That is so significant. We are finally getting statements from the people who are in a position to fulfil the commitment to decommissioning. The quotation that was read out by the Minister, stating:

> the IRA leadership will initiate a process that will completely and verifiably put IRA arms beyond use

is the crucial indication that we are moving forward from the deadlocks that we have experienced previously.

We welcome the order and congratulate the two Governments, as well as the political parties in Northern Ireland, on the progress made, particularly in the past couple of weeks. I especially welcome the statement from the IRA about putting the arms beyond use, because it is becoming less conditional. That is a significant step forward. In some ways, the IRA is moving in directions in which it seemed reluctant to move in 1999. It seems to be a firm commitment.

As the hon. Member for Dumbarton (Mr. McFall) said, Martin McGuinness's statement on the "Jonathan Dimbleby" programme gives the indication that regardless of what else happens and what blockages occur, the IRA is serious about playing its part in the peace process.

It is good to welcome the former Secretary General of the African National Congress, Cyril Ramaphosa, and the former President of Finland, Martti Ahtisaari, to Northern Ireland. It is significant that that process is independent and that they will report to the Independent International Commission on Decommissioning.

The order is a little more realistic than the one that was passed in February. Given the amount of armaments involved, it will take time to put them beyond use, and considerable time to inspect the arms dumps and determine that they are secure.

Mr. Roy Beggs (East Antrim): I thank the hon. Gentleman for giving way. Does he not recognise that only the possibility of three dumps being supervised is on offer? We do not know how much will be in them, but many more will be unsupervised and accessible to the other elements that have broken away from the IRA to carry on their terrible deeds.

Mr. Öpik: I have no doubt that the hon. Gentleman is correct. There is always a level of risk. One of the crucial

[Mr. Öpik]

points made in the earlier debate is that the risk must be balanced. There is no such thing as certainty in politics. At some point, one must say that the risk is sufficiently low to justify some degree of good faith from us in the Chamber.

All of us must make our call on whether the level of risk is sufficiently low to justify that faith. For me and for the Liberal Democrats and, I guess, for the Government, the risk is sufficiently small to justify our proceeding at this stage. History will prove us right or wrong. I believe that the greatest crime would be to impose barriers of uncertainty—barriers based on an assumption of failure. The Secretary of State has said many times that he does not plan for failure; he plans for success. This is one of the occasions when we must translate those words into action, which in my view means encouraging the process in Northern Ireland to go forward in the way that the order facilitates.

Most importantly, we must reciprocate the strong and clear statement expressed directly by the IRA that it does not intend to be a barrier to the peace process henceforth. That is a matter not of principle, but of judgment. My judgment is that we probably have enough assurances to take the IRA seriously.

On a related point, if only some dumps are inspected, the IRA and the splinter groups will have access to weapons. We have always known that. Even if every gun and bomb was decommissioned tomorrow, they could always buy more. Just as we all accepted that the previous order was based entirely on the importance of symbolism, which is strongly felt, it is incumbent on us to recognise that this order is based on symbolism as well, though obviously it relates to weapons rather than to flags.

Mr. Desmond Swayne (New Forest, West): Does the hon. Gentleman accept that we are discussing more than symbolism? We are considering reality. Arms in a dump, however often it is inspected, can potentially be used at some stage. A weapon therefore continues to be held over democratic politics. Such dumps are, in some sense, a form of blackmail.

Mr. Öpik: Perhaps in some sense, but that is a melodramatic interpretation of a rather stable situation. The hon. Gentleman is entitled to believe that the risk is too great to support the order, but I hope that most hon. Members are satisfied that the clear, unequivocal statements of the IRA are genuine and can be accepted.

In a recent debate on Northern Ireland, I said that our discussions, comments and decisions in the House are not passive; they directly influence the process. If we take the right action here, the right outcome is more likely.

The process is about arresting not those who hold guns, but violence. We have held that debate on previous occasions when we discussed the amnesty. We are beginning to progress from a rather narrow definition of decommissioning to a more balanced and reasonable definition of deactivation. It is not decommissioning that matters, but the fact that the guns and bombs are no longer used.

It is important that people do not get killed for a cause in Northern Ireland. That can be achieved now; violence can be replaced by political debate. I believe that if we approve the order tonight, we effectively rubber-stamp another year of peace in the Province.

12.27 am

Mr. Ken Maginnis (Fermanagh and South Tyrone): The hon. Member for Dumbarton (Mr. McFall) said that decommissioning had been a troublesome word in the past five years. It is troublesome because decommissioning, or disarmament, has not been achieved, not because the need for it and its verification does not exist. I am pleased that the decommissioning commission, headed by General de Chastelain and his two colleagues, will be kept in place for a further year. That is important for several reasons.

First, whether or not we want to make perverse political points, it is generally acknowledged that the IRA had no intention of rolling over, putting its feet and arms in the air and allowing us to tickle its belly. It intended to maintain its stance of "not a single rusty bullet" for as long as it was viable in its terms. However, over the years that we have worked to move Northern Ireland to more peaceful times and to create a democratic process, with which Northern Irish society can identify, there has been a general realisation—it has not totally gripped the IRA or loyalist paramilitaries—that illegal guns and organisations cannot exist side by side with true democracy and peace. That is the crux of the matter.

Whether it is acknowledged or not, we have been assisted by the national and international reiteration of that point of view. It is all very well to be sceptical about a president here, a past president there or a general somewhere else, but that reiteration has had an overall impact throughout the island of Ireland. People have come to the point of view that we advocated five, six, seven or eight years ago: disarmament and the verification of that process have to take place.

I shall not be terribly disturbed if somebody plucks a euphemism from the air and puts it in place of my term—disarmament—and my requirement for verification, nor shall I worry about what term is used. I shall not worry as long as the process moves forward. I have an expectation that arises from the unique statement by P. O'Neill, although I do not know whether I am right to do so. Perhaps the Secretary of State or the Minister can tell me. The IRA referred not to some of its arms, but to "our" arms. I expect that to mean all its arms—*[Interruption.]* The hon. Member for Macclesfield (Mr. Winterton) makes a remark from a sedentary position. I shall give way if he wishes.

Mr. Nicholas Winterton (Macclesfield): If the hon. Gentleman believes that the IRA will make all its arms available for inspection, he is living in cloud cuckoo land. I did use another word, which was fool.

Mr. Maginnis: The hon. Gentleman abuses me, but I shall not react to that. Some people probably considered me to be a fool during the years in which I put on a uniform and faced up to terrorists. Perhaps people such as me were also considered to be fools because we faced up to the reality of death for the benefit of society, our children and their future.

I was referring not to what I believe the IRA will do, but to what I would expect it to do on the basis of the statement. I expect—I require, if that pleases the hon. Member for Macclesfield more—"our" arms to mean all its arms. Mr. Ahtisaari and Mr. Ramaphosa must be able to inspect the dumps in which those arms lay. The fact that P. O' Neill has drawn those two people into the

equation leaves the IRA open to criticism. Let us forget its terrorism for a moment. The whole raison d'être of its members as republicans—people with a political aspiration—would be held up to international ridicule if this step forward, and it is only a step, was seen to be a cod or a deceit. By continuing the international commission's work, the House will say that, ultimately, we require nothing short of decommissioning, or disarmament as I like to call it.

If the interim confidence-building measure is to have any meaning for us, Mr. Ahtisaari and Mr. Ramaphosa must have access to the sort of information held by the commission. We are assured by General de Chastelain that they will have the co-operation of the commission on one issue in particular: the quantity and type of weapons. How can the verification of the two inspectors have any meaning if they do not understand the volume, or quantity, of arms that they must inspect?

I ask the Secretary of State and the Minister to ensure that one thing happens that did not happen in January. When reports are presented, Mr. Ahtisaari and Mr. Ramaphosa will present a report to the Governments, through the commission, and the commission will present reports to the Governments. Will the Minister reassure me that there will not be a hiatus such as the one that we saw in January, when a report was suppressed and the commission's credibility was diminished—I hope only temporarily—because the Government had suppressed that report?

Mr. Ingram: I can give the hon. Gentleman the assurance that he seeks—the assurance that was given to his right hon. Friend the Member for Upper Bann (Mr. Trimble) in a letter from my right hon. Friend the Secretary of State.

Mr. Maginnis: I am grateful to the Minister. I was aware of that letter, but I wanted it to be put on the record.

I have never expected us to achieve all that we hope to achieve—to put right every wrong and every injustice that has occurred. How can we put right some of the injustices of the past 30 years? I believe, however, that we can at least impose such an obligation, and create such an atmosphere among the vast majority of people—with the support of the nation and the international community—that sooner or later we will achieve the ultimate objective. Gone are the days, I want to believe, when "Not a single rusty bullet" was what we heard in response to the requirement of our society that illegal weapons and illegal organisations should become a thing of the past.

12.38 am

Mr. Harry Barnes (North–East Derbyshire): It is a pleasure to follow the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who made an important speech. Unusually, I wish that he had spoken for longer in the same vein. He often makes lengthy speeches when I think that he should be more succinct. The hon. Gentleman was clearly not being soft on the IRA, but wanted to use, extend and develop the current position to secure the objective that he had had all the time.

I appreciate that aspects of Unionism will involve reservations and concerns about the current situation. After all, decommissioning was supposed to have happened by about now—the complete disarmament referred to by the hon. Gentleman. Instead of that, however, at the time by which that should have been achieved the re-establishment of the Executive is taking place. That is not to say that I am against the re-establishment of the Executive, but it was a demand made when the Executive was suspended, particularly by Sinn Fein. Therefore, in a sense Sinn Fein has got the Executive going at a time when complete decommissioning should have taken place.

The other thing that must worry Unionists is that we are extending the order. They have been through that on many occasions in the past: we had direct rule after direct rule extended year by year. There is always something unsatisfactory about measures of that nature, but the order, like the suspension of the Executive, is something that I support entirely. Those measures seem to have been entirely essential in the circumstances that surrounded them. They were essential both for the peace process to take place and to go forward.

I disagreed with one aspect of what the hon. Member for Montgomeryshire (Mr. Öpik) said about what would happen if arms were finally put out of use. He believed that, to some extent, it was a symbolic move that had to take place. It is much more significant than that. Once numbers of arms are put beyond use and destroyed, the situation of the IRA will be entirely different.

It is not a matter of the IRA just going around and buying a few more guns to replace those weapons. It must be mobilised and organised to do that. How would it do it? Extra finances might need to be raised. Its members would be told to rob more banks. They would say, "What are you telling us to do? To rob more banks after you have just given the guns away, which now need to be replaced?" Therefore, I think that the move is of great practical significance. Getting to a situation where weapons begin to be out of use, to be controlled and to be contained is of significance to the whole psychology and attitude of the IRA.

Therefore, the IRA statement is of deep significance to that organisation. It is an admission that the arms struggle is to end. It should have gone further; it will need to do so. It will need to be pressed and pushed, but a big, significant change has taken place. We must grab hold of it and seek to develop it. We need the loyalist paramilitary organisations to follow that particular path quite quickly—to follow at least the proposals that the IRA is putting forward. We need them to begin to go beyond that and even to talk about disbanding. That is the logic of the IRA putting arms out of use.

If a paramilitary organisation does not have its arms to draw on, it is changed entirely. Will it change into something else, or will it disappear? It should disappear. Then, if people want to get into the political process, they will do so through their political wing—within Sinn Fein—hopefully acting entirely legitimately and democratically, or getting used to acting legitimately and democratically, with a sea change over time in their approach and attitudes.

The dynamic of the inspection will be quite important. The reports that will be produced, the pressure that that will put on the IRA and, generally, on the development of the political process, is very important. The whole future really depends on the reports that are being produced and on related developments. The process takes on board and develops the bread-and-butter issues that are

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important in Northern Ireland politics, and it will be bedded in as long as we have the reports confirming that arms are beyond use.

We are now within sight of fruition of the Belfast agreement—which is on track, despite the time-limit problems that I mentioned. However, we must always be alert to the fact that much more has to be done. We shall have to address the issues of intimidation, people being forced into exile and the need for the general disintegration of paramilitary activity, including the type of activity—in which it engages on estates—that can perhaps be characterised as IRA plc and from which it benefits financially very much.

There is also always the possibility of paramilitary splits. I hope that such splits will be made into ever smaller groups, over which the authorities can take control, and over which political control may be exercised by an Executive that is up and operating in Northern Ireland.

12.46 am

Mr. Peter Robinson (Belfast, East): There are not many words in the order that we are considering, but regardless of how much we scrutinise those words, we will not see in them the real reason why the order has been introduced. It has been introduced because of the folly of those who told us that the Belfast agreement had within it a requirement to decommission. Among those people were the leader of the Ulster Unionist party, the right hon. Member for Upper Bann (Mr. Trimble), and no less a person than the Prime Minister. Both of them told the House and the people of Northern Ireland that there was an absolute requirement for decommissioning and that things would not happen unless decommissioning occurred. However, those things did happen.

Prisoners were let out of jail, but no decommissioning occurred. Police were put on the altar for destruction, but no decommissioning occurred. All-Ireland bodies with executive power were established, but no decommissioning occurred. The representatives of unrepentant and armed terrorism got into government, but no decommissioning occurred.

The date specified in the Belfast agreement envisaged the completion of decommissioning. Now, we are talking about extending that date without even having seen the start of decommissioning. The order therefore represents the folly of those who were suckered by the IRA's representatives into believing that, in exchange for the concessions that they made, they were going to get something in return.

Today, we have already heard in the House of the willingness of that same group of people to be suckered yet again—to delude themselves into believing that what the IRA has said amounts to decommissioning. It does not. There is nothing in the IRA statement that meets the terms of decommissioning as stated in the Northern Ireland Arms Decommissioning Act 1997.

The 1997 Act required the destruction of weapons and—just as the Minister said—there are four ways of doing that. However, when he went further and gave an interpretation of that—that destruction includes making permanently inaccessible or permanently unusable—he should perhaps have paused a little longer at the word "permanently", because it is absent from anything that is within the IRA statement. All it talks about is "putting beyond use"—but what does that mean? It is not interpreted in its statement. It has also not been interpreted by the representatives. However, people in this place feel themselves fit to interpret it as meaning decommissioning under the terms of the 1997 Act.

We might have thought that, with all the sorry experience that they have had of being made fools of by the IRA, those people would hold their tongues a little longer before preaching to the people of Northern Ireland that what they are now being offered by the IRA is anything close to decommissioning. It is not. Once again, the IRA is trying to put the issue on the long finger and get back to government, still perpetuating the illusion that somewhere down the line we may get decommissioning. After all this time, I would have thought that the House would look more carefully at the Act that it passed.

The weapons will be permanently inaccessible, but to whom? Inaccessible to the IRA, one might have answered a few weeks ago, but under the IRA's statement, its members are the only ones who will have access to their arms—they will not be inaccessible to the terrorists. The statement also says that the weapons will be permanently unusable, but unusable by whom? By the IRA, one might have said, but the IRA's members will be the only people who will be able to use them, if they so choose.

The so-called confidence-building measure involves allowing two individuals approved by the IRA to inspect some of its arms dumps. The intelligence services say that there are more than 20 major arms dumps and hundreds of arms hides for the more operational weapons. It is envisaged that the IRA will allow people to look at three of them—not even necessarily the three largest. Are the logistics of that inspection to be given to the international body? They will certainly not be given to the security forces. The fact that three of the IRA's arms dumps will be inspected by two of its friends is supposed to be a great confidence-building measure that will assure the Unionist community that these people are genuine. The House can be certain that that is what the IRA envisages by putting its weapons beyond use.

The Government and those who negotiated the Belfast agreement can no longer dangle in front of the people of Northern Ireland their claims of what they would get in return for their votes, because the community no longer believes them. The people have been fooled once, but they will not be fooled again.

Before the Liberal Democrat spokesman, the hon. Member for Montgomeryshire (Mr. Öpik), talked about a stable situation, he might have thought of all those who are still victims of the weapons that the IRA claim it is going to put beyond use. The situation is far from stable. Mr. McGuinness—an army council member of the Provisional IRA and a leading Sinn Fein negotiator—tells us that he is prepared to allow those who carried out the most dastardly event in terrorist history in Northern Ireland to get away with their crime. He has said that he does not recommend those people to give the Royal Ulster Constabulary any information that they have. We are supposed to put our trust in this person, who is a leading member of the IRA army council. On the basis of those who have spoken, that is what the House is asking us to do. The people of Northern Ireland, particularly the Unionist community, will not tolerate their representatives

accepting the word of IRA terrorists as bona fide or regarding them as capable of keeping the promises that they interpret them to have made.

The order would allow the Provisional IRA to string along the political process for a further year to get more concessions from the Government and from weak Unionists. I am glad that the overwhelming majority of the Unionist community in Northern Ireland is no longer suckered by the process or torn by those who invited them to embrace it.

12.55 am

Mr. Michael Connarty (Falkirk, East): I think that a short television programme of the previous three speeches should be shown to everyone in Britain and in the island of Ireland. I defer to many hon. Members in their knowledge of Northern Ireland, in their commitment to it and in their hard work on its behalf. Labour Members, such as my hon. Friend the Member for North–East Derbyshire (Mr. Barnes), have tried to untangle the difficulties of the situation, but the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) also demonstrated the extent of his strength of feeling and commitment, which have grown out of his long history of fighting terrorism in his part of the United Kingdom. He is clearly prepared to look forward to a better future and, little by little, to take some matters on trust—although obviously he will take what is said in the course of progress with large doses of salt and suspicion.

However, the House then heard the poisonous comments of the hon. Member for Belfast, East (Mr. Robinson), who said that the former President of Finland and the former ANC general secretary were two friends of the IRA. That was the level to which he fell, as a reading of his speech will show. The hon. Gentleman is so out of touch and full of bile that he has nothing to contribute to the debate any more.

I listened to what the hon. Gentleman said. It was the cheapest—

Mr. Peter Robinson: He spoke at an IRA rally.

Mr. Connarty: I have never spoken at any such rally. Does the hon. Gentleman want to intervene?

Mr. Robinson: I did not say that the hon. Gentleman spoke at an IRA rally. I said that Cyril Ramaphosa spoke at a Sinn Fein-IRA rally.

Mr. Connarty: Given Mr. Ramaphosa's background and the work that he has done in southern Africa—where reconciliation and peace have been the way forward out of the darkest times of apartheid—I am sure that he had much to say to the people who attended that rally. Perhaps what he said led them to make the statements that have been made in the past few days.

The hon. Member for Belfast, East has cheapened the debate by playing for votes. I was watching him as he spoke, and it was clear that he was not talking about the peace process. He was trying to win votes from the Ulster Unionist party, which enjoys the support of the vast majority of Unionists in Ulster. That sums up his view of what this debate has been about. He is interested only in cheap vote-getting. I hope that the people of Northern Ireland eject him from his seat for adopting that approach.

I hope that the order will be accepted without a Division, although I accept that that is unlikely, given the vote that was held on the previous order. My right hon. Friend the Secretary of State has often been said to work on the dark side of the political process, but I consider that he has been playing with the bright sciences of politics in working to achieve the geometrically possible, and vital, task of squaring the circle of the Northern Ireland dilemma.

I supported the Act that set up the Northern Ireland Assembly, but opposed any attempt to set timetables, on the ground that they were precipitate. When the Assembly came to be suspended, I opposed the Government as I considered that suspension to be a precipitate act. The Government believed that the suspension would have benefits for the internal processes of the Ulster Unionist party, which they considered to be necessary.

I thought that I was being consistent, but my right hon. Friend the Secretary of State was being pragmatic. As a result of the suspension, we gained some space. The statement from the IRA is one of the most significant that has been made. People who refer to the Northern Ireland Arms Decommissioning Act 1997 as the position from which there must be no deviation may not feel that the IRA statement is significant enough, but I agree with my hon. Friend the Member for North–East Derbyshire, who said that the significance lay in the fact that it was the IRA speaking.

In a meeting elsewhere in this building on the day when the 1997 Act was being debated, I accused Martin McGuinness of being a schizophrenic politician. I said that the position that he occupied meant that he could say, at one and the same time, "You're not talking about me because you're talking about the IRA", and, "You can't talk to me because you have to talk to the IRA—but the IRA says this, through my mouth." Now the IRA has said something in its own right. It has said that it will put its arms beyond use, completely and verifiably. The IRA has said that, not Sinn Fein. That is a new element in the debate.

Mr. Robert McCartney (North Down): Is the hon. Gentleman aware that the leading positions in Sinn Fein and the IRA are held by the same people? Mr. Adams, Mr. McGuinness and Mr. Pat Doherty, the vice-president of Sinn Fein, are all known and recognised by the security forces to be three of the seven-man IRA army council. So when Mr. McGuinness speaks, he is speaking as P. O'Neill.

Mr. Connarty: That is the hon. and learned Gentleman's view of the information that he has. Whether it is true or not, it is significant that, as long as the Sinn Fein leadership said that it could not speak for the IRA and the IRA would not speak directly, there could be no agreement between the IRA and the political process. The difference is that the rubicon has been crossed. It might turn out to be a risk taken by the IRA and the Sinn Fein leadership to move the process forward, which might lead to fragmentation. My worry about suspending the Assembly was that, if the fragmentation was not small, but if large parts of the IRA, with weapons, broke off and joined other organisations, the resulting internecine warfare would kill people in Northern Ireland. It would not simply be a question of the IRA versus the IRA, but would probably involve lots of innocent people. I hope

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that that does not happen, but there is still a question over the political and military situation in Northern Ireland to be resolved.

I have no aim for Northern Ireland or southern Ireland in terms of whether they will end up being united or divided. I am a democrat. I spoke with the hon. Member for Fermanagh and South Tyrone at the launch conference of the Labour group of the Ulster Unionist movement for people interested in getting social reform on to the agenda. The three elements discussed were demilitarisation, democracy and the rule of law. We are moving steadily towards those three objectives. They may not be recognisable by people who see the process in terms that can be defined only by a 1970 perspective, but they are emerging, bit by bit, in Northern Ireland.

I will fight for the right of the people of Northern Ireland always to remain within the Union of the United Kingdom if they so choose. In that way, I am a committed Unionist. I come from a Catholic and a nationalist background, but I am a democrat. That is the fundamental base.

We have to move through this period, and part of doing so is passing the order to extend the Northern Ireland Arms Decommissioning Act 1997 for another year and, I hope, for further years to come. Decommissioning is restated by my right hon. Friend the Minister of State as making weapons permanently unusable. For me, that is what decommissioning is about. I saw the previous Government spike themselves on their interpretation of decommissioning as handing over weapons. When I heard the then Secretary of State for Northern Ireland, my right hon. Friend the Member for Redcar (Marjorie Mowlam), and the Prime Minister use the same terms in the early part of this Parliament, I thought that we would never be able to move beyond that impasse. I believe that we now have a formula that will move us through the impasse to a peaceful future.

I believe that the militarists' theory will rot on the vine, and that the guns will rust in the dumps. Extending the 1997 Act for a further year will give us time to watch that happen.

1.4 am

Rev. Martin Smyth (Belfast, South): I appreciate the opportunity of making a brief contribution to the debate. I understand the points made by the hon. Member for Falkirk, East (Mr. Connarty).

There is one point that I should like to clarify, because it has come up several times. I refer to the comparison between Northern Ireland and South Africa. In South Africa, they were all South Africans. They are still having problems because they did not deal with the issue of weapons, and many folk, black and white, are suffering accordingly. I likewise understand something of the arguments of the hon. Member for Dumbarton (Mr. McFall).

We are happy that there are people living today who might not be living if the bombs had continued to go off. On the other hand, there are others not able to walk around freely in Northern Ireland because of the continued terrorist beatings, whether by loyalists or republicans, in which weapons have been used—not simply crowbars and baseball bats, but even guns. The cries that I have heard from those within the nationalist community, as well as those within the loyalist or unionist community, are that we have to deal with that situation.

One of the things that amaze me, especially with regard to hon. Members from Scotland and others in the House, is that we rushed to take legal weapons away from people after a lunatic shot children in Dunblane, and yet we do not seem to have the same passion for removing weapons from terrorists who are defying the country and two Governments, as well as the American Government.

In that context, I was speaking this morning to one who has laboured consistently with victims and others within Northern Ireland, right across the divide. He reflected the very point that the hon. Member for North-East Derbyshire (Mr. Barnes) made tonight. He told me that people from the nationalist community, including leaders of that community, are saying clearly, without any equivocation, that we have been giving too much to the provos, without putting pressure on them.

I represent Belfast, South, where one of those who previously had been active in republican terrorism is now calling himself the Northern Ireland Human Rights Watch. He has stated—this has not been refuted—that, although republican terrorists and paramilitary groups have said that people will not co-operate with the police, and that that is why the people are turning to the local provos to implement their mob law, the bulk of those who have been accused of social misdeeds have already been dealt with by the Royal Ulster Constabulary. People have been going to the police on those issues, but the argument is still going on in loyalist and republican circles that the gunmen on both sides are seeking to dominate their communities.

When we are extending this amnesty for another year it is salutary to ask ourselves how many weapons have been handed in and destroyed or put out of use in the last two years. To the best of my knowledge, there has been only a handful, from the Loyalist Volunteer Force.

There have been references to cynicism. Cynics in Northern Ireland are saying that the loyalist paramilitaries are not prepared to bring their weapons for destruction because they do not have that many; they have spent most of the money from their rackets to live a high life. It must be recognised that at times what seems to be cynicism is not cynicism, but realism. Maybe sometimes the House needs a dose of realism before starting to go down roads of dreams or fancies.

There are those of us who want peace, but we will never have true peace as long as we continue to allow terrorists, of whatever hue, to run rings round democratic governments and put pressure on democratic Members.

1.9 am

Mr. David Winnick (Walsall, North): I have always taken the view that more important than decommissioning was the political decision by the IRA that it could not achieve what it had set out to achieve—a united Ireland—through violence and terror. To me, that was the most crucial decision of all. I hope that there will be no reversal by the IRA.

Decommissioning is important. It is important to bring about in Northern Ireland a society in which arms are not in the possession of paramilitaries of any kind, be they

republicans or loyalists. The IRA statement is to be much welcomed; it is a step forward. Since the IRA ceasefire, Sinn Fein has said that it cannot speak for the IRA. Of course, we know that there is a close link between IRA and Sinn Fein, but IRA has spoken clearly. Whatever one might say about that organisation—I have never been reluctant to condemn its violence, as hon. Members will know—when it says that it will do something, it normally does so. So I have confidence that the IRA statement is genuine and that the IRA is willing go along the path that it has outlined. That is why I welcome the order.

Reference has been made to the fact that the IRA has not given up its basic objective. However, have we not always argued in this place that it is perfectly legitimate in Northern Ireland to campaign for a unitary state? People in Northern Ireland have as much right to do that as those who argue that Northern Ireland should be part of the United Kingdom. However, we have said that it is wrong to try to bring about a united Ireland through terror and violence. Parliament has been unanimous about that for more than 30 years. Despite all our differences on domestic issues, we have been unanimous that we would not give in to terror and violence, and we have not done so. That fact should always be borne in mind.

In a bitter and negative speech, the hon. Member for Belfast, East (Mr. Robinson) demonstrated that, like his party, he is wholly opposed to the Belfast agreement. He is perfectly entitled to hold that view. However, when we listen to him, to the leader of his party, the hon. Member for North Antrim (Rev. Ian Paisley) and to the hon. and learned Member for North Down (Mr. McCartney), we should bear in mind that they do not want the implementation of the agreement. They were against it from the beginning. They do not want an all-inclusive government in Northern Ireland; they believe that to be wrong and inappropriate.

However, we—the vast majority of Members—believe that, given the traditions of Northern Ireland, the best and most effective means for good government is to bring the two communities together. That is what the Belfast agreement is about. I want to see an end not only to the terror and violence, but to punishment beatings—to which my hon. Friend the Member for North–East Derbyshire (Mr. Barnes) referred—whether carried out by republicans or loyalists. Such beatings are unacceptable on the mainland; they should be unacceptable in Northern Ireland. I hope there will be a decrease in, and then an end to, those beatings, which demonstrate such brutality and indifference to the rule of law.

I conclude my brief remarks by pointing out that, undoubtedly, a huge majority in Northern Ireland was for the Belfast agreement. If people on the mainland had had a vote on the Good Friday agreement—if there had been a referendum in this part of the United Kingdom—there would have been an even larger majority for its implementation than there was in the Irish Republic. That is the way forward in Northern Ireland. I hope that that will lead to a guaranteed peace, and that violence and terror will come to an end so that people in Northern Ireland can live the same sort of life as those of us on the mainland—a life without the fear of being killed or tortured. It is because I believe that the Belfast agreement is the way to bring that about that I hope that it will be implemented, and that the situation in Northern Ireland will be very different from that which has prevailed during the past 30 years.

1.14 am

Mr. Robert McCartney (North Down): It has been said that there is a very fine line between blind optimism and complete foolishness. Much of what has been said in support of the proposed order verges on the latter.

The hon. Member for Falkirk, East (Mr. Connarty) made a quite unprovoked and personal attack on the hon. Member for Belfast, East (Mr. Robinson). We have heard suggestions that an overwhelming majority of people, particularly in the pro-Union community, voted for the agreement. It is true that, in the referendum, there was, perhaps, a slight balance in the Unionist community in favour of the Belfast agreement. What brought that about? It was brought about by pledges given by the Prime Minister in his own handwriting that certain things would occur. One of those things was that decommissioning would have to be accomplished before representatives of Sinn Fein entered into an Executive.

Decommissioning has a long history. Each position on decommissioning that has been assumed by British Governments has been resiled from. Initially, under paragraph 10 of the joint declaration of December 1993, the representatives of terror were not to be permitted even into negotiations unless they had undertaken permanently to give up violence and to engage in the process of democracy.

The Conservative Government then took up the further position that, until there was an actual handover of weaponry or a proportion of weaponry—the so-called Washington three principle—there would be no prospect of Sinn Fein and other terrorist groups being allowed into negotiations. That position was resiled from.

We then had a promise that, if Sinn Fein were allowed into the negotiations—the previous Secretary of State for Northern Ireland repeated this ad nauseam—there would be a twin-track process and that, on the day on which a political agreement was reached and when that train arrived in the station, a train would also arrive with IRA weaponry. The Belfast agreement was reached and it was subsequently approved in a referendum, but not one single round of ammunition or one single ounce of Semtex was removed. However, as I have already said, prior to the referendum, it was suggested—indeed, it was promised and pledged by the Prime Minister—that decommissioning would occur. That pledge has been broken.

Then we had a seismic shift in July of last year and, currently, we have what is described as the great breakthrough—a new seismic shift. That does not amount to a hill of beans. The very first paragraph of the IRA statement makes it absolutely clear that there will be no lasting peace until its objective of a united Ireland is achieved. That is the first and most basic prior condition in this so-called IRA statement.

The second paragraph makes it patently clear that the Belfast agreement is considered to be only what the IRA and Sinn Fein have always claimed it to be—a transitional phase en route to Irish unity. That is Sinn Fein's phrase; it is not a Unionist phrase. It is Sinn Fein's description of the agreement. The second paragraph of this magical IRA statement makes exactly the same point. If the Belfast agreement is implemented in full according to IRA specifications, it can provide the political context in an enduring process—the so-called peace process—in which the causes of conflict can be removed and the potential

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for the end of the conflict provided. The IRA recognises the agreement for what it is—a transitional phase en route to Irish unity.

To what does the agreement, as a confidence-building measure, amount? The IRA will select, by location and contents, a number of its dumps—perhaps three—to make available to the two international inspectors, but those dumps will never be removed from its control. The dumps to be inspected will almost certainly represent only a tiny fraction of the IRA's total armoury, which will remain at all times immediately available.

The IRA goes on to say that if the British Government facilitate its demands, it will consider alternative modalities to those already laid out in the schemes that General de Chastelain was to supervise. At every point in the IRA statement there is a conditional clause. The fundamental condition is that, as long as the process continues to take the IRA irreversibly en route to Irish unity, its guns will remain silent. They will not be used, but they will not be destroyed or dispensed with. Why not? As long as the political process delivers the objectives for which the guns have been used, they will remain silent, but as soon as the process ceases to provide that irreversible thrust towards Irish unity, the guns will be available.

It has been suggested that people are cynical. I have lived all my life—64 years—in Northern Ireland. My son is married to a Catholic; I have full cousins who are Catholics; I have employed Catholics and I have been employed by Catholics and the Catholic Church. I have no objection to republicanism, although I do not share its views, or to nationalism, but I have a fundamental democratic objection to sharing power with gangsters, thugs and gunmen who threaten the principles of democracy with force. While the guns remain silent, their threat is none the less powerful.

A report in Dublin's *Sunday Business Post* said that the true basis of the IRA's agreement is that three or four weeks ago at Chequers, representatives of the IRA and Sinn Fein met the Secretary of State and the Prime Minister and made it clear that, unless their terms are accepted, there will be a renewed bombing campaign on the mainland during next year's elections.

I believe, as do many people in Northern Ireland, that the fundamental policy driving the whole peace process has little to do with political settlement in Northern Ireland; the imperative is to keep bombs off the mainland at any cost. That policy of appeasement will continue and will be leeched upon by the IRA. *[Interruption.]* I am sorry, but I do not share the optimism of other hon. Members. I sincerely wish that I could do so, but I think that it will prove to be misplaced. The order merely extends over years the time in which the representatives of terror can toy with the principles of democracy.

1.23 am

Mrs. Maria Fyfe (Glasgow, Maryhill): The hon. and learned Member for North Down (Mr. McCartney) has excelled himself by being even more negative than usual. I sometimes think that if he won the lottery, he would complain that the cheque was sent by second-class post. On a more serious point, it is easy to be cynical and doubtful, and it is also cheap, but it is important to find ways forward. It is extraordinary that any hon. Member can make a lengthy speech without once referring to the great gains that have been made in the past few years, which have been much more peaceful, allowing all the people of Northern Ireland to live in better circumstances.

To take up a point made by the hon. Member for Belfast, East (Mr. Robinson), when the IRA leadership said on 6 May that it would put arms beyond use—which it has never said before—it would have been easy to reply, "Does it mean it? How can we prove it?" I should point out that the IRA has been well aware of international criticism of its slowness in moving forward. People have asked, "Why doesn't it get on with it? What is the big difficulty?" It has been aware of that. If its actions were to turn out grudging or there were attempts to deceive the international inspectorate, it would lose credibility in the international community generally. So, having made such a statement, it has to be able to move forward.

People have been talking as if the IRA were one monolithic block of opinion, but none of us should underestimate the difficulties of the peace-mongers in the IRA and Sinn Fein in determining to move along the paths of peace. We should not underestimate what they would have been up against among some of their more hard-line colleagues in achieving such movement. It is therefore important to get behind the statement and to ensure that it is acted on.

I was wryly amused by the fact that, after commenting in the previous debate that, although over the issue of flags the SDLP would be in a difficult position, it was easy to predict that all parties would encounter difficulties over one issue or another, just a few minutes later the hon. Member for Belfast, East did his utmost to make life difficult for the Ulster Unionist leadership—not because he thinks that it is constructive to do so, but because it is simple vote-grabbing from another segment of Unionism. That is truly deplorable because the leadership of the Ulster Unionists has been extremely positive and deserves a lot of credit.

If the heart of the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) will stand it, I will say that I agree with much of what he said. His comments were very constructive. Yes, we must recognise that breakaway groups from the IRA will hold on to their arms, but we cannot hold the IRA responsible for the actions of such groups any more than we can hold Unionist Members in this Chamber responsible for the actions of loyalist extremists and breakaway groups. If we do not grab hold of this opportunity, there will be difficulty putting pressure on all those groups to come up with the goods and to follow the path of peace, which is obviously what the people of Northern Ireland want.

Earlier today, I listened to a little of the debate in another place, in which some extraordinary comments were made. One of their lordships said that the Minister was looking on the matter with rose-tinted spectacles simply because he wished to take up the prospect of moving forward which the IRA has opened up. A baroness whose name I did not catch questioned whether a Finn and a South African could do the job, which was an extraordinary thing to say. She asked whether the inspectors had ever seen Semtex or handled a gun. I should imagine, having been highly involved in the politics of South Africa over the past decade or two, they

most certainly had. Those are the sort of nonsensical arguments that one hopes not to hear, and we did not hear them in this Chamber.

It has been said that an unknown quantity of arms will be held by individuals on both sides. I do not know how much. I dare say that the police in Northern Ireland have a pretty good idea and could estimate the amount reasonably accurately. Clearly, we must consider that in future, because it is of course unacceptable to deal with arms dumps but leave vast quantities of arms in the hands of individuals, regardless of whether they are political extremists. There could be another madman like Mr. Hamilton in Scotland. The sooner that we take arms out of civil society the better—whether in Scotland, Northern Ireland or the United States. We need to move forward on getting rid of arms.

Question put and agreed to.

Resolved,

That the draft Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) (No. 2) Order 2000, which was laid before this House on 10th May, be approved.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

COMPANIES

That the draft Companies Act 1985 (Audit Exemption) (Amendment) Regulations 2000, which were laid before this House on 3rd May, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

Autism

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

1.30 am

Dr. Stephen Ladyman (South Thanet): I apologise to you, Mr. Deputy Speaker, to the Minister of State, Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), and to my other parliamentary colleagues for keeping you all here at this time of night. However, having apologised, let me point out that this week is autism awareness week, so it is important to highlight autism and the important issues surrounding the condition. I am therefore delighted to have obtained tonight's Adjournment debate.

I am especially pleased because on Monday evening, in the Jubilee Room off Westminster Hall, we held the public launch of the parliamentary all-party autism group, which I have the honour to chair. My hon. Friend the Minister has already addressed the group, and I am grateful to him for doing so. Its membership, which is still growing, includes more than 130 parliamentarians from all parties and both Houses. The group has received several dozen letters of support from parliamentarians who are not able to join, including members of all the Front-Bench teams and the Prime Minister himself. That is a remarkable display of support for a new specialist parliamentary group.

The group is being generously sponsored by the Shirley Foundation—it is proper to place that support on the record and to acknowledge the generosity of the foundation and its founder, Dame Stephanie Shirley. Also providing support and advice for the group is a team comprising people from the National Autistic Society, the Parents Autism Campaign for Education, leading academics, and other individuals with an interest in autism.

All those parliamentarians and strangers have come together because of their deep conviction that the causes and occurrence of and the support for autism require urgent review, and that such a review will reveal a need for the Government to increase the level of support available to autistic people. For the sake of clarity, let me state that, tonight, I shall use the word "incidence" to indicate the annual occurrence of autism within a given population, and "prevalence" to indicate the total number of autistic people in the population at any one time. "Autism" will be used to refer to the whole spectrum of autistic disorders, including Asperger syndrome.

There is a great deal of anecdotal evidence that the incidence of autism is increasing, and several studies by scientists of repute point to an increase. One such study suggested that, in one region of the United Kingdom, the increase in incidence might be as high as 25 per cent. compounded annually. In passing, I note that, in its 1998-99 annual report, the special educational needs tribunal reported a 360 per cent. increase in hearings related to autism during the preceding four years, making autism the second most common disability with which the tribunal deals.

Some of the perceived increase is, no doubt, because of improved diagnosis or a broader classification of autism. However, in my view and, more significantly, in the view of most of the experts to whom I have spoken, the

[Dr. Stephen Ladyman]

underlying incidence of autism is increasing and the apparent increase is not just the product of better diagnosis. Some factor is causing the increase. My hon. Friend the Minister will be aware that many parents and even some academics believe that the mumps, measles and rubella vaccine or other vaccines are responsible; most clinicians and scientists disagree.

I have written to several leading academics and some degree of consensus has emerged that an individual's potential to develop autism involves several genes, not one; and that different factors might be at work in establishing that potential. The expression of autism must be triggered in an individual with a predisposition towards it, and several different triggers may be involved.

The condition may arise, therefore, in different people as a result of different mechanisms. At this stage, there are several environmental factors, including the vaccination programme, that cannot be ruled out as factors for at least a subgroup of the population of people who have autism.

Given that complexity and the view in the scientific community, it must surely be the duty of Government to initiate studies that can finally decide the controversy. We need to answer the question, "Is the incidence of autism increasing?" If the answer is yes, we must isolate the factors that are at work.

It must also be the job of Government to ensure that support for autistic people is planned for. To do so, we must know the prevalence of the condition. On 14 January 1999, in a written answer to me, the Minister of State, Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), told me that his Department did not collate data in respect of the number of autistic people, but relied on local authorities to do so.

I can tell my hon. Friend that recent inquiries by individuals and voluntary organisations indicate that many local authorities do not collate that data, so we do not know, nationally or locally, how many autistic people there are. How can we plan adequately, when we do not know how many people we are planning for?

Let me summarise. We do not know how many autistic people there are and how many there will be. We cannot therefore be sure whether we as a society are doing something to cause the condition. We do not know whether we could reduce the incidence by doing something differently, by stopping doing something or by starting to do something. We cannot plan adequately for supporting autistic people, as we do not know accurately, locally or nationally, how many people have the condition.

We can make some estimates. A study by Wing and Gould carried out in Camberwell was published in 1979. Another study in Gothenburg by Ehlers and Gillberg was published in 1993. Using those studies, the National Autistic Society estimates that 91 in 10,000 people have conditions on the autistic spectrum.

At the launch of the all-party group on Monday night, Dr. Fiona Scott of Cambridge university announced her recent findings, which are to be published in *The Lancet* in the next week or two. They indicate that one in 175 children in Cambridgeshire is autistic.

Those are frightening figures. Some people with an interest in the condition have started to speak of an epidemic. The figures must surely concern and may even frighten the Government. The figures suggest that on average, every English and Northern Irish Member of Parliament has more than 800 constituents with an autistic spectrum disorder. Every Scottish or Welsh Member of Parliament must have more than 600 autistic constituents. Accurate figures are needed to plan support and care. The Government should initiate such research urgently.

If those figures alone do not frighten my hon. Friend, let me tell him the recent estimate of the cost of autism. The real cost of autism, we all know, is in heartache, but let us consider the financial implications. The average lifetime cost of supporting an autistic person has been estimated at £2.9 million. That excludes the loss to the economy as a result of autistic people who cannot live independently and earn their own living. The total cost to the economy is about £1 billion a year. Those figures should start appearing on the Chancellor's radar screen, never mind my hon. Friend's in the Department of Health.

If the condition were better understood and causal factors could be reduced, the costs could be reduced. If those who develop the condition receive early diagnosis and intervention, and if they get the right support and the right education package, diet and health care, many will make huge progress and will eventually be able to live independent and productive lives.

Mr. Bob Blizzard (Waveney): I am grateful to my hon. Friend for giving way. I agree with him about the importance of early intervention, but on the basis of inquiries that I have made in my area, following a number of case studies brought to me by a couple with an autistic child, I can tell him that early intervention is not taking place in my area because of the difficulty in recruiting specialist staff, the lack of co-ordination between various parts of the health service and between the NHS and the education service, and the failure of one body to take a sufficient lead in promoting early intervention.

Dr. Ladyman: My hon. Friend is absolutely right. One of my key points is that, without planning and co-ordinated work, there will be cases such as my hon. Friend described in every constituency and every hon. Member will come across constituents in exactly that predicament.

We need good planning. However, without accurate data, it is difficult to ascertain how we can achieve that. Diagnosis and treatment are patchy at best, and regional standards are highly variable. Best world practice should be identified and used throughout the United Kingdom. If diets or nutritional supplements are shown to have benefits, the National Institute for Clinical Excellence should say so, and health authorities should make them available on the national health service.

Educational provision is often poor and inappropriate. People with Asperger syndrome are often very bright but they are treated in the same way as those with profound learning difficulties. Many parents have to fight like tigers to have their children statemented and to find an appropriate school place.

One of my constituents was in a mainstream school until he was bullied. He was transferred to a special school, where he had a violent episode, which was almost certainly the result of the upheaval. He was excluded and is no longer acceptable in any school. He is effectively a prisoner in his own home. That is true not only of him but of his parents because they have to stay at home and look after him.

Best practice must be identified and implemented throughout the United Kingdom. I am pleased that the Government have already been involved in setting up a working group to establish and disseminate best practice on education for autistic children. However, there is a long way to go.

Residential provision for school children and autistic adults is often far from family and of variable quality. We must make sure that high quality provision is plentiful and available. Local government has statutory responsibility to provide for the care of autistic people, but the care is often unplanned and of poor quality. If local authorities do not even count the people they care for, how can they plan it adequately?

Regional variations must be ironed out and local authorities called to account. If ever a subject required joined-up Government, it is autism. We desperately need research into incidence and prevalence, followed by joined-up planning of services throughout the UK. The Department of Health, the Department for Education and Employment, local government, voluntary organisations and charities, the Medical Research Council and other research funders, the clinical, academic and scientific communities must be brought together to work on the matter.

Autism is a huge and growing problem. It causes misery, heartache and massive costs. I know from previous meetings with my hon. Friend the Minister that he and the Government recognise and sympathise with the problems. I hope to hear soon that they will act aggressively to deal with some of them. The misery caused by the condition has sometimes brought tears to my eyes. It is difficult enough to experience a parent's pain second hand, but imagine the stress and distress that the families of some autistic people experience as they fight for diagnosis, battle for a statement for their child, struggle for treatment, education and support for a loved one. Sometimes they cannot see the light at the end of the tunnel.

There is no reason why we should not aspire to the best standards in the world: the best practice in diagnosis, the best standard of treatment, the best practice in early intervention, education, support and long-term care.

If I had one wish—I do not expect my hon. Friend to grant it tonight because that is not the way in which Adjournment debates work—it would be for him to tackle prevalence and incidence by initiating the required research for accurate data. He could instruct local authorities to collate their data using a standard diagnostic model and report them to him annually. That quick and cheap fix would at least get us started. With the research councils, he could also plan appropriate studies of incidence and potential causal factors. They would take much longer, but the sooner they start, the sooner they would report.

If I had a second wish, it would be for my hon. Friend to pull the other Departments together, begin a programme to identify best practice in health, education and support for autistic people and consider how and where we could introduce change. Such a project may even be a suitable candidate for Cabinet Office co-ordination as it would cross so many departmental boundaries. If he cannot give such commitments tonight, perhaps he could offer them to me in writing in a few days, after he has discussed the report of the debate with his officials.

Those wishes are not unreasonable. I hope that my hon. Friend will grant them to me and, more importantly, to autistic people and their families around the country. The problem is massive and growing. The real cost is heartache and blighted lives. Autism represents an urgent case for action.

1.46 am

The Minister of State, Department of Health (Mr. John Hutton): I warmly congratulate my hon. Friend the Member for South Thanet (Dr. Ladyman) on securing a debate on what every Member of the House accepts are important issues. Many Members, including me, have recently met parents of autistic children in their constituencies and heard a familiar litany of concern about the provision and adequacy of services. Let me make it clear that we take these matters very seriously. We are happy to work with others to make progress on a range of issues to improve the services that we provide for autistic people.

Before I respond to some of the specific concerns raised by my hon. Friend, I pay tribute—in autism awareness week—to the valuable work done by the National Autistic Society and other organisations to raise awareness of the needs of children and adults with autistic spectrum conditions. The formation of the new all-party autism group is testimony to their effectiveness in bringing together those with a common interest in improving services for people with autistic spectrum disorder. I look forward to working with the all-party group. Over the years, the Department of Health has given substantial grants to support the National Autistic Society's work and, together with colleagues in the Department for Education and Employment, officials continue to engage in dialogue over the full range of concerns. That will continue.

We are all aware that the number of children identified as having autism is increasing. My hon. Friend reminded us of that, although the full explanation is not clear. It may be due, at least in part, to welcome improvements in diagnosis and to changes in the way in which autistic spectrum disorder is identified. I acknowledge that autism is a matter of increasing concern in this country and abroad. There have been considerable increases in awareness and our knowledge and understanding continue to grow, so we need to ensure that policy is properly re-evaluated in the light of the latest evidence.

As my hon. Friend said, estimates of the prevalence of autistic spectrum disorder vary. That is partly due to variations in definition, although most people seem to agree that the prevalence of classic autism is four to five cases per 10,000 of the population. The prevalence of Asperger syndrome is less certain. A recent estimate given to the Department is that it appears to affect 29 children in every 10,000. The prevalence of all autistic spectrum disorders is more difficult to estimate, but, as he informed us, it could be as high as 91 per cases per 10,000.

The Department has recently been in dialogue with the National Autistic Society over prevalence—about which my hon. Friend, like me, is substantially concerned—and we look forward to the meeting of experts, which will discuss that issue and which we understand the society will convene in the near future. We shall consider what further action we should take in the light of the meeting. We recognise that we need to know more about the

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prevalence of autism and any changes in prevalence. This is a complex issue, as he rightly said, and we need to work together to identify the best way forward.

Establishing the cause of autism will help to prevent, identify and treat that distressing condition. My hon. Friend will be interested to know that, last month, the Medical Research Council, which is funded by the Government, announced that it has provided £344,000 to fund one of the largest autism studies ever attempted.

The two-year study, to be led by Professor Andrew Hall of the London School of Hygiene and Tropical Medicine, will attempt to find out what causes the condition. The researchers will study whether autistic children have a history of other conditions or medical problems, such as problems during birth. They will look at whether viral infections in the womb or soon after birth appear to play a role in producing autism. By examining a representative sample of health records drawn from more than 2 million people registered with 300 general practices across the UK, the researchers will also be able to examine any possible association between autism and the MMR vaccine. That substantial piece of research will, I hope, constitute a landmark that will help us to understand autism better.

Experts agree that treatment for autistic children should preferably be begun early. My hon. Friend made that point. The Government recognise the importance of collaboration between health, social services and education agencies to facilitate early identification and effective intervention, and we are acting in a number of key areas to ensure such facilitation. We have launched the quality protects programme, involving investment of £375 million to improve services radically for children in need. The programme is developing and supporting partnerships between local authorities, health services and the voluntary sector. My hon. Friend called for all those things. It is also improving assessment, care planning, record keeping and quality assurance systems. Children with autism will be among those benefiting from this major new investment.

The Government are also investing £452 million in sure start, which involves 250 local programmes in deprived areas for families with a child under four. Two of the key programme objectives are to improve children's social and emotional development by providing early identification of, and support for, children with emotional and behavioural difficulties, and to improve children's ability to learn—for example, through early identification and support of children with learning difficulties.

The Government have also increased investment in child and adolescent mental health services by £90 million between 1999 and 2001-02 to improve the provision of appropriate, high-quality care and treatment for children and young people, by building up locally based services. My hon. Friend the Member for Waveney (Mr. Blizzard) said that he felt that services in his constituency were not adequate. If he is prepared to write to me, I shall be happy to look into the circumstances that he has described: they are clearly not acceptable.

National priorities guidance issued to health and social services makes it clear that they should be improving staffing levels and training provision, and also improving liaison between primary care, specialist child and adolescent mental health services, social services and other agencies.

We are particularly concerned—my hon. Friend did the House a service in drawing attention to this—about reports of delays that beset families who are worried about their child's development. Sometimes there is insufficient co-operation between child development centres and child and adolescent mental health services. While families in some parts of the country must put up with delays of months and even years, in other parts of the country there has been joint planning between health and social services, the child development centre and CAMHS, so that children with suspected communication difficulties can have prompt access to local assessment services.

We must recognise that there are difficulties in recruiting child psychiatrists and other mental health professionals in some parts of the country, but it is clearly not acceptable for families to wait for long periods for assessment and treatment, which often represent the crucial stage in a young person's development. CAMHS development strategies are now required from health and social services authorities, and will be expected to tackle problems of delay. If we can provide a prompt and effective service in one part of the country, it should be possible to do so everywhere.

By improving the general level of services for children, including those with disabilities or mental health problems, we are trying to provide the infrastructure to deliver better services for children and young people with autism. Similarly, the steps that we are taking to modernise health and social services for adults, and to make them more responsive to individual need, will benefit autistic people and their families. For instance, the new flexibilities introduced in the Health Act 1999 should help to ensure closer co-operation between the various agencies involved in identifying and meeting the needs of autistic people. My hon. Friend the Member for South Thanet was entirely right that the best services would be properly joined up and linked across local organisational boundaries.

Within the context of our more general initiatives, we have been taking action to improve services for autistic people: both those with a learning disability and those without. For example, in 1998, we published "Signposts for Success", good practice guidance on commissioning and providing health services for children and adults with learning disabilities, including those with autism. Last year, we followed that up with "Once a Day", a booklet setting out good practice for primary health care teams, which includes a reminder to those working in the teams that autistic disorders occur frequently with a learning disability.

Last year, as I am sure my hon. Friend will be aware, my right hon. Friend the Secretary of State for Health announced that we were starting work on developing a national learning disability strategy. That strategy will cover everyone with a learning disability: children as well as adults. Many, but of course not all, will also have autism.

We are involving a wide range of interests in the development of the strategy through working groups, seminars and formal and informal meetings with individuals and organisations. Later in the summer, we will consult the National Autistic Society specifically on children's issues relating to the strategy.

Although that will be primarily a strategy for health and social services, clearly, it is important that the needs of people with learning disabilities should be addressed as a whole. Consequently, we are involving other Government Departments, as my hon. Friend wants us to do, including the Department for Education and Employment, the Department of Social Security and the Department of the Environment, Transport and the Regions, in the strategy's development. Our aim is to launch it by the end of the year.

We have been undertaking some work on the needs of autistic people who do not have a learning disability. Late last year, we commissioned Dr. Tony Holland to undertake a review of the current issues surrounding the diagnosis, management and treatment of children and adults with Asperger syndrome. We have received his report and are considering his recommendations. The views of the National Autistic Society, the Royal College of Psychiatrists and other interested organisations will be fully taken into account as we decide on the way forward.

There are many other things that I should like to say, but, sadly, I think that I will not be able to say all of them. I accept my hon. Friend's point about the importance of education services and the need to ensure that the Department for Education and Employment and the Department of Health work closely in continuing to find ways to improve the services that we provide to children with autism and to their families. There is much work for us to do in that area.

My hon. Friend might be interested to know that the report by the National Autistic Society entitled "Inclusion and Autism: Is It Working?" found that an increasing number of parents of autistic children said that they were satisfied with the education offered to their children. Compared with two years ago, 40 per cent. more parents said that they were satisfied with their child's education. Eighty per cent. said that their child was better served in mainstream schools.

My hon. Friend has done his constituents, the House and everyone with autism a service in raising those important issues. It is clear from what he said—and probably from what I have said, too—that, although we have made a positive start, there is still, as I am sure all hon. Members who are present in the Chamber will accept, much to do. We accept that point. We are looking seriously at the issues that he has raised, particularly issues about the data with which we can better plan services.

My hon. Friend is right. If we are to develop effective policies and services locally, and to ensure that the extra investment that is going in is effectively spent, we will need better information about the prevalence of autism. As I have said, we are working closely with the National Autistic Society to find the best way in which to take that work forward.

We accept that that is a perfectly valid criticism of the present situation. It is not a good situation in which to find ourselves. Obviously, good research information is the essential underpinning to ensure that policy development is effective and well targeted, but, with his support and that of other hon. Members, we have a special opportunity to develop services effectively.

We are certainly up for that. As I have said, we look forward to working with all people of good will who share our ambition to improve the range of services that we provide to people with autism and their families. That is the right thing to do. It is certainly what the Government want to do.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

House of Commons

Wednesday 17 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 24 May.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Security

1. **Mr. Malcolm Savidge** (Aberdeen, North): What steps he is taking to create a more normal security environment. [121142]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The Government are committed to the normalisation of security arrangements in Northern Ireland, consistent with the threat level. Major progress has already been made. On the basis of his assessment of the overall threat level, and following the recent IRA statement, the Chief Constable last week announced a series of normalisation measures. A further review of possible normalisation steps will be conducted in three months' time.

Mr. Savidge: Will my right hon. Friend join me in paying tribute to the many casualties of the troubles, particularly those among our armed services? Does he take heart from a recent BBC poll which showed, for the first time, that a majority of people in Northern Ireland believe that the war is over? Can he assure the House that the improved climate of peace can take us a long way to ensuring that the tragic losses of the past need not be repeated?

Mr. Ingram: I thank my hon. Friend for his questions. He was right to say that there have been far too many deaths and casualties over the past 30 years. We take encouragement from opinion polls showing that the people are heartened and determined to see the peace process through. They are clearly calling on their politicians to find a resolution to the difficulties. People want the improved climate of peace, and they want that peace to last for themselves, their children and the children of future generations.

Mr. Lembit Öpik (Montgomeryshire): Does the Minister agree that the recent sad increase in paramilitary beatings underlines the importance of progressing with and implementing the main thrust of the Patten proposals, to ensure that the rule of law replaces the lawless, brutal rule of paramilitary groups in some parts of the Province?

Mr. Ingram: Paramilitary assaults are a gross abuse of human rights and a denial of civil liberties. They have no place in a democratic society and everyone committed to a peaceful future must roundly condemn them. I echo the sentiments expressed by the hon. Gentleman.

Rev. Ian Paisley (North Antrim): Is the Minister aware of grave concern in my constituency following the announcement that the Progressive Unionist party office was harbouring terrorist weapons, including batons that could be used to beat up people? Will he announce that he is reconsidering the Government's talks with the PUP as a Belfast agreement party? Will he take steps to censure the PUP for its terrible breach of security?

Mr. Ingram: First, it is correct to congratulate the Royal Ulster Constabulary on its find. As ever, the RUC has been vigilant, and we should pay tribute to its achievements. Secondly, this is a matter for police investigation, and it would be wrong of me to comment while the police are considering what they have found and all that flows from the find. We should not jump to conclusions before we have all the facts. I note the hon. Gentleman's remarks on the implications, but no one should doubt that we will not tolerate paramilitary activity from any side of the community in Northern Ireland.

Mr. Steve McCabe (Birmingham, Hall Green): My right hon. Friend will be aware of recent speculation about the meanings of "deactivation" and "decommissioning". Can he confirm my understanding that those two processes are not the same thing, but part of a two-stage process to put arms totally beyond use?

Mr. Ingram: The short answer is "absolutely". They are separate approaches. We hope that we have embarked on the first stage and that we shall move inexorably towards the later stages and the removal of illegally held weapons from Northern Ireland, now and in the future.

Mr. William Thompson (West Tyrone): Does the Minister agree that people would have more confidence in the return of normal security if those who had committed crimes were brought to justice? Does he realise that many of my constituents are deeply concerned that those who committed the Omagh bombing have not been brought to book? Even though the police and the Gardai know who those people were, they appear unable to bring them to justice. Is not some change in the law required so that those who commit such crimes are certain to be brought to justice?

Mr. Ingram: The hon. Gentleman has touched on an important issue. It behoves everyone who wants a peaceful future for Northern Ireland to co-operate with

the forces of justice and law and order. Anyone who has information or evidence should give it to those who have the authority and responsibility for bringing people to justice. It is a great tragedy that no one has yet been made amenable in Northern Ireland for the terrible crime that was committed at Omagh. My earlier comments of course apply to that tragedy, as they do to every other terrorist and paramilitary crime that has been committed in Northern Ireland. It is better that people co-operate with the law than talk about changes to the law.

Mr. Michael Howard (Folkestone and Hythe): Will the Minister confirm or deny newspaper reports that the proposals set out in the recent IRA statement had been made previously, were referred to in the unpublished de Chastelain report, and were then rejected?

Mr. Ingram: I do not think that the right hon. and learned Gentleman expects me to comment on newspaper reports. I am sure that he would not have done so when he was a Minister. We are moving forward much more rapidly than we have hitherto, and progress is being made. I would have hoped that the right hon. and learned Gentleman would have the grace to recognise and welcome that, as his Front Bench has, and to give support to everyone who is trying to make the process work.

Mr. John M. Taylor (Solihull): Does the Minister agree that the best way to create a more normal security environment is to obtain the decommissioning of the illegally held arms of private armies? Will he again assure the House that no changes in the security arrangements will be made without the full concurrence of the Chief Constable and the General Officer Commanding?

Mr. Ingram: I think that I made it clear in my first reply that the answer is yes. The Chief Constable makes his assessment, and he advises the Secretary of State and myself. The General Officer Commanding is also consulted, and the best security advice available is taken. The announcements on the recent normalisation steps were made by the Chief Constable. He indicated that if the threat level improved, further announcements could be made in three months or perhaps even earlier.

Health (Cross-border Co-operation)

2. **Mr. John McDonnell** (Hayes and Harlington): What proposals he has for continued cross-border co-operation on health. [121144]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): There has been a long and productive history of cross-border co-operation on health and social services matters, which has brought positive benefits to the people living in both jurisdictions. This will continue across a range of services including health promotion, food safety and cancer research.

Mr. McDonnell: The all-party group on the Irish in Britain recently considered the matter of health and is keen to encourage the sharing of best practice between clinicians. Will my hon. Friend assure us that cross-border co-operation will enable the sharing of best practice between clinicians north and south, and that there may be some prospect of financial support for organisations, particularly voluntary organisations, that encourage the sharing of best practice?

Mr. Howarth: There are already significant clinical links between health services, both north and south. I accept that there is scope to develop those links further, particularly when it comes to sharing clinical practices and exchanging information. We believe that such co-operation has the potential to contribute to the quality and effectiveness of services on both sides of the border. Together with Ministers from the south, I have been anxious to promote such co-operation.

Given the right political climate and the right resources, there is also the scope for the voluntary sector to add to the work that is already under way. There will be opportunities for funding, although as any Minister would say in these circumstances, no guarantees can be given from the Dispatch Box about any particular project. However, I would certainly encourage such a development.

Rev. Martin Smyth (Belfast, South): The Minister has underlined that which is well known. Over the years, long before modern times, there has been good co-operation. It is equally true that when the board in Cork decided to purchase facilities in the Royal Victoria hospital, the local people objected.

I encourage the Minister to give leadership at the level to which he referred. However, does he agree that too many people may have accommodation addresses in Northern Ireland, and that they benefit from our health budget at a time when there is pressure upon the budget throughout Northern Ireland?

Mr. Howarth: If the hon. Gentleman has any evidence to support that contention, I would be happy to look at it. He will agree that when someone is ill and needs attention, they do not object to receiving the most appropriate treatment in either the north or the Republic if there are appropriate exchange arrangements. Where one gets the best possible treatment is not an ideological issue, and co-operation is logical and sensible in delivering those objectives.

Mr. John McFall (Dumbarton): Does my hon. Friend agree that the cancer care services agreement signed last autumn with the Republic of Ireland and the Washington-based Institute of Cancer heralds a great future for health services in Northern Ireland and shows that cross-border initiatives are extremely important? Does not that give fresh impetus to the need for the political talks that are taking place in a few days to ensure the restoration of the Executive, so that the people of Northern Ireland can look forward not just to more peace, but to more security and prosperity?

Mr. Howarth: I agree with my hon. Friend, whom I congratulate on being the Minister responsible for taking that initiative forward. I had the good fortune last autumn to sign the memorandum of understanding between ourselves, the Americans and the Republic of Ireland, which, because of the severe cancer problems in Northern Ireland and much of the south, is a positive development. That is a good example of how co-operation can bring

force to dealing with the serious health problems that exist in the north and the south. It is important that we continue along those lines.

Devolution

3. **Mr. John Wilkinson** (Ruislip-Northwood): What progress he has made towards the re-establishment of devolved government in Northern Ireland. [121145]

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): As I explained in my statement to the House on 8 May, devolved government will be restored on 22 May, subject to a positive response to the proposals set out in the joint statement issued by the British and Irish Governments on 5 May, and the statement then made by the Provisional IRA.

Mr. Wilkinson: Does the Secretary of State understand that the cornerstone and sure foundation of any democratic government, be it devolved or national, is the impartial and universal application of the rule of law? In that connection, rather than condoning the maintenance of terrorist weapons, will he insist on their elimination from society at the earliest possible date—because that elimination is infinitely more important than the institution of a Government who are subject to the threats and intimidation that the maintenance of stockpiles of weapons provides? Foreign visitors and inspectors are all very well, but the maintenance of that threat to democracy is deeply perturbing.

Mr. Mandelson: I need no encouragement from the hon. Gentleman to restate my firm commitment to the rule of law throughout the United Kingdom. I agree that the aim must be for democracy to flourish in all parts of the UK. We need all paramilitary organisations to stand down and all arms—wherever they are held—to be completely and verifiably put beyond use. What is unprecedented about the situation now is that we have the real prospect of returning power to Northern Ireland and of making real and substantive progress on arms. Both objectives are ones for which Unionists have rightly held out. They should seize the credit for the progress that has been made.

Mr. Harry Barnes (North-East Derbyshire): Can the Secretary of State clarify his intention about a name for the police force in Northern Ireland, as that is a matter of considerable dispute? The longer there is without clarity, the greater the problems are likely to be. It would help if we knew what it is to be.

Mr. Mandelson: Two of Patten's stated objectives were that the RUC should not be disbanded and that the police service in future must be capable of attracting recruits from all parts of the community. We need to judge the future name against both those objectives. The Police (Northern Ireland) Bill requires me to consult the policing board before reaching a final decision on the name. I believe that the sensible way forward is to provide a legal description in the Bill which incorporates the Royal Ulster Constabulary, in effect the title deeds of the new service, while introducing a new name that will be used for all working and operational purposes. The Police Service of Northern Ireland is the best suggestion so far. In that way we should be able to meet both of Patten's correct objectives.

Mr. John D. Taylor (Strangford): In view of the further unhelpful intervention this morning from the south of Ireland Foreign Minister, Mr. Cowen, when he condemned the Police (Northern Ireland) Bill which is before the House, does the Secretary of State think that he would enjoy less harassment if, instead of struggling to restore devolution, we continued with direct rule?

Mr. Mandelson: No, I do not think that it would be in the interest of Northern Ireland or all those in every part the community there for direct rule to continue. For politics to flourish, locally elected and accountable politicians, taking responsibility for local decisions, is by far the best course for Northern Ireland's government in the future. I believe that we now have the prospect of reinstituting the devolved Administration and making real, lasting and permanent progress in the removal for ever of arms from Northern Ireland politics. We should seize that opportunity for fear that, if it slips from our grasp now, we may not be able to recreate it in the future.

Mr. Eddie McGrady (South Down): Does the Secretary of State agree that the only true and lasting basis for the re-establishment of devolution in Northern Ireland would be on the basis of the accord reached between the two Governments and the parties participating? Does he agree that the only accord in existence is that obtained at Hillsborough on 5 May, and that that is the basis upon which re-establishment should take place? Does he also agree that a Government entering into further unilateral negotiations with a single party is creating an element of distrust which is diametrically opposed to the possibility of that accord being sustained in the immediate future?

Mr. Mandelson: No. I think that it is as well for all politicians, political leaders and parties in Northern Ireland to clarify to the maximum extent exactly what the two Government statements meant and what actions and progress would ensue from the agreement. The Government intend to implement the Good Friday agreement in full. That is what is at the heart of the accord and the joint statements made by the two Governments. It is the essential political context in which we can restore the devolved institutions and make the necessary progress on arms. Implementation of the Good Friday agreement is essential and it is what the Government will press on with come what may.

Mr. Andrew MacKay (Bracknell): As the Secretary of State is aware, we hope that there will be circumstances that allow for the setting up of the devolved Executive next week. On the assumption that that happens, the House needs to be clear about the right hon. Gentleman's position on suspension. He will be aware that there have been numerous reports in the Dublin press that some deal has been done with the Irish Government so that if there is default, he cannot suspend the Executive, as he rightly did a couple of months ago.

Mr. Mandelson: I congratulate the right hon. Gentleman on his good news, which we have learned

today. It would be churlish of me to say that I am looking forward to his paternity leave. We wait to see what decision he makes.

In answer to the right hon. Gentleman's question, I can say emphatically that no such undertaking has been given. Obviously, I am planning for success, not failure, following the restoration of the institutions next Monday. I am not planning to suspend the institutions and I do not want to do so, but the power is there if, in the last resort, I have to.

Mr. MacKay: May I press the Secretary of State further? We want an assurance that he has given no private undertaking that, in the unhappy circumstance of there having been breaches of the arrangements, he will not suspend? May we have a categorical assurance that Dublin has no veto on this or any other matter, and that if it is necessary he will be prepared to suspend the Executive as he rightly did some two months ago?

Mr. Mandelson: There has been absolutely no agreement or understanding with the Irish Government of the sort that the right hon. Gentleman has described. Obviously, if the worst comes to the worst, I will want to consult all the parties and the Irish Government—I do not intend to act unilaterally, without consulting people, or in a precipitate way—but at the end of the day, if the institutions are collapsing, I must ensure the good governance of Northern Ireland, and I will do so.

Small and Medium-sized Enterprises

4. **Mr. Ben Chapman** (Wirral, South): What assessment he has made of the impact of the Budget on small and medium-sized enterprises in Northern Ireland. [121146]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): There can be no question but that the Budget announcement will help the growth of small and medium-sized enterprises in Northern Ireland, through encouraging competitiveness and innovation and through the use of e-commerce. That, of course, will be on top of the announcement made this morning by LEDU—the Local Economic Development Unit, which is Northern Ireland's small business agency—that more than 3,000 jobs were created and more than 1,200 new businesses were set up last year alone. That is all good news for Northern Ireland.

Mr. Chapman: Does my right hon. Friend agree that while those Budget measures are beneficial and welcome in Northern Ireland, as elsewhere in the United Kingdom, the Northern Ireland economy needs stability, peace and confidence, and that to that extent the measures that he is putting in place are just as important as those put in place by my right hon. Friend the Chancellor? Does he further agree that in Northern Ireland there is a particular issue about research and development expenditure in the small firms sector, which is lower than in any other region of the UK? What steps does he propose to take to remedy that?

Mr. Ingram: I agree with my hon. Friend's earlier comments. He is right to talk about confidence and stability being essential to help businesses to grow. Peace is undoubtedly another important ingredient, which we are striving to achieve.

The R and D tax relief measures outlined in the Budget should encourage innovation by small businesses, helping them to achieve greater competitiveness. That will help not only those businesses but those who are seeking jobs in Northern Ireland, and it will embed the peace process.

Police-Terrorist Collusion

5. **Mr. David Trimble** (Upper Bann): What information he has supplied and what representations he has made to the Irish Government with regard to suspected collusion between members of the Irish police and terrorist organisations. [121149]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The Government keep in regular contact with the Irish Government on security-related matters. My right hon. Friend the Secretary of State recently wrote to the Irish Minister for Justice, Equality and Law Reform following his announcement in the Dail on 13 April of an internal Garda investigation into allegations of Garda-PIRA collusion. That followed previous representations to the Irish Government in November and December last year—*[Interruption.]* The Government welcome the investigation and hope that it will be concluded thoroughly and speedily. *[Interruption.]*

Madam Speaker: Order. I cannot hear the Minister, nor can Mr. Trimble hear the answer. I do not know what is going on. Had the Minister completed his answer?

Mr. Ingram *indicated assent.*

Madam Speaker: Could you hear the answer, Mr. Trimble?

Mr. Trimble: Yes, Madam Speaker.

Madam Speaker: Good—because I could not. Let us hear your supplementary question.

Mr. Trimble: Thank you very much, Madam Speaker.

I thank the Minister for the representations that are being made to the Irish authorities about the cases in which there is suspicion of collusion between Irish police and paramilitaries. May I refer him to one such case, involving the murder of Chief Superintendent Breen and Superintendent Buchanan, and in particular the report in Toby Harnden's authoritative book, which says that after the incident the RUC had evidence of a telephone call from an officer in Dundalk Gardai station to the IRA, setting up the ambush? Has that information and evidence been supplied to the Irish authorities and, if so, when?

Mr. Ingram: Those who have the information would of course have supplied it, if it is in the hands of the authorities, through either the Government or the RUC. Clearly, we want a very thorough investigation into that murder and the others of which the right hon. Gentleman is all too well aware. We will monitor those investigations closely because the important aspect is that the killings took place in our jurisdiction in Northern Ireland.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [121172] **Mr. David Winnick** (Walsall, North): If he will list his official engagements for Wednesday 17 May.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Mr. Winnick: Is it not good news that the murderous leader of the rebels in Sierra Leone has been captured and taken to a safe location? Will he be tried for crimes against humanity, as I hope he will? Does my right hon. Friend agree that it would be unfortunate if we were ever to apologise when British service personnel are acting in defence of international law and the authority of the United Nations? Perhaps a few isolationists on the Tory Benches will learn that lesson.

The Prime Minister: We can be very, very proud of our armed forces and what they have done in Sierra Leone. I believe that they should have been able to perform their task without some of the carping and quibbling from Conservative Members because the whole world is witnessing and applauding their central role in trying to deal with the so-called rebel army, which, in truth, is a criminal gang that has visited the most appalling atrocities on innocent civilians in Sierra Leone. I hope that the whole House is behind our armed forces in their efforts.

Mr. William Hague (Richmond, Yorks): The chairman of the Police Federation has said that the reductions in police numbers in the past 18 months have left some

communities with no policing at all

and produced

a sense of disorder and anarchy

in some inner-city areas. Why does the Prime Minister think he said that?

The Prime Minister: I do not believe that policing is in crisis; I do not agree with that. I accept that the numbers, which went down by 2,000 in the last years of the Government of which the right hon. Gentleman was a member, continued to go down in the first three years of this Government. By the end of this year, however, those numbers will be rising again as a result of the additional funds that we have put in—money that he is committed to take away from the police.

Mr. Hague: So the Prime Minister does not understand why the Police Federation says that. He is meant to be able to cope with these questions now. His office sent a memo around the civil service, a report on which says:

> Rattled Tony Blair has caused fury in Whitehall by issuing new orders to civil servants to stop William Hague making a fool of him in the Commons.

The memo from his private secretary says that the "lines to take" prepared for the Prime Minister

are often unusable and the facts are wrong.

Well, we have been telling him that for years and nothing has changed. Why is it still the same today?

The Police Federation has said that because police numbers are down by 2,300, thousands of serious offenders have been released early and crime is rising for the first time in six years. If the right hon. Gentleman has not understood that problem, will he listen to the former Minister for Welfare Reform who said that welfare

fraud is so serious no Minister

tells

the public its true scale

and the Government have abandoned his attempts to combat it? Why does he think that the right hon. Member for Birkenhead (Mr. Field) said that?

The Prime Minister: Perhaps I can quote what the right hon. Gentleman's own chief constable has said on crime. The chief constable of North Yorkshire said:

> Our crime figures put into context some of the wild claims that have been made about the supposed wave of lawlessness sweeping rural England. Across North Yorkshire's largely rural two million acres we are driving crime down year after year.

I have the latest crime figures for the right hon. Gentleman's constituency, and they show a fall of 3.2 per cent.

On welfare, welfare bills for economic and social failure, which rose under the Tories by 4 per cent. in real terms every year, have fallen under this Government.

Mr. Hague: The reason that the right hon. Member for Birkenhead said what he did is that welfare fraud is now up to £7 billion. The Prime Minister ought to know that because, after all his broken promises, fraud should be his special subject; he should know about these things. The number of successful prosecutions for housing benefit has been halved, and the Green Paper on benefit fraud has been shelved, but if he does not understand that problem, does he have an answer to the accountants Ernst and Young? They said last week that the burden of direct personal taxation in the current financial year is at the highest level for 20 years. Why does he think that they said that?

The Prime Minister: The actual report of Ernst and Young made it clear that the tax burden next year and the year after is falling. *[Interruption.]* Yes, but it is more than that. The right hon. Gentleman's shadow Chancellor was interviewed a few days ago on how he could pay for both his tax policy and his commitments on spending. He said that the Conservatives can do it because now

fortunately the national finances are good enough.

Mr. Hague: What the Prime Minister needs to learn about is the family finances of the families of this country. The reason, which he does not know, why Ernst and Young said what it did is that the typical working family is paying £670 more in tax under his Government per year and the overall tax burden has gone up by 8p on the basic rate, or the equivalent of—and he said no tax increases at all.

If the Prime Minister does not understand the tax figures, did he understand the comments of the Confederation of British Industry yesterday? It said that the Government's policies

> all add up to the biggest and most damaging overhaul of . . . regulation for 20 years.

Why does he think that the CBI said that?

The Prime Minister: I can tell the right hon. Gentleman why the CBI said that because I have figures here for the CBI and the burden of regulation. The main part of it is the minimum wage. I thought that the right hon. Gentleman was in favour of the minimum wage now. The second part of it is paid holidays under the working time directive. Is he against that? The third part of it—I have an interest in this—is parental leave. Is he against that?

Mr. Hague: Once again, wherever they are looking for the facts, they are not coming up with many because £10 billion of extra regulation is the cost without the minimum wage, according to the British Chambers of Commerce. The Prime Minister clearly does not know what is happening in the real world, so does he know what is happening in the Government? Why did the Secretary of State for Northern Ireland yesterday blow open the Prime Minister's real intentions on the euro? Was he speaking for himself, or for the Government?

The Prime Minister: I do not accept even the premise of the right hon. Gentleman's question. What the Secretary of State said, perfectly rightly, was that, of course, if one is outside a fixed currency area, then one's exchange rate will vary against the currencies inside it. I would have thought that even the right hon. Gentleman could have got that one.

The right hon. Gentleman asked me about the memorandum from the civil service a bit earlier and all these killer facts. Fortunately, this week, it has given me some things that I would like to tell the House. The system has got better. This is what it says: crime doubled under the Tories—killer fact; unemployment trebled under the Tories—killer fact; interest rates reached 15 per cent. under the Tories—killer fact; child poverty tripled under the Tories—killer fact; there were 40,000 fewer beds in the health service under the Tories—killer fact. Killer judgment—we should not have the Tories back again.

Mr. Hague: The truth is that the Prime Minister is in office now and responsible for these matters—that is the killer fact. So now we know from him that the Secretary of State for Northern Ireland speaks for the Government on the euro. That will be big news to a lot of people, including the Chancellor. They talk about the euro, but they are out of touch on crime, they are out of touch on tax, and they are out of touch on welfare fraud. We now have a Prime Minister who hears but does not listen, who speaks but says nothing, and who pretends to lead but is going nowhere.

The Prime Minister: I am afraid I must tell the right hon. Gentleman this. He talked about our record in government, but the killer facts do not stop with his record. Killer fact—inflation is now at its lowest level for 25 years; killer fact—there are 920,000 more jobs under this Government; killer fact—1.2 million children have been lifted out of poverty.

Killer judgment? How about this, from his very, very own—*[Interruption.]* Yes, this is from that mine of quotations, the shadow Chancellor:

> Well, governments are in a strong position when the economy is doing well, there's absolutely no denying that and I'm not going to go around saying that the economy is not doing well.

I gave the killer facts and he gave the killer judgment—and so will the British people at the next election.

Ms Jenny Jones (Wolverhampton, South-West): Like many other Members, from time to time I have to explain to my constituents why their close relatives have not been allowed into this country to attend weddings and funerals. Does my right hon. Friend agree that my task will be made more difficult if Mike Tyson, who has been convicted of a serious criminal offence, is allowed into the country for purely commercial gain?

The Prime Minister: I am tempted to say that that is a decision for the Home Secretary—and I should be glad about that. Let me simply say, however, that I am afraid I agree with the Home Secretary's previous decision. He will obviously have to make his decision over the next few weeks, and I am sure that he will do so.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): When the Secretary of State for Northern Ireland said last night that as long as we remained outside the euro we could not protect our industry against an overvalued pound, was he on-message or off-message?

The Prime Minister: Of course, as I just pointed out to the right hon. Member for Richmond, Yorks (Mr. Hague), if we are outside a fixed currency area our exchange rate will vary, but whether we should join a single currency depends on the meeting of economic conditions that we have set out time and again. That is the sensible position.

Lest anyone should think that the issue of currency stability is new, let me quote from what the Chancellor said in his initial statement to the House in October 1997. He said:

> The potential benefits for Britain of a successful single currency are obvious in terms of trade, transparency of costs and currency stability.—[*Official Report*, 27 October 1997; Vol. 299, c. 583.]

He went on to say, however:

> The economic conditions, which are really about sustainable convergence, have to be met.

That is the position, and it remains the position.

Mr. Kennedy: As the Prime Minister has had some time to think about the position since the Chancellor's statement, can he give the benefit of his analysis, as of today? When does he expect us to meet the Chancellor's economic criteria, and does he hope that we will meet the Government's criteria? Is it not about time that he began to give a real national lead?

The Prime Minister: The timetable is as I have set it out many times, and that was repeated by the Chancellor in his statement.

There are really three positions on the single currency. One is to rule it out as a matter of principle. The second is to say that we will join immediately. The third is to say that whether we join depends on the economic conditions' being met. But the timing depends on the economic conditions. Unless the right hon. Gentleman believes that we should join now—

Mr. Kennedy *indicated dissent.*

The Prime Minister: In that case, the right hon. Gentleman believes the same as me—that it depends on the meeting of those economic conditions. The sensible position on the single currency is to say that the test is jobs, industry and British investment. The final say is with the people in a referendum, and what would be most damaging would be to rule it out for five years, 10 years or whatever arbitrary period the Conservatives have in mind. The best thing is to keep the option open and to exercise it according to the economic conditions. If that is not the right hon. Gentleman's position, he should say so.

Dr. Tony Wright (Cannock Chase): On the question of Europe, could my right hon. Friend tell the House whether he can envisage any realistic circumstances in the foreseeable future in which, having applied all the necessary tests, he might conclude that it was not in the British national interest to join the single European currency?

The Prime Minister: As I said a moment or two ago, we have already set out the timetable for an assessment of that, as we have said, early in the next Parliament. However, it is the economic conditions that count. *[Interruption.]* I know that Conservative Members disagree with that, but I believe that in the end the test for the British people—they will have the final say in a referendum—will be what is good for British jobs, British prosperity and British industry. The sensible thing is not to set ourselves an arbitrary time limit, but to say that we should judge it according to the economic conditions. That is precisely what we have done.

Q2. [121173] **Mr. John Randall** (Uxbridge): Could the Prime Minister explain why, last week, within hours of giving his personal pledge to this Chamber that Labour Members of the Greater London Assembly would abide by their manifesto commitment not to introduce congestion charges, the Labour Deputy Mayor said that they were possible—that it was just a matter of technicalities? Did someone forget to tell the Prime Minister, or is his word just worthless?

The Prime Minister: No, the Labour Members of the GLA, as far as I am aware, have made it clear that they do not support congestion charging.

Mr. Tam Dalyell (Linlithgow): If Stella Rimington is to publish her memoirs, can we be sure that they are not selective? Will there be a chapter about 1986, when she acted as an agent provocateur for David Hart and Margaret Thatcher against the National Union of Mineworkers?

The Prime Minister: First, if the memoirs are not selective, they will be the first ones that I have ever come across that are not. Secondly, anyone who has occupied the type of position that Dame Stella Rimington occupied has to go through a procedure to publish memoirs, and that is the procedure that she is going through now. That is something that will take its course in the normal way. I really cannot comment on what happened in 1986—when, as my hon. Friend probably recalls, we were not in office.

Q3. [121174] **Mr. Michael Fabricant** (Lichfield): Whether or not a commercial broadcaster will cover the Queen Mother's 100th birthday celebrations, does the Prime Minister share my disgust at the BBC's arrogant refusal to provide live coverage of them on either of its two terrestrial channels? If he does agree, what will he do to persuade the BBC to take an alternative course of action, and how will he spell out to it the meaning of public service broadcasting?

The Prime Minister: I hope that, later, a way through on the matter will be found. I think that everyone would like to see a televised broadcast of the Queen Mother's celebration, because everyone wishes her well. It will be a fantastic event for the whole nation. I therefore very much hope that the matter can be resolved.

Mr. Christopher Leslie (Shipley): Is my right hon. Friend aware that, as we have had traffic congestion for decades in the Aire valley, in my constituency, it is extremely welcome news that the Government have accelerated construction of the £60 million Bingley relief road? However, would he take it from me that my constituents are very worried indeed about what would happen to that scheme—about whether it would be scrapped—if the Conservatives' spending cuts guarantee were ever implemented?

The Prime Minister: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions tells me that my hon. Friend was extremely active in ensuring that that decision was taken. I therefore congratulate him on the decision, which I am sure is good news for his constituents. Of course, the point that he makes about Tory spending is right. At some point before the next general election, Conservative Members will have to explain how they can go around the country saying that they will chop everyone's taxes at the same time as increasing spending in virtually every single policy area. Their sums do not add up. At some point, they will have to explain them.

Q4. [121175] **Mr. Malcolm Bruce** (Gordon): Does the Prime Minister understand that the people of north-east Scotland were devastated by yesterday's announcement that RAF Buchan is to be downgraded, with the loss of 350 jobs and almost £10 million a year to the local economy? Does he also appreciate the resentment caused by the fact that, when the number of control reporting centres in the air surveillance system is being reduced from three to two, the two that are being retained are in England, whereas the centre that has been closed is the advanced one, in Scotland? What assurances can he give

to hard-pressed Aberdeenshire council on how it will be able to cope with this latest blow to the local economy, which is already coping with cuts and redundancies?

The Prime Minister: Of course we will do what we can to help Aberdeenshire council, but the changes that are taking place are part of an overall review of how we make best use of the resources that we have. In those changes, there will be things that people find unpopular or unpalatable, but they are necessary to put the service on a sound footing for the future. We will work with those who are displaced to make sure that they are provided for elsewhere.

Q5. [121176] **Mr. Tony Colman** (Putney): Is my right hon. Friend aware that one month before the last election, the then Tory Government effectively closed my local hospital—Queen Mary's, Roehampton? Is he further aware that in the past month, the new Queen Mary's hospital has been given the go-ahead for building to start next year? Does he agree that that shows the difference between a Tory Government who closed hospitals and a Labour Government who open hospitals?

The Prime Minister: That is an important announcement for my hon. Friend's constituency. Although many people want to point to the bad things and the difficulties that the health service has, it is worth pointing out the good news, too. There are many cases throughout the country of change happening on the ground, allowing us to build new hospitals and recruit more nurses. We have seen from the figures today that, although there is a long way to go, in-patient and out-patient lists are coming down. Yes, we have a great deal more to do, but real change is happening and I wish that among some of the coverage of the bad cases and the problems we got some coverage of some of the good news that is happening as well.

Mr. David Trimble (Upper Bann): May I refer the Prime Minister to the recent statement by the IRA? In particular, I refer to the passage that says that it will initiate

a process that will completely and verifiably put arms beyond use.

What does "beyond use" mean? Does the Prime Minister agree that a system under which dumps are occasionally inspected would not be a satisfactory outcome? We want proper decommissioning within the terms of the legislation that is on the statute book for it.

The Prime Minister: Yes, I can give the right hon. Gentleman that assurance. The dumps are an important confidence-building measure, but they are not a substitute for the full action that needs to be taken under the legislation. The legislation refers to arms being permanently unusable. It is very important that people understand that the confidence-building measure is a first step, but no more than that. A re-engagement with the Independent International Commission on Decommissioning also has to be undertaken. We then need to make progress until the weapons are completely, verifiably beyond use.

Q6. [121177] **Mr. Bill O'Brien** (Normanton): Will my right hon. Friend accept through me the sincere thanks and appreciation of the miners and the mining communities for the initiative and help that he and his Government have given to the mining industry, thereby demonstrating confidence in and loyalty to those communities? Will he consider including clean coal technology along with energy renewables, thereby encouraging investment in the construction of clean coal power stations, which in turn would ensure a long-term future for the miners?

The Prime Minister: It is important to support clean coal technology. Particularly when there is still tremendous change in the mining industry, it is important that we do what we can to help. That is why the Government provided additional help for the coal industry a few weeks ago. I am pleased to see that unemployment in my hon. Friend's constituency has fallen by more than 20 per cent. in the past year. That is important. Employment is also up in his constituency. That shows that even in parts of the country undergoing economic change, there are other jobs there. We are trying to help people through the process of change and we are on their side. We will do what we can to give the coal industry a secure and environmentally beneficial future.

Mr. Nicholas Soames (Mid-Sussex): Does the Prime Minister accept that the Conservatives take tremendous pride in the success of British arms in Sierra Leone? It is quite wrong for him to suggest that it should be otherwise. Will he also explain to the House why, in view of his much-vaunted and much-hyped plan for European defence co-operation, not one of our European allies and friends has come to help us in what is a very difficult task?

The Prime Minister: I absolve the hon. Gentleman entirely from the carping and quibbling that I talked about earlier, although I do not absolve those on the Conservative Front Bench and other Conservative Members. The hon. Gentleman asked about European forces. A UN force is primarily expected to deal with the situation in Sierra Leone and it is natural that forces should have been drawn from India, Nigeria and Jordan. We have played a supporting role. Obviously, we have an interest in Sierra Leone, as the former colonial power, and our troops have made a magnificent contribution. However, we should not necessarily expect that to be right for the European force.

Q7. [121178] **Mr. James Plaskitt** (Warwick and Leamington): Parish councils in my constituency have raised with me the issue of rural policing. Police numbers in Warwickshire fell under the previous Government, but they will now rise by 52 over the next two years. Does my right hon. Friend agree that increased police numbers are central to addressing rural concerns, as opposed to the knee-jerk suggestions that we have heard from the crime doublers opposite?

Hon. Members: Bye bye!

The Prime Minister: The Conservatives are all shouting, "Bye bye" to my hon. Friend, but I think they have forgotten Romsey. Their memories are very short. My hon. Friend is absolutely right. Not merely has burglary declined by 10 per cent. in his area, but there are 52 new recruits to the police service. It is worth pointing out that in 24 of the 43 forces crime is falling. We shall

ensure that because of the extra recruits that will be coming on throughout this year, by the end of the year police numbers will rise again. If we carry on running a sound and strong economy, as the shadow Chancellor would have it, we shall be able to get the money in for the future that will allow those numbers to rise even further over time.

Q8. [121179] **Jackie Ballard** (Taunton): We have not forgotten Romsey.

Eight months after the Prime Minister promised access to dentistry for all, not one dentist in my constituency is taking new national health service patients. Earlier today, Government Whips phoned my office to find out what my question was about, so I know that the Prime Minister's response will be well prepared. However, I hope that he does not just tell my constituents that they can phone and go. They are fed up with having to travel 20 miles even for emergency treatment. When will the Government take effective action to end the crisis in dentistry?

The Prime Minister: The hon. Lady is right to say that I did get some briefing on her question. [HON. MEMBERS: "Are we going to hear the answer?"] I will tell the hon. Lady what it says here anyway. The numbers registered with dentists in Somerset are increasing—they are 5,000 up on last year. However, I accept that NHS dentistry went into steep decline under the previous Government. We are now acting at every single point on the health service, but it will take time. We have set the date for the end of next year to make sure that everyone who wants access to NHS dentistry can have it. The numbers are already up. Up to 800,000 more people have had the opportunity to register with a dentist. Dentist figures in England are up to 18,000, but there is still a long way to go. I recognise that in the hon. Lady's constituency and elsewhere there may be people who still have to be dealt with under the programme, but given time we will do it.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does my right hon. Friend agree that anyone who invites a convicted rapist and attacker of old people in a road rage incident to star in a boxing match is hardly acting consistently with the Government's message against crime and violence and, in particular, violence against women?

The Prime Minister: I am afraid that I cannot offer my hon. Friend anything other than what I said in response to the same question a few minutes ago.

Q9. [121180] **Mr. Martin Bell** (Tatton): I make no apology for returning to the issue of a gratuity for former far east prisoners of war. The Ministry of Defence is said to be against it on the grounds that it would set a precedent. Does the Prime Minister share my view that it is a matter not of precedent but of principle, that we owe these men a debt of honour and that it is a debt that we should pay?

The Prime Minister: As I think I said to the hon. Gentleman when he raised the matter a couple of weeks ago, it is under consideration. A decision will be announced as soon as possible. It would not be wise for me to say anything more until it is announced.

Q10. [121181] **Mr. Paul Goggins** (Wythenshawe and Sale, East): Is my right hon. Friend aware that at the 1995 United Nations social summit the previous Conservative Government made a promise to put in place an anti-poverty strategy for the United Kingdom? Is he further aware that shortly afterwards the then Secretary of State for Social Security said that such a plan was unnecessary? Given the appalling scale of poverty that the previous Government left behind, will my right hon. Friend ensure that his Government are not so complacent, and that a full report is given to the social summit when it reconvenes in Geneva next month?

The Prime Minister: We can be very proud of our record on child poverty. As I said earlier, during this Parliament 1.2 million children will be lifted out of poverty. There has been a 26 per cent. increase in child benefit in real terms, and the working families tax credit is benefiting—by more than £20 a week in many cases—some one and a quarter million families.

People should know that this is a key dividing line between us and the Conservative party. The Opposition are committed to scrapping every bit of the changes that we have introduced over the past few years. They are against the rise in child benefit, they are committed to scrapping the working families tax credit, and they are committed to scrapping the new deal. Those are three of the best reasons that I can think of for never voting Tory again.

Police Training and Complaints

3.31 pm

The Minister of State, Home Office (Mr. Charles Clarke): With permission, Madam Speaker, I shall make a statement on two important developments that will help to improve the effectiveness of the police and their accountability to the communities that they serve.

The first announcement relates to the handling of complaints against the police. My right hon. Friend the Home Secretary is publishing this afternoon a feasibility study of an independent police complaints system. The study was commissioned from the management consultants KPMG in order to take forward recommendations made by the Select Committee on Home Affairs in its report on police disciplinary and complaints procedures, and by Sir William Macpherson's report on the Stephen Lawrence inquiry. The human rights organisation Liberty is also publishing today an independent report on its vision for the future police complaints system, and I welcome Liberty's constructive contribution to the debate on the police complaints system.

My right hon. Friend the Home Secretary has previously indicated his sympathy for the principle of an independent system for investigating complaints against the police, and both the KPMG and Liberty reports contain constructive ideas on how that might work in practice. We do not, at this stage, have a preferred model for a new complaints system, but we are clear that if any reform of the current system is to command public confidence, it must involve a greater independent element in the investigation of complaints and greater openness in respect of the result of those investigations.

We are also publishing a consultation paper this afternoon to invite comments on the key issues raised by the KPMG and Liberty reports. That paper is being placed in the Library of the House, along with the two reports. The consultation period will run until 30 June, and in the light of the comments received, we intend to announce by the end of the year more detailed proposals on the way forward.

We are also announcing today a wide range of measures to improve the quality and effectiveness of police training in England and Wales, with a view to improving efficiency, using the most modern training techniques, and strengthening police relations with the communities that they serve and with victims of crime.

On 18 November last year we published a consultation paper that set out ambitious proposals. We want to ensure high quality profession-long training for all police staff. We will put in place common national standards for all staff, which will ensure consistency of service to the public. We want to ensure that police training—which already enjoys a well deserved international reputation—is truly world class.

Training is at the heart of effective and responsive policing. Virtually all those who responded to the consultation paper welcomed the fact that training was being examined and debated. The majority of responses broadly welcomed the proposals. In a Home Office paper available in the Library of the House, I have set out the main comments on each element of the proposals and how we plan to take these measures forward.

We will streamline the existing police training council so that it can advise the Home Secretary more effectively. We will work with the Association of Chief Police Officers, the Association of Police Authorities and the relevant staff associations to establish a new police national training organisation to promote skills within the service. A central police college, building on the work done by national police training, will be established. It will be a centre of excellence within the police service and will act as a standard on both the national and international stage.

We will set a mandatory curriculum and qualifications framework, in consultation with the key stakeholders, which will support the achievement of common standards and profession-long learning and recognition. Regional collaboration between forces on training, driven by best value, will maximise the use of resources and ensure that best practice is shared. We will work with forces to ensure that the opportunities to be gained from greater use of IT and of joint training with other services can be fully realised.

Chief officers and police authorities will produce annual plans to ensure the continuous development of all staff. A dedicated training inspectorate, headed by a lay inspector, will be created within Her Majesty's inspectorate of constabulary to support and monitor quality assurance. Finally, the existing powers of the Home Secretary will be strengthened where necessary, to ensure that the new arrangements will deliver real improvements.

There are numerous examples of excellence in police training at present. The measures that we are announcing today are an ambitious programme of work to build on this good practice where it exists and secure changes where they are necessary.

Mr. Oliver Heald (North–East Hertfordshire): I begin by thanking the Minister for giving me early sight of the statement. He will understand that the Opposition will want to comment in more detail in due course on the documents that he has produced.

The Minister will know that the Police Federation and others have called for a fully independent complaints authority. The Opposition support that in principle, but does he agree that it is vital that any system should command the support not just of the public, but of the police at all levels?

The Minister referred to reports from KPMG and from Liberty. Those documents suggest some very different solutions to important issues. For example, KPMG suggests that most complaints would still be investigated by the police, but that a few high-profile cases would be investigated by an independent agency. In contrast, Liberty suggests many more independent investigations. What is the Minister's view on that crucial issue, which is vital to the proposal?

KPMG suggests that the independent agency teams conducting the independent investigations would include police officers, whereas Liberty proposes a team that is basically civilian. Does the Minister accept that suggestions in the media that people such as journalists might conduct the investigations raise important issues of natural justice? Would not it be more proper to use trained investigators with experience of investigation for that purpose?

Is not it crucial that the new agency should be led by people who are seen to be genuinely impartial, and not by people who have particular axes to grind? Does the

Minister agree that investigations should be conducted in a highly professional and effective manner, and that the agency should operate in the same way?

The Commission for Racial Equality has proposed recently that it should investigate allegations of racist conduct by officers. Is there not a danger that that could lead to two investigations of each complaint? Would not it be better if the new independent agency dealt with all such cases?

Does the Minister agree that the consultation period, which ends on 30 June, is very short, given the seriousness and complexity of the issue? Is he prepared to reconsider the length of that period?

We welcome the commitment to improved training, but paragraph 7 of the consultation paper states simply that the aim will be to build

a portfolio of skills, knowledge and understanding . . .

Will the Minister assure the House that the proposal is for training in catching criminals, preparing cases, patrolling the streets and practical policing, and that the training will not merely be an AS-level in sociology?

The Minister spoke of consulting the key stakeholders about the curriculum, but who does he mean? The consultation document talks about regional collaboration. Will he confirm that that is not a step down the road to regional policing? What assurances can he give us about that?

What assurances can the Minister give that police officers will be able to take up these opportunities? With 2,500 fewer officers in Britain now than at the time of the general election, the number of specials down by 3,500, and the sort of crisis that the Police Federation described this week, can policemen be spared from the front line?

Last autumn, the so-called Milburn letter stated that training facilities for the police would be fully stretched in dealing with new recruits. How can the extensive additional training that the Minister proposes today be accomplished?

Although the complaints procedure and training are important, the public will be bewildered because the Government have not made a statement to say that they will restore police numbers to the level that they inherited, explain how they will deal with the rising tide of crime and back the PC on the beat in his job. The uniformed officer is the bedrock of the police service.

Mr. Clarke: I am grateful for the hon. Gentleman's support in principle for an independent complaints system. We welcome that.

The hon. Gentleman's first point was about the extent of independence. As he said, the two reports have different orientations. It is helpful that they have been published together so that we can consider the issues fully. Like both studies, we accept that it is not feasible for the independent body to investigate every complaint. Independent investigation should concentrate on the most serious complaints, which are likely to cover deaths in police custody, police shootings and other cases that involve possibly serious criminal offences.

I agree with the hon. Gentleman's comments about the importance of retaining the confidence of the police throughout the process. He knows that both inquiries consulted the police widely and included representation from the police, whose approach has been very positive. The hon. Gentleman is right that the process must be highly professional, and must be seen to be impartial. It is important to meld those two aspects. The reports suggest doing that in slightly different ways. That is why we are consulting on the points that we outlined.

Racist conduct should be tackled by the police complaints process, as it is now. It will be tackled in the overall approach that we described. I agree that there is no case for a further, separate investigatory process.

The consultation period is not too short. We held substantial discussions in the build-up to the reports, the results of which have been published. All the main interests considered the issues and expressed views. Most of the country—and the police—want to reach a resolution about how to progress as rapidly as possible. That is why I am keen to be in a position to announce conclusions by the end of this year.

The hon. Gentleman mentioned training. The "portfolio of skills" contains practical skills for policing. He made a snide remark about AS-level in sociology—a somewhat alien concept. Yesterday, we both attended the Police Federation conference in Brighton, and serious training for serious police skills was a high priority there. That is what we recommend.

The stakeholders are principally the police, but also communities and other elements in the criminal justice system. Regional collaboration is important because it will provide better value, but it is not a stalking horse for regional police forces.

The hon. Gentleman mentioned officers' take-up and made his usual point about police numbers, but I am dealing with training today. That is the way in which I intend to address the problem.

Mr. Robin Corbett (Birmingham, Erdington): On behalf of the Home Affairs Committee, I thank my hon. Friend the Minister for his positive response to our reports on complaints, and on recruitment and training. Will he confirm that he wants to tackle the needs of the police and the public better by providing a totally independent system for the classes of serious complaint that he mentioned?

Apart from police numbers—I understand the arguments about that—our police need better training so that they are more effective in the performance of their jobs and can thus fulfil the growing demands and expectations of the public.

There is an extremely strong case for a biddable fund to enable police forces throughout the country to bid for specific amounts of money to upgrade their IT systems, and thus have one more tool in the battle against crime.

Mr. Clarke: I pay tribute to my hon. Friend's Select Committee for the work that it has done, which has substantially informed our conclusions. First, we need a complaints system that has the confidence of both the police and the community, and that is what we are working towards. Secondly, training is critical. Both the public and the police are looking for better trained police to deal with a highly modern and rapidly changing environment—whether to deal with technological change, investigative change of the type that has been mentioned, or victims of crime. There are a range of different issues. The police want training. It is our job to provide it.

[Mr. Clarke]

There is a case for a biddable fund of the type that my hon. Friend mentioned for information and communications technology. ICT training is an important element in all this. He will be aware of the significant investment—£40 million—that we announced a few months ago, to give proper intelligence systems to all police forces in Britain and to accelerate work on those issues.

Mr. Simon Hughes (Southwark, North and Bermondsey): Like others, I welcome the Government's progress as outlined in the Minister's two mini-statements. Will he confirm that all complaints will be recorded and investigated, and that doing so will not be at the discretion of the police? Will he also confirm that in the investigations, as well as experts there will be a lay element representative of the ordinary public, so that they may have continuing confidence?

There will be a great cost saving because of the reduction in cases taken up against the police, and that must be taken into account when we cost a decent complaints system. Will the Minister confirm that as a result of this procedure, subject to the usual constraints about the programme, we should be able to legislate in the coming financial year?

Finally, on complaints, will the Minister tell the House whether he still intends to consider matters that have been the cause for complaint in previous allegations, which are regarded as not having been adequately investigated, and are still the cause of considerable disquiet about both the old and the present system?

Of course good training is required, but as we both heard yesterday from the police—as we always do—if we do not recruit and retain enough police officers, all the training in the world is of little worth.

Will the Minister consider seriously whether the Government will accept the royal commission proposal—the idea of a standing conference on police matters, so that we may continuously receive advice from the police, the public and politicians on best training, best practice and recruitment? Will he urgently ensure that an independent review takes place of the police numbers that we need in England and Wales, so that we get the answer before the Chancellor announces the results of the public spending review? It is no good the money being announced if in a year's time, people realise that they really need the 10,000, or 5,000, extra police—genuinely extra—that the public and the police say that they want.

Mr. Clarke: The hon. Gentleman is right about recording all complaints. Both reports deal with that issue, and we need to achieve that system. I agree that we need a lay element in any complaints system. The hon. Gentleman is also right about cost savings. The time that it takes to investigate some cases is simply ludicrous. That would be much improved by having a proper independent system to deal with all these areas.

Legislation is not a matter for me, but the hon. Gentleman is right to say that if we can reach conclusions rapidly, at least the possibility of such legislation being considered for the programme can be raised and discussed. He also made an important point about previous allegations, as is evident from a number of noted recent cases. We will have to consider exactly how to deal with those once a completely new system has been established.

On training, for the reasons that have been outlined, the key is to put in resources. Part of the comprehensive spending review process is to find out what commitment we will be able to make in that direction.

I am not sympathetic to the idea of a standing conference or royal commission, although my right hon. Friend the Home Secretary said to the Police Federation that he was prepared to discuss that issue with the federation and others to find out the best way to proceed. I am also sceptical about the idea of an independent review of numbers. There are serious issues concerning numbers, which are commonplace in debate in this place and more widely, and those are matters that must be resolved in that context.

Mr. Tony Lloyd (Manchester, Central): I give a strong welcome to what the Minister has told us. However, will he accept the following points? One of the problems of the present system is that it simply is not trusted because it is opaque and desperately slow. Obviously, one issue that must be tackled is the speed with which complaints are reviewed. Slow review is almost as bad as no review.

As for cases that are not subject to independent scrutiny, will the Minister address the fact that no one gains from an opaque system—not the complainant, not the police and not the public—if at the end of the process, there is distrust about whether proper investigation has been done? We must therefore open up the process, even for cases in which, as the Minister proposes, investigation will continue.

Mr. Clarke: I agree with my hon. Friend. Perhaps I should have said more about the relationship between training and complaints. The best way of dealing with the issue of complaints is to minimise their number, as the police themselves are dealing well with victims of crime and all those who might otherwise have had a complaint. Strong training is an important element in achieving that. Of course, whatever the process, once a complaint is made, it is critical that all parties, including the police, the victim and everyone else involved, have full confidence in the outcome.

It is true that the opacity and slowness of the system are serious problems. The slowness often increases mistrust. People cannot understand how the process can take so long, and immediately start to draw the conclusion that the police are trying to hide things, when that might not be the case. Everyone will benefit from a much faster process.

Mr. Nicholas Winterton: I am increasingly in favour of the proposal made by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that there should be a standing conference, which would allow a growing exchange of views and an interface between the police, the public whom they serve, and politicians and councillors representing the public.

Will the new complaints procedure give scope to politicians, councillors and ordinary members of the public who are concerned about police decisions to close custody suites without appropriate, proper and full consultation? They are also concerned about the limited

opening hours of police stations, especially at night, and their effect on the public and their security. Are all those issues covered? I am deeply concerned that the relationship between the public and the police is worsening, and that people have less confidence in the police than at any time that I can remember.

Mr. Clarke: The evidence goes against that, and shows that the public have confidence in the police—rightly so, in my opinion. Locally, the Government have established the kind of interchange to which the hon. Gentleman is referring. In our local crime reduction partnerships, there are exchanges between police and other agencies, individuals, voluntary and community organisations and so on, about precisely the type of matter that he has mentioned. Good discussions often take place and important issues are addressed. That is a perfectly appropriate way to act.

I am rather sceptical about the merits of a national organisation, as I pointed out to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). However, for many of the reasons that the hon. Gentleman implied, we have established local channels of dialogue.

Mr. Andrew Mackinlay (Thurrock): I welcome my hon. Friend's announcement on dealing with police complaints in future. However, I reiterate my request for an independent inquiry into the current state of play in the Metropolitan police, against the backdrop of parliamentary replies that he has given me since Christmas and the powerful articles by Laurie Flynn and Michael Gillard in *The Guardian*. Those articles offer prima facie examples of probable corrupt practice by those who are supposed to investigate complaints against police officers.

I draw my hon. Friend's attention to his parliamentary reply of 16 March in response to my question about the cost of Metropolitan police suspensions in the past 10 years. I asked about outcomes—who had been reinstated, who had been dismissed or disciplined and who had been subject to criminal prosecution. I received an unacceptable reply—I am talking not about my hon. Friend the Minister, but about the rather dilatory Commissioner of the Police of the Metropolis.

My hon. Friend stated:

> The Commissioner of Police . . . tells me that the information requested is not held centrally.—[*Official Report*, 16 March 2000; Vol. 346, c. 266W.]

That is not good enough. We have a right to know about those costs. One of my constituents has been suspended for more than three years, without any proceedings taking place. Such people are entitled to due process. Keith Green, a policeman, to whom I have referred before, was denied rights to which, like others, he is entitled under the Police and Criminal Evidence Act 1984. Keith Pedder has had property seized, including the manuscript of a book on the Rachel Nickell murder inquiry. There is overwhelming evidence that the stewardship of that matter by the Commissioner is wholly unsatisfactory. I want an inquiry.

Mr. Clarke: My hon. Friend is well known for the commitment of his campaigning in relation to the Metropolitan police. His campaign of parliamentary questions has been entirely appropriate.

First, there has been a special inspectorate investigation into the Metropolitan police. My hon. Friend will have seen the report, which was published only a few months ago. The investigation raised serious matters of the sort to which he has referred. These issues are being addressed seriously by the Commissioner and by the Government, for exactly the reasons that my hon. Friend is implying.

Secondly, it is somewhat unfair to tar the Commissioner entirely with the brush of those issues. The Commissioner is personally committed to rooting out corruption in the Metropolitan police. Beyond that, he believes that it is critical that the process is carried through successfully if the people of London are to have trust in the Metropolitan police. That is the path that is being taken, and it is one that I wholeheartedly support.

Mr. John Greenway (Ryedale): Is it not clear from these exchanges that unless the changes that the Minister intends to bring forward address the problem of delay, they will not succeed? The inquiry held in Cleveland concerning Superintendent Mallon—a highly respected officer who has been praised by the Prime Minister—took longer than two years and cost several million pounds. Like the hon. Member for Thurrock (Mr. Mackinlay), I have constituents who are senior police officers who have been suspended for almost 18 months. No criminal prosecutions are to be brought, but internal disciplinary inquiries continue. Can the Minister give us some confidence, in the light of the KPMG reports, that the issue of delay will be addressed? The old adage that justice delayed is justice denied works both ways. There are many fine police officers now suspended who deserve justice.

Mr. Clarke: I wholeheartedly agree with the hon. Gentleman. When I took up my portfolio at the end of July 1999 I tried to understand, but it is difficult to see how the process in so many cases could take so long. The hon. Gentleman is absolutely right to highlight that. That is why I am personally committed to driving through the reforms as rapidly as possible. That is necessary for everyone involved, including the police. The hon. Gentleman is a former police officer, and he is aware of the debilitating effects on police morale if inquiries hang around. I associate myself with his remarks.

Mr. Martin Linton (Battersea): Is my hon. Friend aware that the two consultation papers are closely in line with the recommendations of the two Home Affairs Committee reports on disciplinary procedures and on training and recruitment? Is he aware also that the intention to have a larger independent element in the investigation of complaints against the police by people outside the po[illegible] will be especially welcomed? However, I would not imagine that even my former colleagues in the press would expect such investigations to be conducted by journalists.

Is my hon. Friend also aware that there will be a big welcome for the concept of a central police college—which, I imagine, rather than handing out AS-levels in sociology, will put police training at the level of university degree courses, where it should be? I hope that in so doing my hon. Friend will encourage the involvement of universities, such as Portsmouth, in the provision of degree-level training for the police.

Mr. Clarke: I am second to none in my respect and admiration for the investigative qualities of journalists of

[Mr. Clarke]

all types, and for the accuracy with which they report their conclusions. However, I share my hon. Friend's view that to rely on them as a core element in the independent police complaints system might be going just a step too far.

I shall respond seriously to the point about AS-level sociology. It is a weakness of the current training system that the various practitioners within the criminal justice system—lawyers, the police, and social workers, for example—are not trained together to anything like the extent that they need to be. An important element in the new training regime will be to establish practical training for people who will be working together, so that they understand relationships across the criminal justice system. The training will not be a theoretical schoolboy text on AS-level sociology. Instead, it will be practical training that will bring professions together so that the criminal justice system can deliver for everyone.

Mr. Andrew Rowe (Faversham and Mid-Kent): Will the Minister ensure that frivolous or malevolent complaints against the police are strongly dealt with? The police are undermined by that kind of unsubstantiated attack.

As a trustee of the National Society for the Prevention of Cruelty to Children, may I emphasise my agreement that training across disciplines is absolutely indispensable? In the past, the police have been too much cut off from the rest of society. Given that prevention of cruelty to children is one of the prime targets of law and order, I hope that the Minister will employ widely the lessons learned from co-operation with the NSPCC.

Mr. Clarke: I am grateful for the hon. Gentleman's support on the final point. He is well respected for his work in that field, and his support is important.

I agree, too, about frivolous or malevolent complaints. That is one reason why such matters need to be resolved rapidly. A judgment must be made, of course, about what is frivolous or malevolent, and that judgment is not always easy. However, it is important that the system should be more rapid than it is at present.

Mr. Marsha Singh (Bradford, West): I welcome my hon. Friend's statement on both fronts. The independent complaints authority that eventually results will improve and promote public confidence in the police, and will be welcomed by the police themselves.

We need first-class training for a first-class police service, but I should like to question the references to AS-level sociology. Our cities contain complex communities and it is important that different communities should see the police force as their own police force. If that is to happen, the police must understand communities and their sensitivities. Unless they do, we shall never reach the position in which everyone sees the police service as their own.

Mr. Clarke: I agree with both my hon. Friend's points. It is critically important that the police should have confidence in the system. From the conversations that I have had with police officers at all levels, I believe that he is right to say that the police believe that an independent system is necessary and will assist their relationships with the communities that they serve.

As for the point about sociology, I was not talking about the importance of the police understanding their communities, which is essential. I was, I suppose, implicitly criticising the idea that an AS-level sociology course might give the understanding that my hon. Friend rightly identifies as necessary.

Mr. Tony Baldry (Banbury): If the Minister had been making a statement today on teaching, nursing or another public service, he would almost certainly have paid tribute to the service concerned. The House will have noted, and *Hansard* will show, that he has at no stage paid tribute to the police service. We shall not recruit men and women into the police unless they feel that it is a valid public service. Perhaps, instead of criticising the police whenever we speak, it is time that we collectively paid tribute to the outstanding public service of policemen and women, often in difficult, and sometimes in dangerous, circumstances. Unless we do so, we shall never persuade young men and women that the police is a profession and a public service worth entering.

Mr. Clarke: I find that an extraordinary remark. My right hon. and hon. Friends and I make it our business frequently to pay tribute to the work of the police. That we should do so is a canon of our existence. The hon. Gentleman should perhaps address his remarks to the Leader of the Opposition and the shadow Home Secretary, who have, in recent weeks, made it their business to undermine the police by attacks and criticisms—something that Labour Members absolutely do not do. I pay total tribute to the police; I simply wish that that was the case across the House.

Mr. Tony McWalter (Hemel Hempstead): I welcome my hon. Friend's statement, but I ask him to consider two matters of concern. First, Members of Parliament often receive substantial allegations about the police. Can he assure me that the way in which we can deal with those complaints will be facilitated by the new system? In particular, will we be able to transmit allegations to the appropriate place without it seeming as if we either endorse them or regard them as vexatious?

Secondly, will my hon. Friend assure the House that the new arrangements will protect the police better against malevolent accusations? Some accusations can be co-ordinated, which makes them more plausible than a single, wild allegation.

Mr. Clarke: I can give my hon. Friend the assurance that he seeks on his second point. Having an independent system will ensure that malevolent accusations can be eliminated and dealt with rapidly and effectively.

My hon. Friend makes an interesting point about Members of Parliament, which I have discussed with the police. We all, in our constituency surgeries and elsewhere, receive complaints of various kinds. At present, the options open to us are fairly narrow. There is a case for passing complaints directly to an independent authority. We are considering that in the consultation paper, because it is an important means of ensuring that we carry out our duties effectively.

Mr. David Tredinnick (Bosworth): Does the Minister agree that towns such as Hinckley are examples of places in which the improvements should be most effective in

regional collaboration and joint training. Hinckley is the main town in my constituency, and lies not just on the edge of the Leicestershire authority area but on the county and regional boundary.

Does the Minister agree that there is a danger that some of the proposals might simply be cosmetic, given that mutual aid arrangements and an existing mechanism are already in place? Is he sure that these are new initiatives, not just existing arrangements that are being dressed up?

Does the Minister accept that the key issue, as seen in Hinckley, is police numbers? When we have problems on Friday night, with the night clubs turning out, mutual aid is often not available across the county boundary.

Does the Minister further accept that the previous Government went a long way towards improving the system of police complaints by getting rid of the Police Complaints Board and replacing it with the independent Police Complaints Authority? I do not think that he will want to ignore that fact.

Finally, I join the hon. Member for Birmingham, Erdington (Mr. Corbett), who spoke on behalf of the Select Committee on Home Affairs, in saying: is not information technology a cost-effective way of improving co-operation? Are not police forces notorious for following their own noses and having independent systems that cannot talk to each other?

Mr. Clarke: That is absolutely right. It has been a surprise to me, since I started doing this job, to find out how very different the IT systems are in the various police forces. Furthermore, the six criminal justice agencies—police, prisons, the probation service, the Crown courts, the magistrates courts and the Crown Prosecution Service—all have different systems as well, so ensuring coherence is fantastically important.

The hon. Gentleman is wrong about the proposals being cosmetic. Indeed, I do not think that he was really suggesting that. Our proposals contain major new elements. Co-operation between forces within regional boundaries will be driven by best-value considerations and a series of considerations of rationality. That is an active element in the discussion.

I agree that what the hon. Gentleman's constituents and others are most interested in is the number of bobbies on the beat. However, I do not think that that diminishes the importance of either of the two aspects of policing that I have announced today—complaints and training—in terms of the regard in which the police force is held by the people of this country.

Point of Order

4.9 pm

Mrs. Angela Browning (Tiverton and Honiton): On a point of order, Madam Speaker. You will be aware that tomorrow morning the House will be asked to consider the part-time work regulations. Last Wednesday, on "Woman's Hour" on BBC Radio 4, the Secretary of State for Trade and Industry spelled out who the beneficiaries of that measure were likely to be. So inaccurate was his information that the following day a spokesman from the Trades Union Congress came on "Woman's Hour" to put the Secretary of State's inaccuracies right. People said, "Poor Mr. Byers, I think he must have fuddled his head because he's had a tough week." That is all very well, but is it not a contempt of the House that tomorrow we are being asked to consider legislation laid in the name of a Secretary of State who clearly does not understand it? May I, through you, Madam Speaker, ask whether the legislation could be deferred until it has been reviewed properly by the DTI, so that we know exactly what the Secretary of State's intentions are?

Madam Speaker: The hon. Lady will appreciate that the Speaker of the House does not determine the business programme. That is the responsibility of the Government in co-operation with the Opposition, and is considered through the usual channels. Perhaps I might refer the hon. Lady to the usual channels, where she may put her request for deferment.

Armed Forces (Minimum Age of Recruitment)

4.10 pm

Mr. Paul Stinchcombe (Wellingborough): I beg to move,

That leave be given to bring in a Bill to prohibit the recruitment of persons under the age of eighteen into the regular forces, the regular air forces and the Royal Navy; to prohibit the calling up of members of the reserve forces who are under eighteen years of age; and for connected purposes.

It is estimated that, as I speak, at least 300,000 young people under the age of 18 are involved in armed conflict around the globe. In countries such as Uganda and Sierra Leone, children as young as 12 are forced into conscript armies. There is no greater betrayal of the rights of the child than to force that child to carry arms.

That is going on despite the fact that, in November of last year, we celebrated the 10th anniversary of the United Nations convention on the rights of the child. It is why, in January of this year, an intergovernmental working group agreed a draft optional protocol to that convention to deal specifically with the involvement of children in armed conflict. That protocol would prohibit conscription of those under 18 and require Governments to take all feasible measures to end the deployment of those under 18. If and when that optional protocol is ratified, significant steps in the right direction will have been taken.

Under-18s should not be conscripted, and it is right that their conscription should end. Neither should under-18s be deployed in the theatre of war, so it is also right that all feasible measures are taken to avoid such deployment. The most obvious of those feasible measures is simple: to prohibit the recruitment of under-18s at the outset.

That is not a radical idea; it is not even a novel idea. The minimum age of recruitment into the police force is 18 and a half. In August 1914, at the outbreak of the first world war, the minimum age of enlistment into the Regular Army was 18. Even when conscription was introduced in March 1916, the minimum age remained 18.

There were youngsters under that age who reached the front line, but they did so only if they lied about their age—men such as my grandfather, who joined up when he was 16 or 17 and was shot at 18, and my great-uncle, who had lost his leg by the age of 18.

If recruitment into the armed services below the age of 18 were thought neither right nor necessary at a time of such great peril as the first world war, how can it conceivably be thought right or necessary today? Yet, today, there are nearly 7,000 16 and 17-year-olds in the British armed forces. They are too young to vote and to share in the governance of the country; to be tried in an adult court; to drink in a pub; too young even freely to enter into a contract; but they are old enough to kill or be killed on our behalf. This Bill would prohibit their recruitment into armed services.

The first benefit of the Bill would be that it would save some young lives. Since 1982, more than 90 service personnel aged under 18 have died. It is not just in the theatre of war that these young people are at risk; 25 died in training accidents. That should not surprise us. Military exercises are designed, rightly, to simulate the situations that soldiers would expect to face in real military operations. Their training inevitably involves firearms, weapons and explosives; dangerous activities, as the Ministry of Defence rightly and readily acknowledges.

Since 1992, 52 fatalities have occurred in the Army because of firearms. Any one of those could have been a young recruit, because accidents will and do happen, and are more likely to happen with younger recruits. We already know from the road traffic death statistics that young people tend to be less cautious than those who are older. Those young people should not be exposed to training which carries so high and so well-known an element of risk.

The second benefit of the Bill is that it would better protect the fundamental rights of those youngsters while they are alive. It has been recognised for many years that those under 18 require special protection. That is why they were protected by the Factory Acts of the 19th century, and why limitations have been developed upon their capacity to contract. It is why we have specific juvenile courts properly to deal with young offenders in ways appropriate to their age and why European Council directives give them better protection while they are at work. It is why we have the UN convention on the rights of the child.

Those are all measures that comprehend the fact that under-18s need special protection in certain areas. Yet there are inadequate comparable protections for under-18s in the armed forces.

A young adult can make up his mind swiftly and then change it on more mature reflection. That is one of the reasons why we have limits on the capacity to contract. However, once enlisted and after just six months, a young recruit is bound until his 22nd birthday. Although there are discretionary grounds for leaving, there is no discharge as of right. If that young recruit were asked to serve in an area of conflict, there would be no right to refuse. Outside the armed forces, a young person is relatively free to change his mind, but inside, that freedom is necessarily limited.

If that young recruit chose to leave, without permission, the grounds of the military base on which he was based, he would be detained and arrested. Outside the armed services, there are limits on the type of trial to which under-18s can be subjected, but that young recruit would be bound by three service discipline Acts, subject to a separate justice system and, within that system, subject to the same military courts as adults.

I do not believe that that is right. I believe that the best way to resolve the tension that exists between the obvious need for firm discipline within the armed services and the rights of a young person is to prevent that young person from being recruited until he reaches the age of majority. The second benefit of the Bill would therefore be that it would respect the fundamental rights of those under 18 but would not prejudice military discipline.

Indeed, far from prejudicing the armed services, the third benefit of the Bill is that it would positively advantage them. Current UN practice is that troops used for peacekeeping are required to be a minimum of 18, and, ideally, should be over 21. That is because of the skill, experience, patience and discretion needed to do the vital jobs that the armed forces perform on our behalf.

Raising the age of recruitment to 18 would reflect that, bringing the UK into line with the United Nations. Those who are recruited into the armed services in our country would be of the age and maturity necessary properly and better to perform the vital tasks that we ask of them.

I understand that there are those who are concerned about the Bill, and I respect their concerns. The first concern is that a gap might be created for those youngsters who are committed to a career in the armed services from a young age, who want to pursue it as soon as they can and who may benefit from the special opportunities provided. That is why nothing in my Bill would prejudice the Territorial Army, impact upon cadets or prevent the establishment of specialist military colleges for 16 or 17-year-olds outside the regular armed services. That would enable youngsters to join up on reaching the age of majority but with the benefit of appropriately focused training given within a mature military culture. Their choice would be an informed one and their talents would already be developed.

The second concern is that the Bill might overstretch the armed services. I understand that concern but, if there is overstretch, the answer is not to rely on 16 or 17-year-olds but to recruit appropriate numbers of people of the right age and maturity. That is why the Bill would not come into force for two years and why it vests in the Secretary of State all appropriate transitional arrangements.

The Bill would prohibit the recruitment into the armed forces of those below 18. It would ensure that the highest human rights standards are honoured in this country. It would ensure that the United Kingdom can not only ratify the protocol but take a lead in the country and the world. We would then have leverage in places such as Uganda and Sierra Leone to strive for better standards across the globe. However, the Bill would not prejudice the security of this country. It would not prejudice the professionalism of our armed forces or deny the rights of any of our young adults to chose to serve our country as they wish. For all those reasons, I hope that the House will allow me to introduce my Bill.

4.19 pm

Mr. Andrew Robathan (Blaby): The hon. Member for Wellingborough (Mr. Stinchcombe) has made a decent, well-argued and, I am sure, well-intentioned speech. The House may well miss him after the general election. Notwithstanding the good intentions—which, incidentally, pave the road to hell—he is entirely wrong.

This is muddled political correctness. The hon. Gentleman said that training for the Army is dangerous. The first thing that one must understand is that, in the armed forces, one is being trained to go to war, and whatever else it may be, war is extremely unpleasant and dangerous.

Sierra Leone and the Lord's Resistance Army in Uganda were mentioned. I am not sure whether the two little boys in Burma were mentioned. British young soldiers, sailors and air crew have absolutely nothing to do with those conflicts. For a start, there is no conscription. All 16 and 17-year-olds—and indeed all other service personnel—are volunteers.

The 16 and 17-year-olds whom I remember were keen and determined. They desperately wanted to be soldiers. When we went to Northern Ireland, we could not let them go out on the streets. They had to remain behind, guarding the barracks. They hated it. They desperately wanted to get out there and do something useful. There are severe limitations on what they can do, and that is right. They are not put on the streets in Northern Ireland and they will not be deployed on United Nations tours.

The hon. Gentleman said that some young people in the forces have been killed, but people are killed in road accidents, too. As he admitted, they are not put in danger if it can be avoided. *[Interruption.]* There are approximately 6,500 16 and 17-year-olds being trained in the forces, with the vast majority in the Army. They are engaged in training and education. One might regard it as a military college of further education. *[Interruption.]*

The hon. Member for Slough (Fiona Mactaggart), who is wittering away over there, might care to go to the Army foundation college in Harrogate, where young men and women are doing foundation courses—studying for national vocational qualifications and the like—and deriving benefit for the future. They give enormous value to the armed forces. Such people serve longer and have a longer return of service, as it is called, so there is a better return on the large investment that is put into training. Much of it is complex, technical training, which many of us would find pretty difficult. The country needs a return on its investment, and that is what it gets from keen young volunteers.

The Army is now shifting the balance of recruitment from adults to juniors, because of the enormous competition for recruits for jobs created by a buoyant economy. There are tremendous demands for people to go into tertiary or further education, and that is competing for young people from 16 to 18. When they reach 18, they are often already in tertiary or further education and are lost to the Army.

What is the purpose of the Bill? The hon. Gentleman said that it was to set a good example. I have seen the photographs of boy soldiers in Sierra Leone and elsewhere. It is disgusting. We will not set a good example to Sierra Leone by not recruiting 16 and 17-year-olds. We will do it by sending out first-class troops to establish some order and help the people there. *[Interruption.]* I am sorry that I cannot allow the hon. Member for Slough to intervene.

What is the purpose of the armed forces? This is the root of the whole issue. The purpose of the armed forces is to defend the realm—to defend all of us in the House. The hon. Gentleman dismissed overstretch and under-recruitment, but solving those problems is terribly important. We cannot send troops to Sierra Leone or anywhere else if we do not have them. Let the armed forces defend the realm.

We are not breaking the 1989 UN convention on the child, or indeed the protocol that is being introduced this year, which still allows the recruitment of volunteers of 16 and 17. We must ask whether we want excellent, well-recruited armed forces or whether we do not. That is the question.

The armed forces feel much undermined by the politically correct stand of the Government. Labour Members will deny that, but it is true. The authority of military discipline is being undermined. A small point: allowing people to be openly homosexual in the armed forces is undermining military discipline, however much people deny it. The hon. Gentleman referred to special protection for 16 and 17-year-olds. I have not checked the record, but I bet that he voted to remove the special protection for them as regards homosexuality. Homosexual sexual intercourse, whatever else it might do, certainly might harm the people involved. The Bill would prevent them from joining up and doing something useful and honourable. That shows strange priorities.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 110, Noes 69.

Division No. 199] **[4.25 pm**

AYES

Alexander, Douglas
Allan, Richard
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Bennett, Andrew F
Best, Harold
Brand, Dr Peter
Butler, Mrs Christine
Cann, Jamie
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clarke, Tony *(Northampton S)*
Colman, Tony
Corbett, Robin
Corbyn, Jeremy
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Dunwoody, Mrs Gwyneth
Field, Rt Hon Frank
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Gunnell, John
Henderson, Ivan *(Harwich)*
Hinchliffe, David
Hopkins, Kelvin
Hurst, Alan
Iddon, Dr Brian
Ilsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kelly, Ms Ruth
Khabra, Piara S
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Linton, Martin
McCafferty, Ms Chris
McDonnell, John
McFall, John
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Michie, Bill *(Sheffld Heeley)*
Mitchell, Austin
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Pike, Peter L
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Reed, Andrew *(Loughborough)*
Rooney, Terry
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Simon *(Ceredigion)*
Turner, Dr Desmond *(Kemptown)*
Vis, Dr Rudi
White, Brian
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Worthington, Tony
Wyatt, Derek

Tellers for the Ayes:
Ms Julia Drown and
Mr. Marsha Singh.

NOES

Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Boswell, Tim
Brake, Tom
Brazier, Julian
Burnett, John
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Cook, Frank *(Stockton N)*
Cormack, Sir Patrick
Dalyell, Tam
Day, Stephen
Drew, David
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Harris, Dr Evan
Hayes, John
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Livsey, Richard
McIntosh, Miss Anne
McLoughlin, Patrick
Moore, Michael
Moss, Malcolm
Öpik, Lembit
Paskitt, James
Randall, John
Robathan, Andrew
Robinson, Peter *(Belfast E)*
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Shaw, Jonathan
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Squire, Ms Rachel
Stunell, Andrew
Swayne, Desmond
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Turner, Dr George *(NW Norfolk)*
Tyler, Paul
Walter, Robert
Ward, Ms Claire
Wells, Bowen
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. David Maclean and
Mr. Edward Leigh.

Question accordingly agreed to.

Bill ordered to be brought in by Mr. Paul Stinchcombe, Mr. Marsha Singh, Mr. Paul Flynn, Mr. Kerry Pollard, Mr. Michael Jabez Foster, Mr. Fraser Kemp, Ms Oona King, Ms Julie Morgan, Dr. Lynne Jones, Valerie Davey, Ms Julia Drown and Dr. Brian Iddon.

ARMED FORCES (MINIMUM AGE OF RECRUITMENT)

Mr. Paul Stinchcombe accordingly presented a Bill to prohibit the recruitment of persons under the age of eighteen into the regular forces, the regular air forces and the Royal Navy; to prohibit the calling up of members of the reserve forces who are under eighteen years of age; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 127].

Orders of the Day

Royal Parks (Trading) Bill

Not amended in the Standing Committee, considered.

Clause 2

MAXIMUM PENALTY

4.38 pm

Mr. Eric Forth (Bromley and Chislehurst): I beg to move amendment No. 17, in page 1, line 13, leave out "level" and insert—

"for the first offence level 2 on the standard scale; and for any subsequent offence level".

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss amendment No. 1, in page 1, line 13, leave out "3" and insert "2".

Mr. Forth: The amendment relates to the important question of fines to be imposed on those who commit offences of the nature described in the Bill. I seek to introduce the time-honoured system of imposing different levels of penalty for first and for subsequent offences.

I was at least partly inspired by what the Minister said in the Second Reading Committee—the rather unusual device that is deployed when a Bill has not yet been debated on the Floor of the House. I welcome this first opportunity to air the important issues that it raises here, on the Floor, as hitherto it has been dealt with only in Committee—a perfectly proper procedure, I hasten to add, but one that means, regrettably, that Members who were not on the Second Reading Committee or involved in the Committee stage have not yet had an opportunity to address themselves to the Bill.

On 7 March 2000, in that Second Reading Committee, the Minister said:

fines, however frequently imposed by the courts, do not, as things are, act as an effective deterrent when compared with the income that can be gained from illegal trading.—[*Official Report, Second Reading Committee*, 7 March 2000; c. 4.]

In a moment, I should like to return to the subject of income, but first it might help the House if I were to remind hon. Members of the origins of the matter. The section of the Bill to which the amendment applies makes reference to the Parks Regulation (Amendment) Act 1926, in which the matter was dealt with, although not originally. In a moment, I shall refer back to the Parks Regulation Act 1872, in which the concept of fines made its first appearance.

Suffice it to say that section 2(1) of the 1926 Act stated:

if any person fails to comply with, or acts in contravention of, any regulations so made—

which are regulations relating to the parks—

he shall be guilty of an offence against the principal Act and shall be liable on conviction thereof by a court of summary jurisdiction to a penalty not exceeding five pounds.

We therefore know that the level of penalty that was fixed in 1926 was five pounds.

Subsequently, when I looked at the 1872 Act—which was updated in the 1926 Act—rather to my surprise I found in section 4 the provision:

If any person does any act in contravention of any regulation contained in the first schedule annexed hereto, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds.

That is an interesting illustration of the fact that between 1872 and 1926 there was so little inflation that it was not deemed necessary to increase the level of penalty.

Mr. Desmond Swayne (New Forest, West): In fact, in the late 1870s and early 1880s there was significant deflation.

Mr. Forth: That is helpful—it explains what otherwise, to me, seemed to be a bit of a mystery.

Mr. Michael Fallon (Sevenoaks): Of course, an alternative explanation is that there was not the same scale of offences, and that the original fine had proved to be a sufficient deterrent. However, it might be for the convenience of the House—so that we might be better informed—if my right hon. Friend were able, looking at the same Act, to tell us the approximate value, in current terms, of £5 in 1872.

Mr. Forth: I had rather hoped that my hon. Friend would not ask me that question because I should have to guess, and I do not want to have to get involved in guessing. However, I suspect that if any hon. Member were to nip into the Library while I am speaking, he or she could probably find a pretty good answer and come back to inform us.

Mr. Robert Sheldon (Ashton-under-Lyne): May I help the right hon. Gentleman? The general ratio—it varies with the various circumstances that one makes use of—for pre-war to current prices is about 40:1.

Mr. Forth: That is very helpful indeed. It neatly places a £5 fine in 1872 at level 1 on the current scale. That gives us a very good basis on which to consider—as I shall in a moment—the proposals that I am making in amendment No. 17 on levels 2 and 3. I am very grateful to the right hon. Gentleman, whose intervention has been extraordinarily—but not unusually—helpful.

Mr. John Bercow (Buckingham): I agree that what the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) has just told the House is helpful. Does my right hon. Friend agree that it is important to establish whether the fact of no change in the level of fine in that 54-year period was due to no inflation, or whether it was due principally to there being no substantial increase in the annual level of offending?

Mr. Forth: That is indeed a perfectly possible explanation. I think that we shall come on later—perhaps not in this debate, but on a subsequent group, and certainly on Third Reading—to consider the nature of the

[Mr. Forth]

trade, which has given rise to the Bill, and of those who are alleged to be carrying out that trade. That will be quite an important consideration when we come to that stage.

Mr. David Maclean (Penrith and The Border): Bearing in mind the point made by my hon. Friend the Member for Buckingham (Mr. Bercow) on the general level of offending, I am sure that my right hon. Friend is aware of all the Home Office research, done under various Governments, showing that since 1945 the average annual increase in criminal offending has ranged between about 4.5 to 5 per cent. It is therefore not the case that there has not been an increase in offending: since 1945, there has been a general average increase of 5 per cent. per annum.

4.45 pm

Mr. Forth: Unusually, that intervention was not as helpful as I have come to expect from my right hon. Friend. We were considering the period between 1872 and 1926, and he has suddenly tried to rush me forward to 1945. I shall forgive him, but on this occasion I shall discount what he has said.

Lest it has escaped the attention of the House, I wanted to remark in passing that section (5) of the 1872 Act makes an interesting reference:

> Any park keeper in uniform, and any persons whom he may call to his assistance, may take into custody, without a warrant, any offender who in the park where such a keeper has jurisdiction, and within the view of such keeper, acts in contravention of any of the said regulations.

As early as 1872, the provisions were widely drawn. One can easily trace the genesis of the Bill from 1872 through 1926 and, I think, 1997. We will not necessarily debate the powers available, although we may want to reflect on them. I am sure that the Minister will help us later, but I remain to be satisfied that the police and the park employees use to the full all the powers available to them. We should be satisfied of that before we leap to bring in the draconian provisions in the Bill.

Mr. Sheldon: I walk across a royal park most days and there is a horrible smell of stale fat. That is disgraceful in a royal park and outside Buckingham palace. The police say that they have acted again and again, but that they are wasting their time because they keep having to go to court. They have given up. Anybody who respects our royal parks and our main palaces and places of interest, which people come from all over the country and the world to visit, should want us to maintain the highest standards that we have been able to provide.

Mr. Forth: That is an elegant statement of the aspirations behind the Bill and it is typical of the right hon. Gentleman, but it does not fully explain why we need the Bill. Just this morning, I took myself down to the London Eye on the embankment south of the river. We have been told again and again that the aim of the Bill is to replicate within the royal parks the excellent powers already available to the police outside them. I gather that that is one of the main arguments, although I have not yet heard it because the Bill has not yet been considered on the Floor of the House. To my astonishment, I counted four hot-dog purveyors within 200 yd of the London Eye.

That gave me pause for thought. If the existing powers are so wonderful and effective that we are seeking to replicate them in the royal parks, why did I find four hamburger purveyors, with customers crowding round them? I saw them making purchases and munching happily. I did not see anyone falling to the ground. I hope that that point will be answered, because we have to tease out these issues before the House rushes to pass such draconian legislation.

Mr. John Greenway (Ryedale): Probably, there were not enough police officers on duty to use the powers available to them to deal with the hot-dog stands to which my right hon. Friend referred.

Mr. Forth: I am aware that the number of police officers in the Metropolitan area—I think that we shall have to call it something different from July—has fallen dramatically. That partly explains the phenomenon I have described, but it gives rise to another question. Were we to grant the powers in the Bill, would there be sufficient police officers to implement and enforce them effectively in the royal parks? If it cannot be done around the London Eye, why should we be satisfied that it could be done in the royal parks? As well as asking about the powers, we should ask whether the enforcement will match them. The Minister may have to answer that question subsequently.

Mr. Maclean: I am grateful to my right hon. and erudite Friend for giving way, as is his custom. Was he not rather concerned by the remarks made by the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who seemed to suggest that one of the main reasons for the Bill was the disgusting smell of fast food pervading some of the finer parts of London?

The logic of that would suggest that one would need huge draconian legislation, applying not just to royal parks but to all the other establishments from which the smell of fast food—or not so fast food—may emanate into public thoroughfares and cause distress to foreign tourists. That is what the right hon. Gentleman seemed to be suggesting.

Mr. Forth: Indeed. We may have to consider the implications of slow food at some point, but I shall leave that to others as I do not want to prevail on the patience of the House.

Mr. Swayne: Will my right hon. Friend give way?

Mr. Forth: Is it on slow food?

Mr. Swayne: I have never found the smell of fast or slow food unappealing, but I would not wish to tempt my right hon. Friend further down that road. I simply suggest that the issue potentially negates the very reason for his amendment, because it matters not where one is on the scale of offences if the provisions are not enforced.

Mr. Forth: That is a helpful point to which we shall return; however, I do not want to be deflected from the main thrust of my argument.

Before turning to the level of penalties, which is the substance of my amendment, let me add one final point about the 1872 Act, which is germane to the discussion. Section 8 states:

> Every police constable belonging to the police force of the district in which any park, garden or possession to which this Act applies is situated shall have the powers, privileges, and immunities of a park-keeper within such park, garden or possession.

I add those thoughts to set the scene for the debate that we may have subsequently about the relative powers that the police enjoy inside and outside the parks, which have been so important to the argument that we have not yet had on the Floor of the House because the Bill was hidden away in Committee. We should therefore have the opportunity of exploring it—briefly, perhaps—in the context of subsequent groups of amendments.

Returning to the substance of the amendment, I hope to persuade the House and the Minister that instead of having one single penalty level, we should have what I think has become much more widespread practice—although my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) may be able to help me on this—and introduce one penalty for a first offence and a higher penalty for subsequent offences.

I understand the feelings about the Bill, as just this morning I spoke to a councillor on Westminster city council who left me in no doubt of the anxiety of that council to ensure that the problem in the royal parks was addressed. I reassured her that I did not want to stand in the way of the Bill, but insisted that it had to be properly examined, and that is exactly what we are doing now.

Mr. Fallon: In proposing to the House that the penalty should increase with the number of offences, has my right hon. Friend given any thought to the fact that the policy might be characterised as "Three fries and you're out"?

Mr. Forth: It would be unwise of me to attempt to compete with that.

We are not just talking about the relationship between the level of the penalties for a first offence and for subsequent offence, but are linking that with the words that the Minister used on Second Reading, when he said that

> fines, however frequently imposed by the courts, do not, as things are, act as an effective deterrent when compared with the income that can be gained from illegal trading.—[*Official Report, Second Reading Committee*, 7 March 2000; c. 4.]

The mystery is that nowhere in the very brief proceedings on Second Reading, which lasted 43 minutes in total, or those in Standing Committee, which lasted 35 minutes in total, could I find any discussion about the income levels that it is believed these traders enjoy, if that is the right word.

In most legislation, one attempts to relate the levels of penalties to the nature of the offence—the House will have to decide whether an offensive odour from a hamburger is a serious offence or a less serious one—and to the spoils arising from the activity. Until we know much more about the income—to which the Minister referred in passing, but never in detail—that the traders accrue from their activity, it will be difficult for us to come to a conclusion about the penalties. I assume that there must be some relativity or proportionality between income and penalties, unless the House temporarily takes leave of its senses, gets carried away on a tide of emotion—understandable, perhaps—and determines that the offences are so heinous, so ghastly and so unacceptable that they must be dealt with in a peremptory and draconian way.

I am tempted, although I am probably not the person to do it—perhaps my right hon. Friend the Member for Penrith and The Border will help us later—to consider the penalties for other crimes such as violence, theft and the like, and set them in context against the penalties proposed for the generation of offensive odours. We could then see whether there was some proportionality.

Not enough has yet been said. In a total of 43 minutes of Second Reading and 35 minutes of Committee proceedings, how could the House have had an opportunity properly to examine the relationship and the proportionality between the proposed penalties and the offences that are being committed? I say "committed", although I could have said "alleged". I believe that we have considerable evidence of the offences, and the right hon. Member for Ashton-under-Lyne has just told us that in his daily perambulations in the royal park he experiences odours which he finds overwhelmingly offensive. The matter must be dealt with.

My amendment No. 17 is not quite the same as my right hon. Friend's amendment No. 1, but in both cases we want to focus the attention of the House on the matter of penalties. I should like to hear more from the Minister about what he knows about the vendors' takings or earnings, to see whether a relationship can be established between the proposed fines and what they are earning from the hapless tourists, who apparently are all too happy to avail themselves of the service provided by these people. Let us not forget that those traders would not continue to do what they are doing if there was no market for their product.

Mr. Bercow: It would appear that not only do we lack perfect information of the kind that Kant would have thought necessary for a successful debate, but we lack much information. Is my right hon. Friend aware that one of the supporters of the Bill has declared that hot-dog sellers are a nuisance? Does my right hon. Gentleman agree that if it turned out that those traders were doing substantial business—

Mr. Deputy Speaker: Order. The hon. Gentleman must keep to the amendment.

Mr. Forth: I shall try to refer elliptically to my hon. Friend's remarks. The four hot-dog purveyors whom I saw this morning in the area of the London Eye—a very successful and attractive item—appeared to be trading successfully with customers, and had apparently not yet been subject to any fines, at least not sufficient fines or penalties to deter them.

Mr. Swayne: But are the activities of the four vendors whom my right hon. Friend saw illegal?

Mr. Forth: I am told, and the Minister may be able to help—

Mr. Deputy Speaker: Order. The right hon. Gentleman is doing very well with his amendment and has kept in good order, but whether or not people outside were acting illegally is not a matter for us to consider. We must concentrate on the amendment before us and the changes that it would make to the Bill. The right hon. Gentleman has mentioned the vendors, in passing. We know that there are four of them out there, and we know what they sell and what people buy from them, so we do not need any more detail on that matter.

Mr. Forth: I am grateful for your protection, Mr. Deputy Speaker. My hon. Friends are keen to interrogate me, but I need your protection, vulnerable as I am. I hope that they will accept your guidance.

I am coming to the conclusion of my brief remarks.

Mr. Swayne: Will my right hon. Friend give way?

5 pm

Mr. Forth: I will, but I hope that my hon. Friend's point is relevant.

Mr. Swayne: I believe that it is. I follow my right hon. Friend's logic, and he is making a powerful case, but I have a difficulty in principle with the amendment. Reducing the punishment for the first offence sends a powerful signal, but dealing effectively with first offences will mean that there will be no subsequent offences. That is known currently as zero tolerance. Is not the amendment offensive to the public desire for zero tolerance?

Mr. Forth: My hon. Friend hits me on a vulnerable spot. That is why I said a moment ago that I was grateful for your protection, Mr. Deputy Speaker. I still believe in capital punishment, although I did not seek to include such a provision in the Bill. I believe that harsh penalties are desirable, but my argument in this case is different. I am sure that the Minister is a modernist to his fingertips, and the more modern approach is to introduce an escalation in the penalties available. The penalty for the first offence would therefore be relatively low, but the penalties would escalate for subsequent offences.

I understand that my hon. Friend may want to argue differently, as may my right hon. Friend the Member for Penrith and The Border, but I hope that I have at least set the scene and posed the important questions. I hope also that the Minister will tell the House how he sees the relationships between the trade, the income accruing to traders, and the penalties that he believes will be effective.

A further matter is crucial to the question of penalties. If the Minister cannot satisfy us that the police will be able to apprehend traders under the provisions of the Bill, there is little point in a discussion of appropriate penalties, as no penalties will be imposed if wrongdoers are not caught. The Bill wants to apply the legal framework that obtains outside royal parks to people who trade within such parks. I therefore hope that the Minister will tell the House how it is that people outside royal parks will be able to trade freely, while those inside the parks will not.

A series of interconnected questions are implied by this apparently innocent amendment. They must be answered before we move on.

Mr. Maclean: I approach the question of the fine level from an angle that is slightly different from that of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). I appreciate the argument that a lower fine might be acceptable for a first offence than for subsequent offences. My right hon. Friend advanced a powerful case for that principle, but because we do not know what the consequences of any fine will be, it is difficult to know whether the fine should be set at level 1, 2, 3, 4 or 5.

Mr. Swayne: For those of us who are not familiar with criminal activity and who therefore have not memorised the scale of fines, will my right hon. Friend spell out what the levels of fine would mean to the ordinary vendor?

Mr. Maclean: I was going to set out the consequences in cash terms of the various standard fine levels, but I hope that I will not be out of order if I challenge my hon. Friend's statement that he has not come into contact with the criminal law. I seem to remember hearing him tell the House one Friday that he had once been thrown out of a public house and arrested because it had been alleged that he looked too young. Apparently, he was cleared because although he looked excessively young, he was old enough to be there. Nevertheless I trust that that was his only experience of the criminal law.

Amendment No. 1 would substitute for level 3, which carries a fine of £1,000, level 2 which carries a fine of £500. The Bill would delete level 1, which carries a fine of £200—it would replace a fine of £200 with one of £1,000. That increase is a little excessive and I recommend a maximum fine of £500 as an alternative. My right hon. Friend the Member for Bromley and Chislehurst would increase the fine from £200 to £500 for a first offence and up to £1,000 for a subsequent offence.

I have outlined the main point that we have to consider when we examine the amendments. At least, it is the main point until we consider the fundamental question whether the penalties are at appropriate levels, bearing in mind the income of the perpetrators of the offences. My right hon. Friend reminded the House of that. It is alleged that beggars on the streets of London—we will not discuss their nationality; we went down that route a few years ago—can make £200 or £300 a day if they are in the right spot and bring the right sort of children or dogs with them. Current penalties for beggars or vagrants are inadequate because those people's income is infinitely greater than the penalties they incur if they face court and the rigours of the law.

Mr. Christopher Chope (Christchurch): Has my right hon. Friend any information about the number of occasions on which the maximum permissible fine is imposed by magistrates under the current system?

Mr. Maclean: That is a valid question. It is highly unusual for the maximum penalty to be imposed in any circumstances—for first, second or even subsequent offences. Before a magistrates court imposes a maximum sentence, it has to be satisfied about the financial worth of the relevant individual and the gravity of the offence.

For the benefit of the House, I have brought a copy of Anthony and Berryman's "Magistrates' Court Guide 2000". The section that refers to sentencing principles for

the magistrates court, especially the paragraph that relates to determining the amount of a fine, is relevant. However, it would be premature to pursue that in my opening remarks. My hon. Friend has led me further ahead than I wish to be at this stage.

Before we can determine the maximum penalties, we must have some idea of the level of the criminality and the nature and extent of the profit that the alleged criminals make. We did not have the benefit of Second Reading because the Government played the trick of convening a Second Reading Committee. It would have been a simple matter to arrange a debate of two or three hours on the Floor of the House—a proper Second Reading, which Bills normally receive. That would have saved us exploring the issues now in the amendments that we had to table.

We need to know roughly the income of the offenders and to ascertain the inadequacy of the current criminal law. We have read in newspapers general allegations that parks police do not find it worth while to prosecute offenders because when offenders are taken to court the penalty is apparently inadequate and they are back on the street the same afternoon or the next day, carrying on their trade and making more money.

I have heard that said and I have read it. I have not received any briefing notes from the parks police or the Department of the Environment, Transport and the Regions to confirm that it is a problem; but if it is and if people are going through the courts on a revolving door basis—paying an inadequate fine and trading again the next day—the House is right to deal with it and the Minister is right to build that provision into the Bill so that we can determine the appropriate level of fine and the confiscation provisions. We will debate those provisions later.

We are determining what are the appropriate sanctions to be imposed on individuals. The Bill has a twin-track approach: there is a fine or penalty in court and there is confiscation of equipment or non-perishable assets.

Mr. Bercow: My right hon. Friend is seeking to establish a link between the scale of the fines and the gravity of the offence—this is intellectually relevant. I wonder whether he can clarify for the benefit of the House whether he thinks that the principle determinant of the gravity of the offence is the extent of the profits or the potency, on a third offence, of the smell.

Mr. Maclean: It is difficult for me to answer that question. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) has said that one of the principal purposes of the Bill is to deal with offensive smells coming from hamburger or hot-dog stalls, and that view has been confirmed in some of the things that I have read or that have been said about the legislation. If that is the case, one can deal with the bad odour. If, on the other hand, the real problem is that these people are making an awful lot of money unscrupulously, illegally or without a licence, we may have to look at a different range of penalties and offences.

I suggest, Mr. Martin, that if odour is the problem and we do not want people to commit the offence again, the confiscation provisions become slightly more relevant. On the other hand, if the problem is the fact that people are making excessive profits—however the Government may determine that—or illegal profits by trading in one of the royal parks without a proper licence, and you will be aware, Mr. Martin, that there is nothing to stop one trading in a royal park—

Mr. Deputy Speaker: Order. The right hon. Gentleman has overlooked the fact that it is normal to address the Chair as Mr. Deputy Speaker.

Mr. Maclean: I am rightly chided, Mr. Deputy Speaker. For some reason, I assumed that we were in Committee—a totally wrong assumption. Of course you are Mr. Deputy Speaker and, if I may say so without sounding sycophantic, a good one at that. We always enjoy your presence in the Chair, in particular on Fridays when you show remarkable patience and tolerance.

Mr. Forth: Does my right hon. Friend accept that because the Committee stage lasted only 35 minutes, he may well have missed it altogether and thought that this was it?

Mr. Maclean: That is a probable and plausible explanation for my getting your designation inappropriately wrong on this occasion, Mr. Deputy Speaker. I will have to do a suitable penance.

Mr. Gerald Howarth (Aldershot): I am grateful to my right hon. Friend for giving way as I fear that he is becoming too sycophantic towards you, Mr. Deputy Speaker, and I wish to protect him from that fate.

In dealing with the level of fines, my right hon. Friend posed the question, "What is the income of these traders?" Will he deal with this matter? I understand that this measure has been brought before us in part because, under the City of Westminster Act 1999, the fine was increased, which drove traders from that part of the metropolis into the royal parks where the fine was rather less. Perhaps the income of these people is such that they cannot sustain a £1,000 fine but they can sustain one of £200.

5.15 pm

Mr. Maclean: My hon. Friend makes a good point; he may be right. I assume that the Minister will argue that one of the reasons for the legislation and why the proposed fines are appropriate is that they match other legislation on areas other than the royal parks, so as to ensure that traders or vendors do not find an easy loophole in the law. For example, they might be fined £1,000 if they were trading on Millbank pavement, but only £200 if they nip into one of the royal parks. *[Interruption.]*

Mr. Deputy Speaker, one of my hon. Friends suggested that my penalty for getting your designation wrong should be at level 3 on the standard scale, or that I should be compulsorily fed a hot dog or a hamburger. Some might allege that that was the greater penalty.

The point that I was making before my hon. Friend the Member for Aldershot (Mr. Howarth) intervened was that we must determine which provisions are to apply—whether the fines suggested by my right hon. Friend the Member for Bromley and Chislehurst or by me or those proposed in the Bill are the most appropriate to deal with the alleged mischief. There are already two theories, but they are only theories. The Minister can no doubt expatiate and explain exactly what the mischief is—is it

[Mr. Maclean]

the offensive smell, or the fact that people are ripping off tourists or trading illegally in the parks and making a profit?

The discussion so far has been about hot dogs, hamburgers and food stalls. However, that is not the only form of trading in the parks on which DETR wants to crack down. I have read that other sales take place. One is told about Rolex watches at £1.50 or Chanel No. 5 perfume at 50p a bottle—the smell of that perfume may be even more offensive than that of hot dogs or hamburgers. Such goods are regularly sold from suitcases on Regent street or Oxford street.

If people are selling goods that are not food or perishables and are not in themselves creating an unpleasant odour—offending the sensitive nostrils of the residents of Kensington and Chelsea and residents near other royal parks, whose nostrils the House should wisely defend on all occasions—we need to know about it. In those circumstances, the financial penalties may need to be greater than the Minister suggested. The profits of those traders may be even greater.

On the other hand, we may not need the confiscation provisions—to which I merely allude in passing, Mr. Deputy Speaker, because they occur in another part of the Bill. Those provisions would certainly deal with the smell problem. The items would be taken away and the traders could not use them again. However, we do not need to confiscate goods—the fake Rolex watches, or other cheap or counterfeit products—to deal with the problem of smell, so a financial penalty might be appropriate in such cases.

On the determination of the amount of any fine and the principles behind it, the House is asked to accept three options. The Minister's option is to delete the £200 fine and to hit everyone with a maximum penalty of £1,000. My right hon. Friend's suggestion is to delete the £200 and hit everyone with a £500 fine on the first offence, jacking it up to £1,000. My suggestion is that a maximum of £500 would be appropriate.

Anthony and Berryman advise that, in accordance with the sentencing principles of the Criminal Justice Act 1991, the court must ensure that the penalty is commensurate with the seriousness of the offence for which it is imposed. Anthony and Berryman note that the court must assess carefully the gravity of the offence, having regard to the circumstances and to any mitigation. The court's assessment of the seriousness of the offence should then be reflected in the fine imposed.

That relates to the point made by my hon. Friend the Member for Christchurch (Mr. Chope). I do not have the magistrates courts sentencing guidelines with me, but no doubt the Minister will confirm that, under those guidelines, a fine is regarded as the least desirable option on many occasions. I think that the guidelines suggest searching for other options, including community sentences, rather than slapping fines on offenders who will not be able to pay. If an offender has difficulty paying, the easiest course is to ignore the fine and not pay it. The bad debt accumulates, the Lord Chancellor's office does not get the money and the law sinks further into disrepute. That is why the previous Government, this Government and earlier Labour Governments considered community sentences. I think that many Governments have spent considerable time trying to find alternatives to fines and imprisonment. These options have included community sentences, which impose penalties that are likely to be put into effect.

Mr. Bercow: I do not want to prevent my right hon. Friend from proceeding with his argument, but there is still some uncertainty about the nature of the trade to which the graduated fines would apply. Is it the intention that they would apply to the sale of hamburgers and hot dogs and, for example, umbrellas, chestnuts, tee-shirts and baseball caps?

Mr. Maclean: My hon. Friend is right. The Bill's main provisions gives Ministers power to designate certain specified provisions of the Parks Regulation (Amendment) Act 1926 as park trading regulations. The Bill is all about creating a new and specific trading offence from existing trading regulations.

For the benefit of the House, I have a copy of the Royal Parks and Other Open Spaces Regulations 1997, which are the most recent. Regulation 4 lists the acts in a park for which written permission is required. Although they would assist in the presentation of my argument, I shall not go through them because I think that you would rule me out of order, Mr. Deputy Speaker. However, activities prohibited in parks include cycling, noise, interfering with plants and fungus and treading on flowerbeds and shrubberies, for example.

I assume that the Minister will say that those examples are not trading offences. When the Minister introduces regulations after the Bill is enacted, I assume that he will have referred to regulation 4 and have selected specific references to trading offences. Regulation 4(6) refers to the carrying on of

any trade or business in a Park.

Regulation 4(3) refers to the operation of

a metal or mineral detector.

There is reference also to the organisation of or taking part in an assembly, display or performance. That may be a theatrical or artistic performance, which in a way may be trading.

We are considering a wide range of activities that is not confined to selling goods. I suspect that when DETR is producing a list of so-called trading offences to which the Bill will apply, it will not select only references to carrying on a trade or business. Instead, it will select some of the ancillary items that can also be regarded as trading offences that will be subject to a £1,000 penalty, including taking photographs of "still or moving subjects" as part of a professional activity by a body "corporate or unincorporate" or taking part

in any assembly, display, performance, representation . . . review or theatrical event.

These, too, could be park trading offences.

The House should ask itself whether these activities, including taking part in producing photographs for *The House Magazine*, should incur a £1,000 penalty. The House will be aware that many of us—well, some of us are less often involved now, thank goodness, since we are no longer in positions of any importance—including Ministers, are often invited by the media not only to College Green but into the royal park that is opposite 4 Millbank to participate in photographic experiences, shall

we say, and to be interviewed. That, according to my reading of the regulations, is illegal. If being interviewed by the BBC on a royal park is regarded as participation in a trade and is contrary to clause 1, a penalty of £1,000 could be imposed.

Mr. Forth: My right hon. Friend could, if he had wished, have used the Royal Parks and Gardens Act 1872 to build on his argument, although I do not press him to do so. As far as I know, it has not been repealed, and it states:

> No person shall drive or wheel into a park any vehicle, barrow, truck or machine not admitted therein by the rules of the park.

As long ago as 1872, many, if not most, of the activities that we are discussing would have been covered by the first schedule to that Act.

Mr. Maclean: My right hon. Friend is, as usual, correct. The only difference is that the penalty specified in the 1872 Act and in the Parks Regulation (Amendment) Act 1926—extremely good reading, which I am sure you will wish to peruse once you have vacated the Chair, Mr. Deputy Speaker—was £5. We have just heard from a distinguished parliamentarian, the right hon. Member for Ashton-under-Lyne, whom, as a former Chairman of the Public Accounts Committee, we can expect to be able to do his sums, that the ratio to allow for inflation between pre-war legislation and that of today should be 40:1. The pre-war penalty of £5 should therefore be upgraded to £200, which, it so happens, it already is. Yet the Minister proposes to increase that penalty fivefold to £1,000. That may be the right amount to deal with the evil or mischief—whatever it may be—of offensive odour or offensive profit-making by person or persons unknown.

Mr. Michael Fabricant (Lichfield): I apologise for not having heard the opening speeches. I was involved in a Greater London Authority statutory instrument Committee with my hon. Friend the Member for Hexham (Mr. Atkinson). May I correct a misapprehension that these matters stem back to the 1872 Act? In fact, they go back to the Crown Lands Act 1702.

With regard to photography, is Parliament square considered to be a royal park? Recently, there was a dispute between the Metropolitan police and the parks police over those of us who visited Winnie the pig in her valiant fight for British pig farming. Was I committing an offence by going there?

Mr. Deputy Speaker: Order. Those matters are not before us. Where parks are located has nothing to do with the narrow amendment before us.

Mr. Maclean: I was attempting to confine myself narrowly to the amendment, Mr. Deputy Speaker, and was not going to be led slightly astray by my hon. Friend. I am slightly surprised that he has not studied the second schedule to the Royal Parks and Gardens Act 1872, which lists the royal parks. If he cares to reach behind him, I shall allow him to study it briefly in order to educate him in that regard. I can assure him that Parliament square is not, in fact, included.

Mr. Fallon: It may be for the convenience of my right hon. Friend if he notes that the second schedule to the 1872 Act, and indeed the first schedule, to which my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) referred, were, sadly, repealed by the 1926 Act.

Mr. Deputy Speaker: Order. I must keep the House to the amendments before us. The matters being raised may have something to do with the Bill, but we are currently debating the amendments tabled by the right hon. Members for Penrith and The Border (Mr. Maclean) and for Bromley and Chislehurst (Mr. Forth).

5.30 pm

Mr. Maclean: I am grateful, as ever, for your protection, Mr. Deputy Speaker. I wish to bring my remarks to a conclusion.

Mr. Gerald Howarth: I am not clear whether I have sufficient information about what my right hon. Friend proposes. He is proposing a fine of £500. He talked about the income of rogue traders. Is there any evidence, from prosecutions under the City of Westminster Act 1999, about what level of fines was imposed? We know that there is a maximum fine of £1,000.

Perhaps the Bill should provide for variable fines, depending on which park was concerned. After all, those who trade in Richmond park will not be able to command the same fees for their burgers or ice creams as people trading in St. James's park, who have the whole Japanese and American tourist market available?

Mr. Maclean: My hon. Friend makes a valid point. It brings me nicely back to sentencing principles, the point on which I wanted to conclude. If a person is found guilty before the court and the court is trying to assess, as the sentencing principles suggest, the gravity of the offence, having regard to the circumstances and to any mitigation, it will have to take into account where the offence was committed. Was it way out in Richmond park or was it in Hyde park or St. James's?

There is also a sentencing principle that states that the court must inquire into the offender's financial circumstances and ability to pay before setting the fine. That brings us back, fair and square, to the point before us. Should the fine be £200, £500 or £1,000 maximum? In some ways, it does not matter what the maximum is because the court cannot slap a maximum fine on anyone before it, willy-nilly. The court is under a duty; indeed, magistrates would be appealed immediately to a higher court if they attempted to impose a maximum fine without inquiring into the offender's financial circumstances and ability to pay.

Mr. Bercow: In proposing the graduated series of fines, has my right hon. Friend taken account of the fact that the Bill treats differently, or appears to treat differently, the vendors of different types of goods, given that there is a power to confiscate non-perishable goods but not perishable goods?

Mr. Deputy Speaker: Order. The hon. Gentleman has been a Member of the House for a reasonable time now. He must know that we are talking not about the Bill in its

[Mr. Deputy Speaker]

entirety but about an amendment to it. The amendment deals not with confiscation but with fines, so any intervention needs to be about a fine.

Mr. Maclean: I hear my hon. Friend's point, and no doubt it is something that we will address when we debate the third group of amendments, which we will reach shortly.

Under the sentencing guidelines, the court will be able to take into account, when deciding the level of the fine, the fact that one person may have had all his equipment confiscated while another may have been sent home with bags of loose hamburgers and fried onions and therefore still has some assets. I am certain that his defence solicitors—if he has defence solicitors—will plead all those arguments. The main one will be, "You cannot impose this level of fine; it is far too high. My client does not have that sort of money."

Also, if there is an order before the court to confiscate equipment, which may be worth £1,000, £5,000 or tens of thousands of pounds, defence lawyers are bound to argue that if the court is to exercise its confiscation powers, it should impose a very low level of fine because anything else would be far too much for their poor client.

Mr. Fabricant: My right hon. Friend is very generous in giving way to me for a second time. In my earlier intervention I mentioned Parliament square, and he asked me to look at the Royal Parks and Gardens Act 1872. Apparently, Parliament square garden is considered to be a royal park. Therefore, would the proposals contained in amendment No. 17 apply to Parliament square?

Mr. Maclean: I assume that they would. I assume that when the Bill is enacted, the Government will produce regulations creating the trading offences. I have studied all the possible offences that could be designated as park trading offences. In addition to selling hamburgers or hot dogs, a whole range of other activities could be regarded as trading activities, including posing for photographs in the park if companies make money out of it, as the BBC and other organisations may do. A range of activities under regulation 4 of the 1997 regulations could be regarded as trading activities, in the widest possible sense. To ensure that the measure contains a catch-all for all trading offences, I suspect that parliamentary draftsmen will designate every one possible, and the penalty of £1,000—or £500, as I suggest—will apply.

In conclusion, unless the Minister convinces me otherwise, I think that jumping from a fine of £200 to one of £1,000, plus introducing, for the first time, the right to confiscate all equipment, is very draconian. A penalty of £500 would still be twice the rate of inflation. The much-respected right hon. Member for Ashton-under-Lyne suggested that the fine should be only £200 if it were to keep pace with inflation since before the war. I am proposing a much higher penalty than the level of inflation would suggest, but the Government are demanding a very high one indeed.

We need to know why the Minister has reached that determination, how it has worked outside the parks in Westminster and what is the level of trading activity. Are we talking just about food and perishables, or is a whole range of odd, assorted goods—perhaps of good quality—being sold as well as counterfeit ones? How does the Minister envisage confiscation working with regard to fines and penalties, and what will the effect be on the court? Only if we know the income that these people make from their activities and the extent of the mischief can we come to a proper, sensible determination about which of the amendments we should vote on today, or whether we should accept the Government's proposals.

Mr. Greenway: For the avoidance of doubt, I wish to state that the official Opposition support the Bill, which began as a private Member's Bill introduced by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke).

I remind right hon. and hon. Members that I have personal experience in these matters. As a police officer at West End Central, policing Soho and Mayfair in the 1960s, it was my privilege and duty to arrest many a hot-dog seller. I assure my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and the Border (Mr. Maclean), who have tabled these amendments, that even in the 1960s it was not unusual for hot-dog sellers to have £100 or more in cash in their pockets when arrested. There has been much discussion about inflation since the 1920s. The result of inflation since the 1960s would mean that £100 then would be worth considerably in excess of £1,000 now.

I cannot agree that the level of fines in a Bill dealing with offences in the royal parks should be different from those in the legislation that deals with offences in the City of Westminster. Whether the level of fines is correct is a separate matter, and I have some sympathy with some of the comments that have been made on that subject.

Reference has been made to enforcement, and I pointed out earlier that the reason why several vendors were selling hot dogs within the vicinity of the London Eye this morning may have been that the police on duty had other things to do. However, inadequate policing is surely not a reason for failing to provide proper levels of penalty and sentence when offenders are caught and successfully prosecuted.

On the contrary, if the scale of offending is such that only a crackdown or blitz by police officers forsaking all their other duties would make any meaningful difference to the level of illegal trading, surely we should ensure that the courts have adequate powers to impose stiff penalties, to make that crackdown worth while. That must mean a combination of heavy fines and confiscation.

Mr. Chope: Will my hon. Friend deal with the argument about displacement? The London Eye is situated in the London borough of Lambeth. Does he agree that there may be so much activity there because fines there are lower than in the City of Westminster? How will that disparity be addressed by the Bill? Will not the Bill exacerbate it?

Mr. Greenway: I am grateful to my hon. Friend, who has anticipated my next point. One of the difficulties created by the provisions in the City of Westminster is that they have displaced illegal trading from the streets into the royal parks. He rightly states that the south bank of the River Thames is in a different London borough. That in no way suggests that the House should not pass the Bill and

send it to the other House for consideration, but my hon. Friend's argument about the rest of London needs to be addressed by Ministers. Perhaps the matter could be drawn to the attention of the new mayor of London, the hon. Member for Brent, East (Mr. Livingstone), and the newly elected Greater London Assembly.

The reason why the Minister and I are in the Chamber this afternoon is that the royal parks are under the jurisdiction, or departmental responsibility, of the Secretary of State for Culture, Media and Sport. Normally we would expect such issues to be considered by Home Office Ministers, or Ministers from the Department of the Environment, Transport and the Regions. I am sure that the Minister will draw the attention of his colleagues in those Departments to the point raised by my hon. Friend the Member for Christchurch (Mr. Chope).

We require the Bill to deal with the displacement into the royal parks of illegal trading that was previously carried on within the city of Westminster. I suggest to right hon. and hon. Friends that the very fact that illegal trading appears now to have been displaced to the south bank adds fuel to our argument that we need to provide adequate protection for the royal parks.

Mr. Bercow: My hon. Friend has referred to the scale of allegedly objectionable activity in the royal parks. Can he tell the House how much less he would expect to accrue to public funds from the fines proposed by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) than from those proposed by the Government?

5.45 pm

Mr. Greenway: That is an interesting question, to which I have no answer. However, that is not the issue; the issue is whether the fines and the confiscation would be a deterrent.

My right hon. Friend the Member for Penrith and The Border asked about the scale of incomes. I have already alluded to my experience of 35 years ago, which suggested that those street traders made substantial incomes from their unlicensed sales. Obviously, they have no overheads and charge relatively high prices for relatively low-quality food or items; reference has been made to counterfeit goods being sold. For many, the fines that traders pay have traditionally been seen as being in lieu of the rent that they would have had to pay if they were trading from a recognised market or other premises.

The House needs no more evidence of the scale of income being derived from this already illegal activity than the widespread reports of Mafia control of the very people who are trading illegally within the royal parks. These so-called pitches are considered to be extremely valuable. My right hon. Friends are entirely right to ask the House to consider whether the penalties are correct, but it would be wrong for us to agree to an amendment which would reduce the level of fines permitted by the Bill. The courts will have flexibility, but in my judgment, the maximum should be higher.

Mr. Fabricant: I am intrigued by my hon. Friend's use of the word Mafia, and I am persuaded by much of his argument. Is he suggesting that there is an element of organised crime, or is it merely individual capitalism by the vendors?

Mr. Greenway: My hon. Friend puts his point with his usual eloquence. I think that organised crime is involved; that advice has come from the Metropolitan police. There have been several incidents of violence, as the Minister has mentioned. We are not dealing simply with hot-dog sellers, but with organised crime and acts of violence that we should not tolerate within the royal parks. That is why this activity must be stamped out and brought under control by proper licensing. That is why the maximum penalties should be even higher.

However, we are perfectly content to trust the Minister's judgment. Clearly, it makes sense for the magistrates courts that deal with such matters—whether they are in the royal parks, the City of Westminster or the City of London—to have the same penalties available to them. I hope that on reflection, my right hon. Friend the Member for Bromley and Chislehurst will seek leave to withdraw the amendment.

Mr. Fallon: I shall be brief, because this is the Report stage.

The House faces an unenviable choice between the amendment tabled by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and that tabled by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean). My right hon. Friend the Member for Bromley and Chislehurst prefers a lesser penalty for the first offence. He described that as modernisation. I would call it sociology, but let us rest on that definition. My right hon. Friend the Member for Penrith and The Border described his amendment as a compromise.

As true Conservatives, we are faced with a choice between modernisation or compromise. In reaching a decision, we should look a little more carefully at how to judge the effectiveness of the fines.

I hope that my right hon. Friends will forgive me if I say that it is all very well to criticise the Minister or the Bill for the lack of evidence on which the Minister's proposed fines are based, but I did not hear any countervailing evidence from them. I wonder whether my right hon. Friends based their amendments on discussions with the Association of Chief Police Officers or the Magistrates Association, or whether they took evidence from representatives of the royal parks. It is crucial that the level of fine should be evidence based. I regret that I did not hear in either of their excellent speeches any greater evidence in support of the levels that they would prefer than we have heard so far from the Government. If the House is to spend prime time fixing penalty levels, we should do so on the basis of discussions with those at the sharp end, such as chief police officers, magistrates and so on.

The second criterion for judging the two interesting amendments is which is likely to be the most effective deterrent. Today's debate has been useful because it has raised the concept of displacement. Something that used to happen in the City of Westminster has been pushed into the royal parks because there is a different penalty there. It has also been pushed across the river to the south bank. If we get the level of fine right, the vendors might be driven to the millennium dome and drum up some custom for that attraction.

I am not convinced by the debate that any of the suggested fines will be a deterrent—and I am far less convinced when I hear from my hon. Friend the Member for Ryedale (Mr. Greenway) that the Mafia is involved. The idea that the Mafia will be deterred because the fine

[Mr. Fallon]

has been increased from £200 to £1,000 does not bear serious examination, and would not bear serious examination on the streets of Palermo in Sicily. A mere £800 will not stop the violence of which my hon. Friend spoke. I need a lot more convincing about the right level for an effective deterrent.

If we want to drive this activity—or, as the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) described it, this smell—out of the royal parks, we must have an effective fine. However, I am tempted to conclude that all three of the suggested levels have been arrived at by simply making up a number. My right hon. Friends seem to think that the problem can be solved by increasing the level of the fine, but they are not sure that it will be an effective deterrent.

Mr. Bercow: I have always regarded my hon. Friend as a libertarian. Does he agree that if one were to argue for a much heavier fine than the Government or the Opposition are proposing, there would be a risk of arguing the doctrine that the ends justify the means and abandoning the notion of proportionality?

Mr. Fallon: I agree. I am not advocating a heavier level of fine than that already proposed. My right hon. Friend the Member for Bromley and Chislehurst seems content with an increased level for the second and third offence. He may wish to return to that idea when he replies to the debate.

I am not advocating any particular level of fine. I need to know why the House is debating this Bill in the middle of the afternoon when there are so many other matters for which we are told there is no legislative time. It is for the Government to defend their chosen level. I am pointing out that the two alternatives do not seem, on first inspection, to be any more solidly evidence based than what is in the Bill.

The third criterion that might be useful is to consider the alternatives. As none of us has confidence in any particular level of fine, are we sure that we have considered all the alternatives? There may be more moderate punishments, such as some form of community service, which might take the vendors off the street.

Mr. Swayne: For the Mafia?

Mr. Fallon: My hon. Friend the Member for New Forest, West (Mr. Swayne) might be about to propose more serious penalties, which might involve the vendors never returning again.

Mr. Swayne: I am attracted by the idea of the Mafia being involved in purveying hamburgers. That is something that we should encourage. If the Mafia can be tied up in distributing hamburgers, society might be enhanced.

Mr. Deputy Speaker: Order. This is wide of the debate on the amendments.

Mr. Fallon: There is an absence of rationale here, Mr. Deputy Speaker. If we are to criticise the Bill for overreacting to a problem, or coming up with a solution that is not based on a particular rationale, we must be honest and apply that same critique to amendments Nos. 17 and 1.

I have said that this is a difficult and agonising choice for those of us who wish to support either or both of my right hon. Friends. However, when they reply to this important debate, it is incumbent on them to demonstrate that their amendments are better rooted in evidence and based on a more reasoned framework than the Bill that they seek to amend.

Mr. Chope: It is a pleasure to follow my hon. Friend the Member for Sevenoaks (Mr. Fallon) because I share some of his scepticism.

My right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) have done a great service to the House and the country by ensuring that we have an opportunity to debate this matter. When speaking to clause 2 in Committee, the Minister justified the clause in just a few words. He said:

> The current maximum penalty . . . carries a fine of £200. Magistrates courts generally impose much lower fines, but even the maximum fine of £200 is no deterrent. The courts need to have much higher penalties available to them.—[*Official Report, Standing Committee G*, 21 March 2000; c. 7.]

He did not explain why or how higher maximum penalties would deter that activity. The best deterrent is the certainty of conviction.

On Second Reading, the Minister said that those seeking to enforce the legislation in the royal parks were subject to strong-arm tactics and violence. In other words, offences were committed against them for which there are substantial penalties, including imprisonment. If the presence of those penalties on the statute book is not sufficient to deter this activity, why does the Minister think that a maximum fine of £1,000 might be?

6 pm

There is a real concern about this piecemeal legislation and the displacement effect. The Government argue that the Bill will equalise the royal parks with the City of Westminster, but those of us who, when we are in London, live on the south bank, as I do, in the London borough of Lambeth, will justifiably ask why the displacement should cause a proliferation of the illegal activity in our area. The Minister has not addressed that point.

Probably the best answer would be to have fixed penalties, decided by local authorities, just as they choose the level of parking fines. Fixed penalties and the certainty of conviction might be a much more effective deterrent than maximum penalties.

Mr. Fabricant: There is a powerful argument for fixed penalties. Does my hon. Friend agree that, in order to avoid displacement, they should apply equally to the royal parks and gardens as well as to places that do not come under the provisions of the 1872 Act?

Mr. Chope: That is a powerful point.

The Minister admitted in the Second Reading Committee that he had been

> advised that interviews by the immigration and social security authorities have elicited that many of those operating these food carts say that they are asylum seekers.—[*Official Report, Second Reading Committee*, 7 March 2000; c. 5.]

That shows that the Government will never achieve their objective of reducing that illegal activity through the Bill.

I do not know whether the Minister has consulted the new chairman of the Commission for Racial Equality on whether he thinks that the legislation is discriminatory, but if those people are indeed asylum seekers, that further demonstrates the knock-on effects of the Government's inadequate asylum policies. Is it not unthinkable that maximum fines of £1,000 should be imposed on asylum seekers, who will justifiably be able to say that they have no source of income? How will the courts be able to impose £1,000 fines on asylum seekers, and how will asylum seekers be deterred from this unlawful activity by the provisions in clause 2?

Mr. Swayne: I do not yet know whether I am in favour of, or against, the amendments. That depends to some extent on what the Minister will say. I want briefly to rehearse my dilemma and to crystallise what has emerged. One has to decide which side of the fence to come down on. I want to rehearse the argument that has erected that fence for me.

I think that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) undermined the force of amendment No. 17 when he suggested that it might not be profitable to spend a great deal of time discussing the level of fines when those fines were unlikely to be enforced.

My hon. Friend the Member for Ryedale (Mr. Greenway) dismissed that argument with powerful logic, but both he and my right hon. Friend relied on one piece of evidence: the four traders next to the London Eye to whom they referred. The key point is that we might be doing those traders a huge disservice, because no one has yet produced any evidence to persuade us that they are trading illegally, yet they were used as the example to prove that the fines would not be enforced. Without that evidence, no such issue can be decided.

The thrust of the remarks of my right hon. Friend the Member for Bromley and Chislehurst and those who followed his logic was that the fine had to be proportionate to the offence. If I understood him and my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) correctly, they did not believe that these offences were quite as heinous as some might portray them to be—reference was made earlier to the offensive smells that might emerge—and my right hon. Friend the Member for Bromley and Chislehurst therefore wanted to reduce the fine in respect of the first offence.

I understand the force of those arguments. These vendors do not force their products on unwilling customers. They provide a service. If it constitutes a nuisance, we must be proportionate in our response. That is one side of the fence—the argument for the amendments.

The argument against the amendments is the argument for zero tolerance—that the fines should be severe and there should be no reduction for the first offence on the grounds that, if we deal severely with the first offence, there will not be subsequent offences. The argument is that, if one takes these issues seriously, one deals with the problem rather than having a running sore.

That might be countered by the proportionality argument—that it is ridiculous to deal with such trivial offences in so draconian a way—but the benefits of the zero tolerance approach are felt not in respect of those particular offences but in respect of all offences. The experience in New York is that dealing with minor offences such as street begging or illegal trading in a severe way has a knock-on effect on much more serious crime throughout the city. That is a powerful argument that we should consider.

However, I have at the back of my mind a reservation, which sprang from a telephone call that I received last week from a constituent, complaining that he had reported a burglar alarm ringing next door to him to the police, only to be told that it was the policy of the police in Ringwood not to respond to burglar alarms. Here we are, discussing additional fines to pursue the purveyors of hamburgers, and I wonder whether we have lost our sense of proportion.

I refer again to the remarks of my hon. Friend the Member for Ryedale, who suggested that the hamburger trade had been sewn up by the Mafia. It may bear repeating that if we could confine gangsterism to the purveyance of hamburgers, we would be doing very well indeed.

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr. Alan Howarth): I am happy to respond to the debate on the amendments. I am grateful to all who have participated. It is proper that we should debate the proposals in the spirit of satisfying Parliament that the legislation proposed by the Government is necessary, well framed, proportionate—that has been mentioned several times—and therefore fit to proceed speedily on to the statute book. I hope that right hon. and hon. Gentlemen are increasingly satisfied that that will be the case.

The Bill has been considered carefully by Opposition Front Benchers, and I place on record my appreciation of the responsible attitude of the hon. Members for Ryedale (Mr. Greenway) and for Richmond Park (Dr. Tonge). I assure those right hon. and hon. Gentlemen who have cast a scintilla of doubt on whether Parliament's scrutiny of the measure has so far been adequate that I have been subjected to a rigorous and searching interrogation—more importantly, so has the legislation—by the hon. Gentleman and the hon. Lady. None the less, it is appropriate to proceed as we are this afternoon, and I shall address myself to the amendments. In so doing, I shall deal more gently with the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) than did the hon. Member for Sevenoaks (Mr. Fallon), who made some shrewd criticisms of the amendments—in the interests of opening up such issues for debate, I presume.

This straightforward measure is intended to deal with a pretty clear-cut problem—unauthorised, and therefore illegal—trading in the royal parks. Indeed, the Metropolitan police and the Royal Parks Constabulary have advised us that such illegal trading is very much a manifestation of organised crime of an unpleasant nature.

[Mr. Alan Howarth]

The right hon. and hon. Gentlemen, who are strongly committed to upholding good law and order, would certainly want the Government to deal with such crime.

Mr. Fabricant: The Minister says that he agrees with my hon. Friend the Member for Ryedale (Mr. Greenway) that this is indeed a problem of organised crime. The word "Mafia" was used. Therefore, does he think that a level 3 penalty, which is suggested in clause 2 and is the subject of the amendments, will be adequate to deter the Mafia or others involved in such organised crime?

Mr. Howarth: I shall address the specific point that the hon. Gentleman properly raises in a moment, but right hon. and hon. Members want to know the nature of the problem, so I shall respond on that general point before dealing with the fines and other remedies and penalties that may be appropriate.

We suspect that such activities are organised, but even if they are not, they involve ripping off the many visitors who come to enjoy the royal parks on a scale that should shock us all. I am advised that the illegal traders who have been arrested and charged with offences have told the police that they make approximately £1,200 a day—a lucrative trade indeed. However, they do not always have that sum on them because they use a system of runners to take the money back to those who control them. It is clear that significant penalties, including fines, are needed if we are to address the problem.

I was asked about the incidence of such offences. In 1999, about 1,500 illegal traders were prosecuted for activity that occurred in St. James's and Green parks, so we are dealing with a large-scale problem that causes widespread offence. Licensed traders are losing a significant amount of business. Their turnover has been substantially reduced—by about 50 per cent. since the mid-1990s. A further effect is that The Royal Parks agency is deprived of the revenue that it would otherwise receive from the licensed traders, so a clear public interest is involved.

6.15 pm

Apart from the financial aspects—the money made by the unauthorised traders and the sum lost by those who should benefit—we have seen a set of practices that I can only describe as squalid. We have seen episodes of violence. Unauthorised traders have gone at one another with knives as they contended for particular pitches. On one occasion, they went at one another with iron bars just outside a park. Hot fat was poured over a police officer who sought to prevent them from carrying on that trade.

Mr. Forth: What puzzles some of us is that the Minister is describing criminal activity. Presumably, the criminal law extends to the royal parks. He used the phrase "we have seen", so presumably the police must have also seen those activities. Is he telling us that the police will not or cannot deal with the criminal activities that he describes, let alone the trading and the creation of offensive smells?

Mr. Howarth: We must deal with those who are engaged in the criminal activity that we find on the spot. The right hon. Gentleman is perfectly right to press me on that point because, of course, the police should make every effort to get at the racketeers who lie behind the trade. We are talking about practical measures to get at the roots of the problem as well as at the individuals who commit such offences in the parks.

Mr. Fabricant *rose—*

Mr. Bercow *rose—*

Mr. Howarth: I shall make a little more progress and then respond to any point that hon. Members want to make. I am dealing with the nature and scale of the problem because only when we understand that can we judge the appropriateness of the fines proposed.

Amendment No. 17 would limit magistrates courts to imposing a fine not exceeding £500 for a first offence. They would be empowered to impose a fine not exceeding £1,000 for a subsequent offence. We heard an interesting history of inflation between 1872 and 1926, and we were all grateful to my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) for his authoritative intervention. We also heard some interesting speculation about the rising incidence of criminality. In fact, the penalties that we introduce must be effective, not disproportionate or draconian.

Mr. Fabricant: Will the Minister give way?

Mr. Howarth: Not yet. Amendment No. 1, which was tabled by the right hon. Member for Penrith and The Border, would reduce the maximum fine that magistrates courts could impose for a park-trading offence to £500. There is no reason why we should stipulate that the courts should impose a more lenient penalty on an illegal trader for a first offence. Given the scale of the problem, the offences perpetrated and the rewards that the unauthorised traders enjoy, his proposal to impose a level 2 fine is not appropriate.

A particularly important consideration—the point was helpfully made by the hon. Member for Lichfield (Mr. Fabricant)—is the need for consistency; that theme has emerged during the debate. The right hon. Member for Bromley and Chislehurst drew attention to the activities of traders on the south bank. As we debate the matter now, we have no idea whether those traders were licensed, so we cannot generalise usefully from the observation that he made, but we do know that, as far as possible, we should have available to us a consistent regime and a consistent range of penalties.

It seems to me—I am grateful for the support that I have had on the point from the hon. Member for Ryedale—that it is obviously sensible for the regime that we create for the royal parks to be consistent with the regime that Parliament has created for the City of Westminster. The City of Westminster Act 1999 was passed only last year. We can ask all sorts of questions—they were asked in the debate—about whether there are alternatives to fines. Possibilities were proposed such as community service, but, unless we deal consistently with the same offences in neighbouring areas, we will continue to see the displacement effect, which has caused the state of affairs in the parks to deteriorate so badly, particularly since we introduced that Act.

Mr. Bercow: I hope that the Minister is not implying that there is a causal link between deplorable violence and

thriving trade. I assume that he accepts that the trade that is taking place is voluntary. In seeking to justify the fines that he proposes, what exactly does he mean by the term "ripping off"?

Mr. Howarth: I am advised that some high prices for what I would think were unappetising hot dogs and hamburgers are being extorted from innocent visitors to parks. The hon. Gentleman, who is deeply committed to the unalloyed free market, would no doubt applaud such conduct. He would say good luck—caveat emptor—but, having responsibility within Government for The Royal Parks agency and for good conduct in, and good presentation of, the royal parks, I am concerned that we should not endorse the violations of hospitality that such practices involve, so I do not agree with him on the matter.

Mr. Fabricant: The Minister says, rightly, that there needs to be consistency between the level of fines in the royal parks and the level of fines in the City of Westminster to avoid displacement, but, before a fine can be levied, there must be an arrest. What worries me is that, earlier, he spoke about crimes of violence that are against the criminal code and where there have not been arrests. Is he convinced that there are sufficient parks police—there are certainly not sufficient Metropolitan police—to ensure that such arrests can be made?

Mr. Deputy Speaker: Order. That is going wide of the amendment that is before us. The amendment is about fines. Therefore, we should restrict ourselves to that.

Mr. Fabricant: But the person must be arrested before he can be fined.

Mr. Deputy Speaker: Order.

Mr. Howarth: I am grateful to you, Mr. Deputy Speaker.

Let me pay tribute to the Royal Parks Constabulary because it is trying hard and doing its best to acquit its responsibilities in difficult circumstances. I believe that the force is sufficiently staffed for it to be able to carry out its responsibilities, but there need to be the sanctions and the penalties, which are available to the courts. Otherwise, the problem will grow and grow. At the moment, it is simply too easy for people to make a lot of money out of illegal trading, so the problem is liable to overwhelm the Royal Parks Constabulary, but I am glad to say that that is by no means the case at the moment. However, it is under a pressure that it should not be under. It is one of the reasons why we need that level of fines.

Mr. Maclean: Will the Minister give way?

Mr. Howarth: No. I should like to carry on a little further.

Fines alone will not be sufficient. The scale of profiteering that I have described shows that, so we need the panoply of measures that Parliament has already provided the City of Westminster, including fines, powers of seizure and the power of the courts to order forfeiture. We need to see the fines in that broader context. The evidence is that the array of penalties available to magistrates to use for offences committed in the City of Westminster is working satisfactorily.

We have had much debate about what the level of fine should be. That is a proper concern for the House to have, but let me remind right hon. and hon. Members that the Bill still leaves magistrates courts discretion to impose a lesser fine. The right hon. Member for Penrith and The Border underlined that it is not just a discretion. There is a duty to exercise that discretion—magistrates have a duty to take account of the circumstances of each case—so the concerns about proportionality are well met.

The offence in question is not, as was suggested, merely the generation of offensive odours. We have an array of much more significant offences. It is right that we should have those powers to deal with them. I hope that, on that basis, the right hon. Member for Bromley and Chislehurst will be willing to withdraw his amendment and to agree that what we have in the Bill is, after all, appropriate.

Mr. Forth: I am grateful to the Minister for taking the trouble to answer the debate in such detail and with such courtesy. I am conscious of the passage of time. I think that we have had a proper and thorough debate.

In view of what the Minister and, in particular, my hon. Friend the Member for Sevenoaks (Mr. Fallon) have said, I now realise that my amendments were probably misplaced and even misdirected. I feel properly chastened. On the basis of their remarks, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

OFFENCE BY BODY CORPORATE

Mr. Forth: I beg to move amendment No. 18, in page 1, line 16, after "the" insert "knowledge,".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 3, in page 1, leave out lines 17 and 18.

No. 2, in page 1, line 23, leave out from beginning to end of line 3 on page 2 and insert—

'(a) a director or company secretary described in the articles of incorporation, and

(b) a person purporting to act in either of the capacities above.'.

No. 4, in page 1, line 25, leave out paragraph (c).

No. 20, in page 1, line 25, leave out "secretary" and insert—

'company secretary (in the terms defined in the Articles of Incorporation)'.

No. 21, in page 2, line 2, leave out "purporting" and insert "authorised".

No. 31, in page 2, line 2, leave out "purporting to act" and insert "acting".

Mr. Forth: In the light the debate that we have just had, I am tempted to designate this part of the Bill the "Mafia clause". I can conclude only that the description of the clause, "Offence by body corporate", must refer to the Mafia. It has not been suggested yet by the Minister

[Mr. Forth]

that anything that would usually be known as a body corporate—a corporation or a company—is involved in that activity, but he has suggested, and seems to believe, that he has sufficient proof that the Mafia or some other organised crime organisation is behind it. I say that not in a spirit of levity, but to suggest that the thrust of the clause is either misdirected or directed for reasons that we have not yet been told by the Minister.

In restricting my remarks and in making them as succinct as possible, in order that we may make progress, I wish to explore whether the Minister is satisfied that the words in the clause are sufficient. That is the reason for our amendments. They are part probing and part designed—I hope that he will accept it—genuinely to strengthen the clause. However, it will be up to the Minister, as ever, to satisfy me and my right hon. and hon. Friends and to say whether that is the case. The amendment would add the word "knowledge". We want to be able to demonstrate within the clause that the offence has been committed not just with consent or connivance, but with the knowledge of an officer. That is important to make full sense of the provision.

There are references in the clause to the "director", the "manager" or the "secretary". Again, our concern was that the term "secretary" could be misconstrued and could draw into the net of the offence persons who perhaps should not be drawn in. We suggest the phrase "company secretary", which would provide the necessary elucidation or further expansion suggested by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean).

6.30 pm

We are rather puzzled by paragraph (e), in which the word "purporting" appears. Unless the Minister tells us that the word has a specific meaning and will be specifically effective in terms of the Bill's aims, we propose the substitution of the word "authorised" for the word "purporting"—or, indeed, "acting". We want the legislation to be made more specific and therefore, as we would argue, more effective. I fear that the word "purporting" may not be strong enough or sufficiently focused to give the Bill the effect that I know everyone wants it to have.

Mr. Fabricant: I understand why, in his introductory remarks, my right hon. Friend described this as the Mafia clause, but does he now accept that it would not apply to organised crime unless it was committed by a body corporate? Surely it is highly unlikely that any crime organisation would incorporate itself in the United Kingdom. On that assumption, there would be no company secretary and, indeed, no officer of such a corporation.

Mr. Forth: That helpful intervention simply exposes the fact that my suggestion that the Mafia might be caught by the clause was somewhat wide of the mark, and I do not want to pursue it unduly. However, one issue lingers. We must know, by the time we have completed the Bill's Report stage and Third Reading, whether it will deal with the Mafia problem—as the Minister introduced it to the debate—and whether the confiscation of hamburger carts will be sufficient to deal with that problem. We will discuss confiscations later, but we are currently dealing with the body corporate.

I suspect that, like me, my right hon. Friend the Member for Penrith and The Border wants to be satisfied that the clause as it stands, or as amended if the Minister feels able to recommend any of the amendments, is drafted well enough not just to deal with a problem whose existence we all now acknowledge, but to ensure that there is no risk that an innocent employee might be caught up in a way that was not intended. I am thinking of, for example, the use of the word "secretary". I assume that the Bill means officers rather than employees. I have doubts about the use of the term "manager", but I think the Minister will be able to explain that.

The amendments are intended to be partly probing and partly helpful. I hope the Minister will accept them on those terms.

Mr. Maclean: I was very surprised by the drafting of this part of the Bill. I never say that drafting is sloppy, because that usually constitutes unfair criticism of parliamentary draftsmen, and sometimes constitutes unfair criticism of the civil servants who issue those draftsmen with instructions. On this occasion, I simply say that the drafting is slightly odd or obscure. I see what the Minister and the Government are getting at; I just wonder whether the terminology is right to catch the people whom they want to catch. I fear that it could lead to an unfair interpretation in court. I am thinking particularly of the use of the term "secretary" rather than "company secretary", which denotes a legally defined person. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) mentioned that.

Amendment No.2 proposes the omission of the examples cited in clause 3(2)—"director", "manager", "secretary", "another similar officer" and

a person purporting to act in any of the capacities listed

in the paragraphs . . . My amendment would substitute the words

a director or company secretary described in the articles of incorporation, and . . . a person purporting to act in either of the capacities above.

I think that, according to a proper interpretation of company law, my amendment uses the more appropriate terminology. In all company law, the people responsible are the directors of the company involved. When companies are incorporated, they must have directors, and I believe that they must have company secretaries. The company secretary is usually qualified: indeed, I think that a company secretary must be legally qualified under the law.

Mr. Fabricant: Will my right hon. Friend give way?

Mr. Maclean: I will give way to my hon. Friend, who is about to correct me.

Mr. Fabricant: My right hon. Friend is right in saying that a company secretary ought to be qualified, but most company secretaries are qualified in accountancy or are members of an institute. They tend to be accountants rather than lawyers.

Mr. Maclean: I am grateful for that correction, but it does not undermine the thrust of my argument that a company secretary is generally a recognised person with a professional qualification—in accountancy, I now

gather, and no doubt in company law, rather than that person being a lawyer. There is, however, a world of difference between a company secretary—according to the definition that I understood to be correct and what my hon. Friend informs me is correct—and a secretary. I think that, as drafted, the Bill could lead a court to convict a person who just happened to be a secretary—not a legally qualified company secretary or a company secretary qualified in accountancy; not a shareholder in the business; and not someone who has the authority of a director responsible for the management of a company and for ensuring that its accounts are filed and Companies Acts requirements are complied with; but a girl who just happens to be in a typing pool. I do not mean to be derogatory to ladies in the typing pool—

Mr. Forth: Or men.

Mr. Maclean: Indeed.

I am led to my conclusion by the fact that the word "manager" appears before the word "secretary". "Manager" is not a term used in Companies Acts either. I think that if the rules of interpretation of courts were applied, a court would conclude that clause 3(2) was trying to catch ordinary employees. It catches the director, then it catches managers of any description. They could be managing directors, but they could also be sales managers, store managers, floor managers, people in charge of hamburger barrows, or cold-store managers. If the Bill catches people who fall under the general description of manager, as opposed to director, the courts could easily assume that it catches people who just happen to be secretaries.

Mr. Fabricant: My right hon. Friend raises the spectre of a worrying situation, but I wonder whether he has overlooked the use of the word "officers" in subsection (2). Surely that would rule out the secretary in a typing pool. The reference in subsection (2)(c) to a secretary means an officer of a body corporate, who would be the company secretary under the terms of the Companies Acts.

Mr. Maclean: I beg to disagree with my hon. Friend. The Bill says:

> For the purposes for this section the following are officers of a body corporate.

It then refers to a "director", a "manager", a "secretary" and "another similar officer". It says that, for the purposes of the Bill, those people are now to be regarded as officers of a body corporate, which is not the normal interpretation.

I understand some of the reasons behind the legislation. The Government have concluded that some of those involved in this trade are not just big limited companies but partnerships and other funny little businesses, one-man bands, or outfits in which one person is the boss and a few other staff are working for him or her. Some of those other staff might be secretary types or manager types, but they are equally involved in criminality or illegal activity. The Government intend subsection (2) to catch all who are taking part in, or encouraging, such activity. However, if that is the case, the Government should use different terminology.

It would have been acceptable if, in clause 3(1), the Government had used the terminology "with the consent or connivance of any other staff, managers or workers." What is unacceptable to me is the mucking around with the usual interpretation of company law, suggesting that the officers of a body corporate can include those who are rather loosely described as managers, secretaries or other similar officers. What officer is similar to a director, manager or secretary? In the Companies Acts, one knows what "another similar officer" is in relation to a director or a company secretary. The rather vague terminology used in the Bill does not help us on the matter.

As I do not want to take too much time on this group of amendments, I shall move on to my first amendment, No. 3, which is more of a probing amendment than anything else. I can accept the first three lines of clause 3, although, in paragraph (a)—as my right hon. Friend the Member for Bromley and Chislehurst suggests—it might be appropriate to add the word "knowledge" to "consent or connivance". I perfectly well accept that, when an offence is committed as a deliberate act, with connivance or consent, the officers involved—as well as the body corporate, the limited company—should face the penalty.

I do not understand, however, how the offence can be attributable to neglect by an officer. I do not know in what other spheres of the criminal law someone could find themselves in a criminal court because of neglect to comply with an aspect of company law, although I know that, under company law provisions, someone who fails to file accounts or value added tax returns faces the penalty. In this case, however, we are talking about a criminal offence, and potentially an attaching criminal record, because someone in a company—the secretary, the manager or a director—was neglectful in some way in allowing the offence to be committed.

I can envisage circumstances in which someone's trading licence for a hamburger stall has come through for Green park, but not yet for St. James's park, and some manager or secretary says to their people with wheelbarrows or carts, "Off you go—you're off to St. James's park; it's all right, you have a licence there", but gets it wrong. I would say that that was not deliberate connivance—it might be a lack of knowledge—but a simple mistake. Yet, because of the neglect of that secretary in mistakenly directing a staff member to the wrong park, for which she thought that the company had a licence from the Department of the Environment, Transport and the Regions, she might suffer the full penalty of a criminal conviction and a fine of up to £1,000. She would face that penalty because the body corporate and she as a secretary have negligently committed that offence.

The Minister may rightly say that the court would take that into account, and that the police may not charge them but take a sensible view. I am always happy to ascribe to police, including park police, a view that they will always operate with common sense. The only exception to that—this is merely an aside, Mr. Deputy Speaker, or you would promptly rule me out of order—is when one sees pictures of park police on roller-skates, which is their latest device for catching Mafia in the park. I have a such a picture—from the *Evening Standard* of 13 April—which I may pass to you, Mr. Deputy Speaker, for inspection. Therefore, one sometimes has to question the wisdom of park police—although I am told that the roller-skates are very effective.

Mr. Forth: What if the Mafia put on skates?

Mr. Maclean: They will no doubt evade the police.

Nevertheless, although we shall give police all credence for having common sense on whether they prosecute a poor secretary because she makes a little mistake in sending the guy to the wrong park and commits an offence, it is our duty as legislators not to give police the opportunity to get it wrong initially. We should not build into the legislation a provision that will lead to police catching the wrong people—those who are not the real ringleaders, company directors or masterminds who may be making £1,200 a day. I may be tempted, in the summer recess, to ask the Minister how one can apply for a licence to sell goods in the park, as it sounds a rather lucrative profession.

6.45 pm

My final amendment, No. 31, deals with "purporting to act", which I think should be substituted by "acting". As my right hon. Friend the Member for Bromley and Chislehurst said, it would not be right to prosecute a company because someone falsely claims to be acting in any of the capacities listed earlier in the clause.

It is perfectly right to catch those who are not company directors, managers, secretaries or—if the Government wish—other similar officers, but who are acting in that capacity, actually doing it. Someone in the business may be called "the doorkeeper", "the doorman" or "the garage hand", although those titles are only a cover for his having a very powerful say in the company and the fact that he is the mastermind. In such cases, that person is acting in one of the listed capacities—he is the boss, although he may not have that title.

Someone who is acting in a listed capacity should be caught. What concerns me, however, is that there may be people who falsely claim to be acting in the capacity of boss. I cannot understand the wisdom of simply adding the word "purporting" when I think that the Government really want to catch people who are genuinely doing the acting and perhaps passing themselves off as someone else.

It is a small group of amendments, and we have not dealt with them at great length; there is much more that we could say. There are, however, a few serious points in them. I summarise those points by saying that I am still intrigued by the terminology that the Government have decided to use in the legislation, particularly in clause 3(2). I should like reassurances on the matter from the Minister, who was exceptionally kind and courteous in replying to the first group, thereby persuading my right hon. Friend the Member for Bromley and Chislehurst and I not to press them to a vote. We were persuaded by the strength of the Minister's arguments, which shows the importance of having exploratory amendments and a good ministerial reply.

I hope that the Minister will be able to convince us on this occasion also, so that we shall be able to make some progress—especially as there are some considerable things that I should like to say in speaking to the third group of amendments. There may be issues in that group that we wish to press further. Now, however, I should be happy to hear the Minister's reply.

Mr. Alan Howarth: I appreciate the spirit in which the amendments in this group have been dealt with by the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). I think that, principally, once again, they are seeking clarification and reassurance that the terms in which the Bill is drafted are appropriate.

In amendment No. 18, the right hon. Member for Bromley and Chislehurst has actually sought to strengthen the Bill's provisions. I put it to him that his amendment would be excessively draconian—to use a term that we used in our first debate—in its effect, because it would make liable to prosecution an individual who had any knowledge of a certain state of affairs, regardless of the extent to which that individual could be held personally responsible. It could render officers of a company liable to conviction in cases in which it is unreasonable that they should be punished at all.

The type of cases that amendment No. 18 would add are ones in which a person had attempted, unsuccessfully, to prevent a misdeed—although they knew about it, they were ineffective in being able to deal with it—and various other cases in which someone who had some knowledge was powerless to be effective. I think that that would be unreasonable. I believe—as I hope to persuade Opposition Members—that, as drafted, clause 3(1) covers all the levels of action or inaction by an officer that are appropriate to prosecute.

The right hon. Member for Penrith and The Border has just spoken to amendment No. 3, which he explained was intended as a probing amendment. We need to make provision to deal with negligence. The amendment would restrict the circumstances in which an officer of a company may be convicted of a park trading offence to those in which he has consented to or connived at the commission of the offence by a body corporate. Clause 3(1) provides that if a body corporate has been convicted of a park trading offence and an officer is proved to have consented to or connived at it, or the offence is proved to be attributable to the neglect of the officer, that officer will be liable to prosecution. That additional provision is important.

The amendment would weaken the Bill by excluding from prosecution an officer or body corporate who was negligent. The negligence might be in failing to realise that the body corporate was committing an offence, albeit that the officer concerned was in a position of responsibility within that body corporate. The officer could equally not be prosecuted if he knew that the offence was being committed but did nothing to prevent it. I see no good reason why those who have been negligent should get away with it.

On amendment No. 2, the right hon. Gentlemen were concerned that the language that we have used may not be consistent with the ordinary terminology of company law. The amendment would create a loophole, allowing officers who do not hold the formal title of director or company secretary, but who carry out such responsibilities, to escape liability. It would preclude the possibility of prosecuting a manager or anyone purporting to act in such a capacity for the commission of a parks trading offence. Furthermore, it would remove the important flexibility that is currently written into clause 3(2) that provides for the possibility of prosecuting those who do not precisely fit the categories of director,

manager or secretary, but who hold similar positions t[illegible] have effectively the same functions even if they are not formally so styled.

Amendment No. 20 would not add anything to the Bill, although I assume that it was intended to clarify matters. I am advised that the word "secretary" would be interpreted by the courts to mean company secretary in this context. The amendment would create a loophole by defining the term "company secretary" only by reference to the articles of incorporation, with the result that someone who was effectively company secretary but was not formally styled as such would fall outside the scope of the Bill and would escape criminal liability.

Mr. Fabricant: Will the Minister give way?

Mr. Howarth: No. I should like to carry on because we have a little business to transact before 7 pm and the hon. Gentleman has already spoken a certain amount.

Amendment No. 21 would restrict the class of person who may be considered to be an officer of a body corporate by excluding those who were purporting to act as a director, manager or secretary but did not have the authority to do so. The right hon. Member for Bromley and Chislehurst seeks to change the word "purporting" to "authorised". The amendment would achieve nothing positive. The persons authorised to act in the capacity of officer are already provided for in clause 3(2)(d). The amendment would preclude the possibility of prosecuting those who purport to act as an officer without the authority to do so. I cannot see why such individuals should escape liability.

Finally, amendment No. 31 would not improve or clarify the Bill. Persons acting in the capacity of officer are already provided for by clause 3(2)(d). Like amendment No. 21, it would preclude the possibility of prosecuting those who purport to act as an officer without the authority to do so. It is again unclear why such a category of individual should escape liability.

Having heard those explanations, I hope that the right hon. Gentlemen will not press their amendments.

Mr. Forth: When I looked at the clause and set about drafting my amendments, I suspected that I might get into difficulty because I was encroaching on a narrow, legalistic area. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) may have felt the same, although he has much more expertise in this area than I have, given his distinguished ministerial experience in a previous existence.

The Minister confirmed my suspicions in the most helpful and positive way. I tried to follow his arguments—he quite properly gave the House a carefully drafted reply of the kind with which some of us are very familiar. He reassured us that clause 3 has been carefully drafted; it is intended to cover all conceivable possibilities in this area. We may want to return subsequently to the Mafia point because I am not sure that the clause would cover it, but it was not intended to do so. The clause is intended to cover more organised operations, rather than sole practitioners or single-person enterprises. I accept the spirit in which that explanation was offered.

The Minister has gone a considerable way to reassure us that our unhappiness about the use of the term "secretary" was misplaced, because it is a term of art. My attempt to define it more accurately could have misfired and unduly narrowed the Bill or caused it to lose its focus. I did not quite follow the argument, but I gather that the same was true of the word "purporting", which appears also to be a term of art that I had not fully understood.

We can be reassured by what the Minister has said—that clause 3 strikes a reasonable balance, being broad enough to cover those who should properly be encompassed within the Bill and avoiding being too narrow to miss those whom we might wish to catch. I thank the Minister again for his care and courtesy in replying to the amendments. In the light of what he has said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Maclean: I beg to move amendment No. 6, in page 2, line 4, leave out clauses 4 and 5.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following: Amendment No. 28, in clause 4, page 2, line 13, at end insert—

'(4) Where a park constable exercises his powers under subsection (1) above he shall—

(a) ensure that he provides facilities for the safe removal from the park of any perishable material by the person having possession or control;

(b) give to the person having possession or control a document, in an appropriate language, setting out the reasons for the seizure, itemising the things seized and informing the person of his rights and liabilities under section 5; and

(c) not remove any article until he has performed an assessment under the Control of Substances Hazardous to Health Regulations that the removal of the thing or things would not create a hazard for his or others' health and safety.

(5) The document referred to in subsection (4)(b) above shall comply with the model in Schedule (*Document relating to seizure of property*).'.

Amendment No. 22, in clause 5, page 2, line 20, after "at", insert "or before".

Amendment No. 23, in page 2, line 26, at end insert—

'(3A) Proceedings arising from subsections (1) to (3) (including appeals) shall be concluded within a period of three months, after which the charges shall be withdrawn, or appeal deemed to have succeeded.'.

Amendment No. 24, in page 2, line 30, leave out from first "of" to second "of" and insert—

'60 days beginning with the date of the initiation'.

Amendment No. 25, in page 2, line 35, at end insert—

'(5A) If the Secretary of State has retained a thing under subsection (3)(b) for the period of 60 days from the initiation of proceedings relating to the offence (including any appeal), he shall return it to the person from whom it was seized.'.

Amendment No. 7, in clause 6, page 3, line 2, leave out from "anything" to end of line 8 and insert—

'which the court believes to have been used in commission of the offence to be forfeited and dealt with in a manner specified in the order.'.

New schedule 2—'SCHEDULE—

Document Relating to Seizure of Property

'(1) Appropriate Language.

An appropriate language in section 4(4)(b) is one of the following:

English

French

Spanish

Albanian

Arabic

Armenian

Azeri

Belarussian

Bulgarian

Croatian (the western variant of Serbo–Croat—also called Croato–Serb)

Estonian

Georgian

Greek

Hungarian

Kurdish

Latvian

Lithuanian

Macedonian

Romanian

Russian

Serbian (the eastern variant of Serbo–Croat)

Serbo–Croat

Slovak

Slovene

Turkish

Ukrainian.

(2) Reasons for Seizure.

The reasons for the seizure are that the person having possession or control has committed a Park Trading Offence, namely (insert offence).

(3) List of Items Seized.

(List the items seized)

(4) Rights and Liabilities.

The person having possession or control and from whom the thing or things were seized shall be informed that—

(a) the Secretary of State may retain the thing or things until the conclusion of court proceedings;

(b) the Secretary of State may sell the thing or things and use the proceeds to pay his costs if the person having possession or control is found guilty of an offence;

(c) the court may order the thing or things to be forfeited and destroyed if found guilty of an offence;

(d) the person having possession of the thing or things may make representations to the court about their disposal before the court makes an order.'.

Mr. Maclean: It is a pleasure to make such considerable progress on the Bill. We are now beginning to gallop. It is a pity that our proceedings have to be interrupted shortly, because we could polish the Bill off in another hour if only we had the time.

Mr. Forth: We started late.

Mr. Maclean: Had it not been for the statement, we might now be concluding Third Reading.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and I have always been keen to ensure that we get the Bill on the statute book at the earliest opportunity, following proper parliamentary scrutiny. It is excellent to see the House operating properly, as the Parliament of this country has consistently operated over the years, giving excellent scrutiny to a Bill that will make a fundamental difference to the state of affairs in the royal parks, about which many hon. Members on both sides are concerned.

My first two amendments are considerable—No. 6 would delete clauses 4 and 5. They are exploratory amendments, although there are others in the group that I may wish to pursue more vigorously. I, too, pay tribute to the Minister for his courtesy and consistency and for the detail of his replies, which has enabled us not to press our amendments, having been persuaded of the merits of the case. However, if his reply to these amendments is less satisfactory than his replies have been so far, I shall unfortunately have to pursue them to a Division. I hope that we can avoid that.

I do not wish to pursue the first two amendments to a Division, because I do not wish to delete provisions that may be essential to the proper enforcement of the Act. However, it is right to explore, in the Minister's words, the other section of the panoply of legislative sledgehammers that he and his Department feel it necessary to take to those who sell hamburgers, hot dogs and other goods in stalls in the royal parks. We have already dealt properly with fines and explored how effective the Government's proposal of level 3 on the standard scale—a £1,000 fine—would be. We did not press our proposals for a £500 fine; we are happy with £1,000 and consider that reasonable and sensible. We must now turn our attention to whether the parks police should have the additional power to seize all the property of those committing the offences and to retain and dispose of that property—

It being Seven o'clock, and there being private business set down by direction of THE CHAIRMAN OF WAYS AND MEANS *under Standing Order No.20 (Time for taking private business), further proceedings stood postponed.*

Mr. David Heath (Somerton and Frome): On a point of order, Mr. Deputy Speaker. You will be aware that this afternoon, in a written answer, the Ministry of Agriculture, Fisheries and Food divulged the rather alarming information that genetically modified crops had been planted in this country during the past two years, contrary to Government policy, on the basis of recent information from Advanta Seeds UK. Perhaps you are not aware that the Minister then provided further information to journalists to the effect that 14,000 hectares of GM crops had been sown and that the Department of the Environment, Transport and the Regions became aware of that on 17 April.

Mr. Deputy Speaker: Order. I should be grateful if the hon. Gentleman would put a point of order to the Chair.

Mr. Heath: First, have you, Mr. Deputy Speaker, had any approaches from the Department of the Environment, Transport and the Regions or the Ministry of Agriculture, Fisheries and Food at any time during the past four weeks seeking to make the House aware of that information? Secondly, is it in order for a Minister inadvertently to give

the House partial and perhaps misleading information in the form of a written answer and then provide much fuller information, which is essential to an understanding of the case, to the press but not to right hon. and hon. Members?

Mr. Deputy Speaker: Obviously, the Chair cannot comment on the contents of answers to questions tabled by hon. Members, but no doubt the Government and the House will have heard the point that the hon. Gentleman has made.

Kent County Council Bill *[Lords]*

Order for Second Reading read.

7.2 pm

Mr. Paul Clark (Gillingham): I beg to move, That the Bill be now read a Second time.

We are here to debate the Kent County Council Bill, but hon. Members will be fully aware that an identical Bill, the Medway Council Bill, relates to the Medway unitary authority. The purpose of the two Bills is to cover the administrative area of the county of Kent. Therefore, it will be for the convenience of the House if, in speaking to the Kent County Council Bill, I refer also to the Medway Council Bill.

Together, the Bills seek to reduce the levels of acquisitive crime such as burglary by making it harder to dispose of stolen goods and turn them into cash. The Bills have cross-party support on both councils and are a good example of inter-agency working and a co-operative approach to issues under the Crime and Disorder Act 1998.

Mrs. Fiona Jones (Newark): As we are considering two Bills tonight, can we have some clarification? Will we be voting on both Bills, or will we have a vote on one Bill and then consider the other Bill?

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before the hon. Member for Gillingham (Mr. Clark) responds to that, let me inform the hon. Lady and the House that although we are dealing principally with the Kent County Council Bill, it will be in order for hon. Members to refer, where appropriate, to both Bills.

Mr. Clark: I could not respond to that intervention as it was clearly a point of order for the Chair. However, as the two Bills are identical in purpose, it would not be untoward to refer to them both.

The Kent County Council Bill follows a two-year period of consultation with business, commencing in 1998. The promoters have taken into account many of the comments that were received and have amended the Bill considerably to ensure that it properly recognises how the businesses that it covers work and to minimise its administrative impact on those businesses.

The Bill seeks to regulate the unregulated second-hand trade. Home Office research supported by police intelligence shows that a large proportion of stolen property passes through the unregulated second-hand market. During 1997 and 1998, more than £105 million worth of goods were stolen in Kent and the recovery rate was only 25 per cent.

The scope of the proposed legislation will jointly provide Kent county constabulary and local authority trading standards officers with a comprehensive intelligence picture enabling effective enforcement. Burglary and car crime are Home Office and Kent police priorities. The recording provisions in the Bill would lead to an increase in intelligence and allow stolen goods to be traced through the supply chain to identify dishonest businesses.

I have a particular interest as my constituency falls in the Kent policing area of Medway. In autumn 1999, my right hon. Friends the Prime Minister and the Home

[Mr. Clark]

Secretary launched an initiative called Radium, funded by the Home Office. A main thrust of the initiative is to investigate the disruption of markets for stolen goods.

Police and trading standards officers have encouraged local second-hand dealers to subscribe to a voluntary scheme requiring them to keep records to identify those selling goods to the dealer. As a result of this and other crime reduction strands of Operation Radium, the level of acquisitive crime in Medway has fallen by 19 per cent. Specifically, Operation Radium has supported the Home Office evidence and shown that a substantial proportion of stolen goods are disposed of locally through the second-hand trade. Although bona fide dealers have supported the voluntary scheme, there are a number of dealers selling goods of a type which are often stolen who will not participate or co-operate fully in that voluntary scheme.

There are particular types of businesses such as second-hand car parts shops that are particularly unwilling to operate the scheme. If a car is stolen and not recovered, what happens to it? How are the parts disposed of?

There is some confirmation of how some of these stolen goods are laundered. It comes directly from those involved in the thefts. When asked, "How do you dispose of your stolen property?", criminals responded to Kent police in this vein:

> Cheques and credit cards to a female . . . antiques to a handler in Herne Bay and jewellery to a second hand shop in Margate.

Another contributor sent goods

> to friends and known handlers in the Deal area and second hand shops in Dover . . .

The final contribution to the research stated:

> Burglaries are committed between nine in the morning and two in the afternoon and property is sold to second hand shops later the same afternoon.

It is against that background that the Bill seeks to assist in tackling the problems. It addresses two main aspects—dealings in second-hand goods and occasional sales, and the relatively new activity of squat trading.

I turn now to some of the specific provisions of the Bill to ensure clarity of understanding. The need to register will apply only to persons dealing in second-hand goods in the course of a business. It will not apply to private individuals. Case law from other statutes indicates that there is scope for amateur collectors to dabble in the acquisition and disposal of goods without necessarily being treated as a trader.

Dealers will be required to register themselves and their business premises. To reduce the burden on businesses, registration is free and lasts for three years, and a single registration will cover both councils. There are exemptions because we recognise the issues involved. They include registered charities, for example. There are also exemptions for businesses already covered by similar provisions such as scrap-metal dealers and pawnbrokers. There are also exemptions for those dealing in goods in respect of which police statistics show that there is no particular problem, such as second-hand books.

Mr. A. J. Beith (Berwick–upon–Tweed): Has the hon. Gentleman taken sufficient account of the legitimate architectural salvage trade, which can achieve considerable savings in energy by the re-use of materials? Is he willing to consider that matter in Committee?

Mr. Clark: The right hon. Gentleman raises an important point. The Bill contains a provision to exempt those involved in recycling processes. The promoters and those who oppose the Bill will have an opportunity to discuss such details in the Select Committee.

Registered dealers will have to keep records detailing the name and address of the person from whom articles were acquired, the date of the transaction, a description sufficient to identify the articles and, in the case of motor vehicles, a record of the odometer reading. The promoters have taken note of comments from opponents of the Bill, and plan to introduce an amendment that will exclude items if the dealer has reasonable grounds to believe that they will be sold for less than £10. The legislation allows for that figure to be increased with the approval of the Secretary of State at the request of the council.

The provision will exclude a substantial number of low-value items from the record-keeping requirements, and will be helpful to businesses such as those that carry out house clearances as they effectively will not need to record the details of any goods that they expect to be sold for £10 or less.

If an article is sold for a price exceeding £100, the name and address of the purchaser must also be recorded. Consultation has shown that there are concerns about the purchaser of valuable items disclosing his personal details to an unknown dealer. An amendment has been incorporated to allow other details to be accepted—for example, payment by credit card or cheque, with the details being recorded, and for cash transactions, other forms of personal identification such as a driving licence or passport number.

As Operation Radium has shown, a substantial number of stolen goods pass through dealers' premises. However, there are other means of distributing stolen goods, including occasional sales and boot fairs. As a result, the legislation seeks to provide intelligence to the enforcement agencies to identify dealers and to obtain advance notice of such sales.

Both the owner and occupier of the premises on which the sale is to take place and the person operating the sale must give 21 days' written notification to the council. Operators of occasional sales will be required to keep a register of all sellers and their vehicle registration numbers. That will allow the police or trading standards officers to check on individuals attending sales, to see whether there is a pattern that suggests a trade status. The requirement to record a registration number is intended to reduce the likelihood of false information being given.

As I commented to the right hon. Member for Berwick–upon–Tweed (Mr. Beith) on Second Reading, we are considering the underlying principles of the Bill. The detail is a matter for the Select Committee.

There have been four petitions against the Kent County Council Bill, with duplicate petitions against the Medway Council Bill, with the exception of the petition from the Ashford cattle market, which relates solely to the Kent County Council Bill.

I shall deal briefly with the substantial issues raised by the petitioners.

Mr. Michael Clapham (Barnsley, West and Penistone): Can my hon. Friend tell the House whether the Bill is based on any other regional legislation that is currently operating in the United Kingdom?

Mr. Clark: There are substantial precedents in existing private legislation—about eight Acts. The provisions of the North Yorkshire County Council Act 1991 are the closest to those of the Bill.

One of the main contentions of those who oppose the Bill is that such legislation should be on a national scale and should not be specific to one area. Although the promoters may agree with the petitioners about that, the simple fact is that the problem exists now in Kent for the 8,200-odd households that were burgled last year.

As I said, it is not as though precedents do not exist. Eight local authorities have similar powers. On Third Reading of the Bills in another place, Lord Mayhew commented on the claim that piecemeal legislation was wrong. He said:

> If so, that "wrongness" seems to have eluded Parliament over the past 10 years in a large number of instances.—[*Official Report, House of Lords*, 18 January 2000; Vol. 608, c. 1057.]

I have already referred to Operation Radium in Medway. I hope that Home Office evaluation of that scheme will act as a springboard to achieve national legislation. Unfortunately, there appears to be no immediate prospect of that.

There is a further contention from the petitioners that the Bill will restrict competition. The promoters have taken a number of steps as a result of the consultation to ensure that the burden on businesses is reduced. That is why there have been so many amendments to the original Bill.

In addition, amendments have been moved to modify the impact on dealers who are based outside Kent and Medway if they occasionally sell items in Kent, and to remove them entirely from the scope of the legislation if they only occasionally buy items in the area.

Mrs. Fiona Jones: Does not that discriminate against the trade in Kent? Would not the outcome be that people who were not legitimately trading would simply trade outside the Kent area?

Mr. Clark: I thank my hon. Friend for that intervention. The evidence suggests that such legislation would not have that effect. I can tell you that as a result of the North Yorkshire County Council Act 1991, there are 8,100 registrations on the books this year, and I can tell you that 51 per cent. of those are organisations outside the North Yorkshire county council area, so there is an almost equal split. The legislation has not created any difference between operators in the area or outside.

It has been argued that the bureaucracy required by the Bill will impose too great a burden on business. However, the proposed legislation would require dealers only to keep good records, which is best business practice. Indeed, in the antiques trade there are codes of practice supported by LAPADA, now the Association of Art and Antique Dealers, which represents about 700 dealers nationally, and COPAT, the Council for the Prevention of Art Theft.

Those codes of practice are aimed at reducing the possibility of a trader selling stolen goods. Both codes suggest the need for accurate records showing where a dealer purchased goods and to whom they were sold.

Mrs. Jones: Can you inform the House whether—

Mr. Deputy Speaker: Order. The hon. Lady must use the correct parliamentary language and must not use the word "you", as the hon. Gentleman did a few moments ago.

Mrs. Jones: I apologise, Mr. Deputy Speaker. Will my hon. Friend tell us whether LAPADA supports the Bill?

Mr. Clark: I take note of your guidance, Mr. Deputy Speaker.

My hon. Friend raises an important point. LAPADA has been involved in discussions and has referred information to the promoters of the Bill. It has not directly given support to the Bill.

LAPADA's code of practice, like that of other trade associations, rightly suggests that for their own protection its members should follow good business practice and keep records. The understandable recommendation is that records should be kept of the names and addresses of people from whom they buy and to whom they sell. The codes of practice contain suggestions that go far beyond the requirements of this Bill.

Mr. David Heath (Somerton and Frome): The hon. Gentleman is doing a good job of explaining the Bill, but will he say how it will apply to people who are enthusiasts rather than strictly commercial sellers? My constituent Mrs. Pope of Pitney has written to me, on behalf of the Vintage Motorcycle Club, about the two large autojumbles that the club holds at the Bath and West showground each year. She is worried that if the Bill were applied nationally, it would be impossible to get casual sellers of motorcycle parts to attend because of the bureaucracy and restrictions involved. Will the hon. Gentleman comment on that, and give my constituent reassurances?

Mr. Clark: That is an important point. I can assure the hon. Gentleman that sales held for charitable reasons, for example, will be exempt from the terms of the Bill. As for people who dabble occasionally in such sales, the key question is whether they do so in the course of the conduct of a business. As I said earlier, substantial precedents exist in other legislation and its interpretation to suggest that people who dabble in such matters would not be affected by the Bill. The possibility of the Bill applying nationally is not a matter that is in my hands.

I was speaking earlier about the records already kept by businesses, and mentioned the codes of practice of the trade associations. I should also mention that many operators in this sector operate a scheme for value added tax purposes that is called the margin scheme. It requires dealers to produce and maintain numbered purchase invoices that must include the name and address of the seller, the dealer's name and address, the stock book number, the date of transaction, a description of the goods that must include any unique identification number, and

[Mr. Clark]

the total price. That information must be recorded for the VAT margin scheme that is often in operation among dealers in second-hand goods.

It has been said that the legislation will be unenforceable. Enforcement resources must always be used wisely. Police and trading standards officers are used to working in an environment where intelligence is used to focus resources for maximum effect. For both agencies, the Bill will act as a tool to achieve business targets effectively. Indeed, Operation Radium has demonstrated that similar voluntary provisions are operated with current resources in Medway.

Finally, I turn to the application of the Human Rights Act 1998 to this Bill, which has been the subject of some discussion with the promoters of the Bill. The purpose of the Act is to give further effect in the United Kingdom to rights guaranteed under the European convention on human rights. Many of the provisions do not come into force until October, but section 19 of the Act requires that a Minister of the Crown in charge of a Bill must, before Second Reading, make a statement in writing that in his view the provisions of the Bill are compatible with the convention rights. If the Minister is unable to make that statement of compatibility, he or she must supply a written statement to the effect that the Government wish the House to proceed with the Bill regardless.

The provisions of section 19 do not apply to private Bills or to private Members' Bills. As a result, it is impossible for the promoters of private Bills to comply with the procedure laid down in section 19. An amendment was suggested to provide that the Bill would have no effect until the Secretary of State had stated that in his view the Bill complied with the rights given under the convention. However, the amendment could not be accepted, as the promoters of the Kent County Council Bill and Medway Council Bills have no idea about whether—or even when—the Secretary of State would be prepared to consider making such a statement.

The promoters undertook to obtain a legal opinion on the compatibility of the provisions of the Bill with the convention. They have obtained that opinion, in which counsel stated that

> on the assumption that the amendments now proposed are incorporated in the Bill, I am of the opinion that if this was a public Bill and section 19 of the Human Rights Act applied, the Secretary of State would be in a position to provide a statement of compatibility.

To add just a little detail to that statement, I can tell the House that the amendments referred to are to be made to clause 14, which deals with the powers of entry. They would ensure that a warrant would be required in every case where powers of entry were exercised, in relation to private dwellings.

Mrs. Fiona Jones: I am slightly confused by the application of clause 14. As I understand it, the Police and Criminal Evidence Act 1984 allows police to enter private or business premises if they can present to a magistrate sufficient reason and cause for such entry. They would be able to satisfy those conditions in relation to serious criminal cases. Is my hon. Friend suggesting that the provision should be made wider in Kent?

Mr. Clark: I had hoped that I had made it clear that the Bill would enable police and local trading standards officers to enter private properties. That would not be possible if officers could not prove to magistrates that a warrant was required.

Mr. Beith: The hon. Gentleman may have misheard or misunderstood the question that I asked, which had to do with the architectural salvage trade. People trade in bricks, staircases, tropical hard woods and all sorts of items that can be re-used. The re-use of such materials provides a considerable saving in terms of energy and scarce resources. That trade is not exempt from the provisions of the Bill, and I hope that the hon. Gentleman and the Bill's promoters will bear in mind that they need to ensure that the trade can continue to operate in the beneficial way that it does at present.

Mr. Clark: I am grateful for that clarification, and recognise the importance of the business to which the right hon. Gentleman refers. I am aware that a similar problem arises with Kent pig tiles, for example. The issue is under active consideration, and further amendments to the Bill may be needed.

The promoters of the Bill have sought to reach agreement on practical issues and to amend the Bill in a way that will assist all concerned. However, the Bill's essential purpose will not be compromised. The process has demonstrated the partnership that exists in Kent between local authorities, police forces and other agencies. That partnership wants to make communities safer for residents, traders and consumers.

I ask the House to support the Bill. It will help to stem the tide of burglaries and offer support to legitimate traders and businesses in the county of Kent. Above all, it will help to close down outlets for stolen goods.

7.29 pm

Mr. Michael Howard (Folkestone and Hythe): It is a pleasure to follow the hon. Member for Gillingham (Mr. Clark). I congratulate him on his initiative in sponsoring the two Bills—the Bill before us and the Medway Council Bill—on behalf of the two local authorities. There is cross-party consensus in those authorities in favour of the measures. It is encouraging that the Bills at least begin their consideration on the basis of such consensus, although some of the noises off suggest that it may prove short lived.

When I became Home Secretary in 1993, I was given a briefing by Home Office civil servants. They showed me a graph, which clearly displayed the trend in crime. It vividly demonstrated that crime had increased inexorably, relentlessly and almost without interruption under Administrations of all political complexions for 50 years. They said, "This is what's happened to crime in the past 50 years and what will continue to happen in the next 50 years. The first thing you must recognise, Home Secretary, is that there is nothing you can do about it. Your job is to manage public expectations in the face of the inevitability of rising crime."

I did not take that advice. In the four years during which I held the office of Home Secretary, crime fell by approximately 18 per cent. *[Laughter.]* I am glad that Opposition Members believe that that is a laughing matter. Nearly 1 million fewer crimes occurred in 1997 than in 1993. It is the overriding duty of Government to do all they can to reduce crime, and increase people's safety in their homes and on their streets.

The Bills deal primarily with people's safety and that of their property in their homes. My home is in my constituency in Kent, therefore I, too, declare an interest. The main purpose of the Bill is to reduce burglary by making it more difficult for burglars to get rid of the property that they steal.

Mr. Andrew Rowe (Faversham and Mid-Kent): Does my right hon. and learned Friend agree that, in being tough on crime and tough on the causes of crime—to coin a phrase—the Bills go some way towards attacking the causes of crime?

Mr. Howard: My hon. Friend is right. Every hon. Member should prize the Bills' objectives. However, when reducing crime—and, as my hon. Friend said, the causes of crime—it is no good willing the end without willing the means.

Mrs. Fiona Jones: How would the Bills reduce the causes of crime? I did not hear a clear explanation of that. I appreciate that they might make it more difficult for people to place goods in the hands of those who sell them, but I do not understand why they would reduce the causes of crime. They might displace crime. One of the criticisms of the measure is that it is a local Bill, confined to Kent. It might therefore—

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Export crime.

Mrs. Jones: Exactly. It might export crime to areas outside Kent.

Mr. Deputy Speaker: Order. The hon. Lady was making an intervention.

Mr. Howard: I am not sure whether the hon. Member for Newark (Mrs. Jones) was invited to the briefing that the chief constable of Kent gave this afternoon. The hon. Member for Gillingham nods. If she had accepted that invitation, she would have heard a clear explanation of the way in which the Bills would affect the causes of crime. He explained that professional, prolific burglars operate on a rational basis. They take account of the ease with which they can profitably dispose of the property they steal.

Mrs. Jones: Will the right hon. and learned Gentleman give way?

Mr. Howard: The hon. Lady must wait for the answer to her first question before she asks another. If burglars find it more difficult to dispose of stolen property because of measures such as the Bills that we are considering tonight, they will think twice about committing burglary, because there is so much less in it for them.

The hon. Lady made a point about burglars' ability to dispose of property in the same way in places other than the county of Kent and Medway. There is not a great deal of evidence from other parts of the country that that happens, but if it did, other areas have the remedy in their hands. Councillors in those areas could introduce similar measures. Doubtless they would have a similar effect.

There are only two relevant questions for hon. Members to consider when determining their attitude to the Bill. First, will it work? Secondly, are the burdens that it will impose on legitimate as well as illegitimate businesses justified? I have considered the evidence, and I believe that the answer to both questions is in the affirmative.

Evidence shows that such a measure has worked in North Yorkshire, which has enforced the legislation that is most similar to the Bills. There has been some dispute about the figures, but I am satisfied. I have seen correspondence with those who have the responsibility for implementing the legislation in North Yorkshire. During the period when it has been fully enforced and effectively used, there has been a considerable reduction in the burglary figures for the county.

As the hon. Member for Gillingham said, if one considers the evidence from Medway, where similar arrangements have been in force on a voluntary basis, one sees that there has been a fall in burglary there greater than that for the county of Kent as a whole. In addition, great weight should be given to the views of the chief constable of Kent, for whose leadership I have the greatest respect. He believes that the measures will be effective and make a difference.

Mr. Jonathan Shaw (Chatham and Aylesford): I, too, attended the presentation by the chief constable of Kent. I was struck by the words of Mr. Alex Dalziel, the chief executive of Cash Converters. Does the right hon. and learned Gentleman agree with Mr. Dalziel that the Bill will be good for business? The survey that Cash Converters conducted showed that people were reluctant to go to its stores because they believed that many of the goods were stolen. The Bill will therefore be good for business.

Mr. Howard: The hon. Gentleman makes a telling point, and I agree with him.

Are the burdens justified? Clearly, there is scope for argument about many of the details in the Bill. The cut-off point may need to be amended, and there may well be circumstances in which those burdens should be eased. However, if we are to make a determined assault on crime, and do all we can to achieve what should be the primary objective of the policy—safety for citizens in their homes—the burdens that both Bills impose are justified.

Many of the opponents of the two Bills, including the hon. Member for Newark, have argued that such measures should not be introduced piecemeal and that we should have national legislation. That is a seductive argument. However, there is great merit in local experimentation. We should take advantage of the fact that the House can give local government powers to ascertain whether schemes work.

Many of the most imaginative innovations in criminal justice and social policy in the United States have resulted from local initiatives by individual states. We do not have a federal system and I would not want such a system to be introduced. However, where there is scope within our present constitutional arrangements for local innovation and experimentation to be introduced, it is something to be welcomed and used to our advantage and it is something that the Bill would provide. For all those reasons, I commend it to the House.

7.40 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): When I first got wind of this Bill I was sympathetic, but on reflection I have changed my mind—hon. Members may call it a U-turn if they like. After studying the philosophical aspects of the Bill, I have come to the conclusion that it is wrong in principle. It is not that I am in favour of supporting burglary; of course we want crime to decrease and sensible efforts to reduce it must be welcomed. Burglary is theft, usually, from houses or dwellings. The Bill deals with the passing of stolen goods.

This Bill and the Medway Council Bill would deal with the problem of stolen property in the county of Kent. They are not a new initiative, as other hon. Members have said, but are based mainly on the North Yorkshire County Council Act 1991. I suspect that there is not an hon. Member in the House who has not been burgled in one way or another. I have had seven burglaries and am still counting—it gets very emotional. However, I want to detach myself from those experiences to consider how the Bill would help to reduce crime in Kent, whether the ends justify the means and whether it would have any real impact on the passing of stolen goods in the local area.

As well as considering how the legislation would work in practice, I wish to end on a positive note. Like every responsible citizen, I want a reduction in crime—I am still open to argument.

A balance of reasonableness must be struck between setting rules for the responsible conduct of a business and binding it so tightly in legislative bureaucracy that it is no longer able to conduct its perfectly legitimate business.

Dr. Stephen Ladyman (South Thanet): I entirely accept my hon. Friend's wish that crime be reduced, and I know that he would only oppose the Bill if he saw a key matter of principle in it. How does he square his view with the fact that the Bill would be no more onerous for the businesses affected than the industry's voluntary code of practice? How can he argue as a matter of principle, therefore, that it would impose burdens on them?

Mr. Wyatt: I wish that it were more than a voluntary code—that is the point. The voluntary code is not often practised. I will deal with the burden of that, if my hon. Friend will allow me to pursue my argument.

The two Bills have escaped any requirement for assessment, by being private Bills. Although, as hon. Members have said, they have been out to tender, as it were, and what people in Kent believe has been taken into account, I could show the House five or 10 letters from people who have not been consulted—especially people in the antiques trade, on which the measure would have an especially negative impact.

We do not know the financial or the proportional costs, and we cannot yet say what the significant benefit would be. Indeed, the two Bills might meet the description in the Government's better regulation taskforce report of two weeks ago, as being regulations heaped upon regulations, with no thought of how they might be implemented and practised by small businesses, especially those in the antiques trade.

It is fair to say that there was no consultation in the drafting of the two Bills and there has been little meaningful dialogue with the antiques trade since. The sheer quantity of paperwork that the Bills would demand of traders is extraordinary. An accurate description of the purchase of any items costing more than £10 would now have to include such things as—I take my examples from this week's edition of the magazine *Loot*—a used mattress, a pair of shoes, two office chairs and an eight-month-old neutered Himalayan rabbit called Barney.

Hon. Members should consider the example of the sale of the contents of a deceased person's house, which might well contain 400, 500 or 600 items to be catalogued for sale. We all know how much we gather in our lives. Much of the material does not have much value, but most individual items are worth more than £10. In the case of even one house, those detailed descriptions would run into hundreds of records. Let us think of the many records that would have to be collated in Kent; add them all up, add in purchases from individuals, check the fairs and go outside the county to check with dealers registered outside who deal inside the county. Hon. Members will appreciate that a mountain of paper would accumulate.

It will take the police an enormous amount of time to compile and store such records if they need access to them. The resources that will be required to catalogue, collate and inspect such a mass of information are much greater than we are being led to believe. When I talked to the police in Kent, I suggested that one solution would be to use software to enable everyone to do this, but that suggestion fell on stony ground.

Mr. Paul Clark: My hon. Friend should have sold it to them.

Mr. Wyatt: Perhaps I should.

Some records at some time will always be useful to the authorities. However I cannot believe that anyone could defend placing such a bureaucratic burden on small businesses. The importance of precisely and accurately targeting only essential information is well illustrated by the newspaper advertisement that read:

> Farmer aged 38 wishes to meet unmarried woman in early thirties who owns a tractor: please send photo of tractor.

Dr. Howard Stoate (Dartford): I understand my hon. Friend's concerns about bureaucracy. We all have concerns about heaping yet more bureaucracy on people—but how on earth are we to know whether the goods in a second-hand or antique shop are stolen? Clearly, if they are stolen, they have been taken from someone's house and there has been a break-in. Surely, therefore, the bureaucracy is a relatively small price to pay for what could be an enormous reduction in the number of burglaries and in the heartache and anguish caused to families when someone breaks into their house for gain.

Mr. Wyatt: I thank my hon. Friend for that intervention. That is the principle that I am trying to suggest. If it is of such fundamental importance, why is it being introduced piecemeal? If seven—perhaps eight—counties have such legislation and it is so important for reducing crime, it ought to be introduced by the Government and not in a back-door way in a private Bill.

Dr. Ladyman: Will my hon. Friend give way?

Mr. Wyatt: If my hon. Friend does not mind I will just get going.

I mentioned small businesses because that is largely how the antiques trade works, and it may be difficult for hon. Members to understand that. Most stolen goods are of low value, for quick sale, and are drug and juvenile crime related. The Bill does not deal with that problem because such goods are not offered for sale to responsible second-hand traders. The dishonest traders will not register themselves with Kent county council, nor will they give their names and addresses when they sell, or keep descriptions and records.

Mr. Paul Clark: The whole reason for the Bill is to close down the market for those stolen goods. Does my hon. Friend not accept the evidence on a market reduction approach that is stacked up in the Home Office, and is available from the Kent police authority? His constituency is covered by that authority. Does he not accept that evidence that much stolen property ends up in the second-hand market? We are told that by the criminals themselves. Does he not agree with their evidence?

Mr. Wyatt: I think that that was a speech rather than an intervention, but I will try to answer the questions. Boot sales are one of the central issues. The Bill is a catch-all to try to get to the bottom of what is going on in boot sales throughout the country, but in this instance in Kent. A simpler way to deal with the problem would be for the car boot sale organiser to register the car and the number plate as each car goes in. The Bill does not go about dealing with the problem in the right way.

Furthermore, as Kent has no bordering county to the east or north, the Bill will push this trade to Essex or Sussex—or, more probably, to south London. We all know that anything of real value that is stolen is immediately removed as far from the scene of the crime as possible. No burglar is likely to sell valuable stolen property on his doorstep. The Bill is likely to encourage the export of stolen goods, as others have said. That, for me, is the issue. If the legislation is so important, let us introduce it nationally.

Dr. Ladyman: I am grateful for my hon. Friend's patience. Surely the point is that if the Bill is as successful as many hon. Members think it will be, the likelihood is that after an experimental period—to which the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) referred—the Government of the day will almost certainly adopt it and introduce it nationally. I will make my hon. Friend an offer. In a year or two, when the legislation is a success, I will join him in encouraging the Home Secretary to introduce it on a national basis.

Mr. Wyatt: Again, I think that was probably a speech.

The measure relating to Yorkshire was passed in 1991. I take issue with the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), as my figures for Yorkshire are slightly different from his, and I may discuss that in a minute. However, if the Yorkshire measure was so profound in 1991, why is there no follow-up Act in 2000? That is not the way to go. If I am correct and the Bill is based on improving the Yorkshire legislation, it is up to the Minister to introduce it as a major Bill.

Mrs. Fiona Jones: May I just—*[Interruption.]* It is interesting that a former Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), is speaking in our debate. The Police and Criminal Evidence Act 1984 provides for the police to enter private premises. It appears to me that if one strips away—

Mr. Deputy Speaker: Order. I remind the hon. Lady again that she must frame her intervention in the form of a question and be brief.

Mrs. Jones: I apologise, Mr. Deputy Speaker.

Does my hon. Friend agree that the 1984 Act makes provision for the police to enter people's premises? Therefore, it is debatable whether the Bill makes any provision differing from that of the Act?

Mr. Wyatt: I confess that I do not have profound knowledge of the 1984 Act, so I take my hon. Friend's word that that is the case.

The Select Committee on Culture, Media and Sport, of which I am a member, is examining the rather larger issue of stolen artefacts. If one buys a second-hand car, one gets a logbook; if one buys a house, one gets information. Therefore, when one buys an antique, why cannot it be logged? That is so fundamental as to be a national issue.

Hon. Members have referred to the Yorkshire experience and the legislation passed in 1991. I am happy to argue about figures, but mine show that there were 4,971 burglaries, and 4,806 last year. That is a reduction of only—

Mr. Howard *rose—*

Mr. Wyatt: I see that I am about to be given more figures.

Mr. Howard: The hon. Gentleman may not have had the opportunity to consider that matter in more detail. However, the officer in the North Yorkshire force responsible for the implementation of the legislation has written a letter in which he states:

> It was only later in 1995/96 and championed by the Crime Managers in the Force that the Police in North Yorkshire revealed the potential of the Act . . . This was the case in 1995/96 which saw a proactive approach to policing this Legislation.

Is the hon. Gentleman aware of that? The officer goes on to provide figures. In 1995, there were 7,190 burglaries from dwellings in North Yorkshire. In 1998, there were 4,801 burglaries in North Yorkshire.

Mr. Wyatt: I accept the source of those figures. However, I got mine from a library. As the right hon. and learned Gentleman knows, figures are used with great discretion in this place. I accept his, although they weaken my case. However, I am not pursuing the burglary element of my argument, but am trying to finesse the part on antiques.

[Mr. Wyatt]

In conclusion, these two private Bills on local matters are well meaning, but are philosophically flawed in principle and, for antique traders, oppressive in practice. I quote my constituent Georgina McKinnon of Newington Antiques who said:

> The antiques trade in Kent is valuable and this will certainly do us damage. The Bills are wrong in the way they have been devised with no chance of succeeding. They will only serve to alienate the honest dealer from the authorities who try to carry out this ridiculous and unworkable legislation and it is not possible to make wrong right.

7.54 pm

Mr. Roger Gale (North Thanet): I do not propose to detain the House for long. I shall not oppose the Bill as I believe that it should proceed to Select Committee and be thoroughly examined there. However, several significant questions remain to be properly answered. I hope that the Select Committee will get to grips with that job.

The reasons and thinking behind the Bill are perfectly apparent. Hon. Members on both sides of the House have pointed to the effects of burglary on individuals, and to the fact that most of us have probably had a property burgled. They highlighted the sense of intrusion and loss, especially in relation to items of intrinsic value, but not great commercial worth, which is traumatic for many people. Anything reasonable that can be done to curtail what is often drug-driven burglary and theft must be a good thing.

Kent police have taken significant steps on that and shown great courtesy in trying to explain the thinking behind the measure to those—including, I confess freely, me—who have expressed concerns about the Bill. Faced with representations from antique dealers in my constituency, it seemed to me, initially, that the Bill was using a sledgehammer to crack a nut and was over-bureaucratic. I still have some misgivings, despite the explanations that the police have given me.

The Bill's promoters would have done themselves a favour if they had consulted more with antique dealers in the county. In my constituency, several reputable people—I know that they are reputable because I know their businesses—feel that they have not been consulted and that their views have not been considered. They are genuinely concerned about giving names and addresses and are anxious about the kind of record that they will be required to keep.

Such concerns may well be allayed. However, they are genuine and must be properly addressed. To date, those people do not feel that they have been treated with the courtesy which I, at least, feel they deserve.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary, described as beguiling the argument that the scheme should be nationwide. As is his wont, he then proceeded to deploy an even more beguiling argument, attempting to persuade the House that there was some purpose and magic in experimenting locally and allowing matters to develop. He said that, if the scheme was good for Kent, in time, others might follow. The hon. Member for Sittingbourne and Sheppey (Mr. Wyatt) said, correctly, that the Yorkshire measure which has been prayed in aid came into force in 1991. Frankly, if it was that good and the previous Government—of whom my right hon. and learned Friend was a member—were going to get on with it, or if the present Home Secretary was going to get on with it, why is there not a national scheme?

Lord Bassam of Brighton, who is Under-Secretary at the Home Office, gave the Bill virtually unqualified support when he spoke on Third Reading in the House of Lords. Why, then, is the Bill not a Government Bill and why is there not a national scheme? It is apparent to everyone, in the House and outside, that burglars have learned how to ride bicycles and travel. The mere fact that something is stolen in Margate does not mean that it cannot swiftly be sold in Sussex, for instance. Indeed, it will be.

That brings me to the North Yorkshire County Council Act 1991, which, as I said, several colleagues have prayed in aid. With the courteous assistance of my hon. Friend the Member for Ryedale (Mr. Greenway) and the North Yorkshire constabulary, I have probed the matter a little further. A few moments ago, my right hon. and learned Friend produced some impressive figures, as if producing a rabbit from a hat. I do not know which member of the constabulary he spoke to, but I have spoken to a detective constable to whom I was introduced by the chief constable, so he does not have an axe to grind, other than in favour of the constabulary—if I can put it like that. The officer was very candid, and said that the 1991 Act is difficult to enforce on car boot sales.

We are told that the Bill will get to grips with car boot sales. However, an officer responsible for enforcement told me that it is pretty darned impossible to enforce. We are told that all the good antique shops are already doing what the Bill proposes. I shall deal with the plus side of that in a moment. We are after rogues, who find it extremely easy to trade after hours and to circumvent the Act. They do not keep records. The back door opens and the loot goes in. Later, the loot comes out through the same back door. The Act does not deal with that activity. That is a weakness in the much vaunted North Yorkshire Act. I am not saying that that weakness cannot be corrected in other legislation. Indeed, perhaps that Act can be improved upon. However, given that the Bill is virtually a carbon copy of the Act, it seems that none of the lessons has been learned.

I am told by my informant that inadequate resources and only limited time are available to the hard-pressed members of the North Yorkshire constabulary to implement the Act. There are one or two other issues with which they are dealing. Given the manner in which the Government have treated Kent county council's finances, I do not see adequate resources being provided to enable the Bill to be implemented if it is enacted. Sadly, there are no signs from the Government that they are interested in properly financing Kent for this or any other purpose.

Antique dealers in my constituency have expressed real concerns to me about the manner in which names and addresses will be taken. However, the North Yorkshire constabulary has told me that, while it is true that they will be taken both on purchase and on sale, depending on the value of the goods, no identification will be necessary. Indeed, there is none. We do not have a national ID card. No one will have to present a passport, birth certificate, marriage certificate or council tax records to prove who he is. Michael Mouse will be able to trade cheerfully throughout Kent under the Bill. No one will be able to

gainsay whether it is Michael or Minnie Mouse. That is not very satisfactory. Indeed, it is another weakness in the proposed legislation. It can probably be dealt with, but with no identification I fail to see how a name and address and a record will be of much real value.

I have mentioned that burglars cross county boundaries. The person who was extremely candid with me—that was the brief, and I am extremely grateful for the information, as, I hope, is the House—tells me that it is possible to drive from York to Leeds, even with traffic congestion, in 20 minutes. The crooks who are committing burglary in York jump in their motors, hop off to Leeds and flog their goods there. That is because the North Yorkshire Act has no remit in Leeds. Is that sensible? I cannot believe that it is.

Sadly, no longer does any constabulary throughout the country—not even the Metropolitan police—have a dedicated antiques unit. I stand to be corrected. The police do not have people who really know and understand what they are looking for. However, the burglars know. They identify the stuff and they burgle to order. They know exactly what they are going for. They leave the cheap stuff and the tat, but take the hallmarked goods and the pretty little things that will sell. The constabulary cannot provide identification because resources are not available to establish a dedicated antiques unit. However, such units will be needed if the legislation that is proposed, whether national or local, is to be properly enforced.

I note that my right hon. and learned Friend the Member for Folkestone and Hythe shakes his head. I shall be delighted to give way to him if he disagrees with my argument.

Mr. Howard: I know that my hon. Friend's argument has been advanced by those who are opposed to the Bill. It is true that there is no longer a dedicated antiques unit. However, in the view of professionals in these matters—I am not one of them—there are officers based at headquarters who are in possession of the intelligence that they need to get to grips with the problem. They are capable of operating more effectively under the Kent police model, with which I am sure my hon. Friend is familiar, as we all are. As a result, they are able to operate more effectively in dealing with the crime that we are discussing than those officers who implemented the old-fashioned approach, which had a certain resonance about it. An antiques squad sounds very good, but it does not necessarily work as effectively as the current methods, which are being operated successfully by the Kent police.

Mr. Gale: I am grateful to my right hon. and learned Friend, but it will not help too much if the person investigating the crime does not know whether he is dealing with Georgian silver or EPNS.

Mr. Howard: He can ask someone.

Mr. Gale: I am surprised that my right hon. and learned Friend is quarrelling with me. I believe that there is a strong case for resourcing police forces properly so that they can have dedicated units that know what they are doing and what they are looking for.

There is a credit side to what I have heard from north Yorkshire. It would be improper of me to draw attention to the down side without putting the credit side on the record, and I think that the credit side is compelling. As I have said, I am not opposing the Bill. The North Yorkshire constabulary has established good links with reputable antiques shops through its officers. That has led to a two-way traffic of information and co-operation between those dealing honestly and those going about their proper policing business, seeking to prevent crime and recover stolen goods. Officers are able to provide lists of identifiable goods—we come back to whether people know what they are talking about—to antique shops so that the dealers know almost in advance, if possible, what they are likely to be looking for. They will know what has been stolen or what is hot, and what can be recovered and returned to its rightful owner. We hope that that process will lead to the prosecution of the thief. Those are two significant pluses.

In the main, antique shops in north Yorkshire have installed video cameras. I understand that dealers have become quite adept at keeping people who they suspect of trying to pass on stolen goods talking while they angle them so that there is a good shot on camera. That sounds as if it is helpful to the police, and it probably helps to solve crime. That is a plus.

I am told that there are emerging patterns. The police are now adept at tracing those who tend to specialise in second-hand and compact discs, for example. They know the outlets that are likely to handle them, and they are having considerable success. I do not quarrel with the figures of my right hon. and learned Friend the Member for Folkestone and Hythe, and if there has been such a dramatic reduction, it is probably in this area. As I have said, there are many pluses.

I do not want to see the baby thrown out with the bath water, or the best becoming the enemy of the good. However, if the case is proven at all, I believe strongly that it is proven nationally as well as merely locally. We should be getting to grips with the problem of crooks crossing a county boundary and passing on their goods somewhere else.

We should have a nationwide scheme embodied in a Government Bill, not a private Bill. If we are to treat the issue seriously, resources for enforcement must be made available. As the people of north Yorkshire have found, there is no point in having legislation on the statute book if it is not properly resourced.

8.8 pm

Dr. Stephen Ladyman (South Thanet): My parliamentary neighbour, the hon. Member for North Thanet (Mr. Gale), has made some fair and constructive points. He appeared to be arguing for due diligence in Committee to try to improve the Bill. However, if something is not ideal and does not create a perfect world, that is not necessarily a reason for not proceeding. If it represents a step forward, let us take that step. I believe that the Bill offers us that. If it reduces the number of people who are burgled, even by only a few in the hon. Gentleman's constituency and in mine, I suspect that we shall have many happy constituents.

Like many other right hon. and hon. Members, I have been burgled in recent years. Fortunately, I have been able to replace virtually everything that was stolen. The exception is the greatest hits of Jonathan Richman and the Modern Lovers. If any hon. Member can help me identify the source of that estimable CD, I shall be delighted to

[Dr. Stephen Ladyman]

hear from him. I suspect that I was the only person to buy it in the first place, and that the only person who has a copy of it now is the person who stole it.

Consultation took place before the Bill was drafted. Trade bodies that councils and trading standards officers believed would be interested were consulted, as were local chambers of commerce, town centre managers, district councils and some Kent Members. I was not consulted before the Bill was drafted, but others were. The police, obviously, were heavily involved in drafting the Bill, and several press articles stimulated debate in the county. That consultation has continued with the Association of Private Market Operators, the Royal Institution of Chartered Surveyors, the Incorporated Society of Valuers and Auctioneers, the Antiquarian Booksellers Association, the Provincial Booksellers Fairs Association, the Registered Antiques Dealers Society and LAPADA—the Association of Art and Antiques Dealers, formerly the London and Provincial Art Dealers Association. I do not say that all those organisations support the Bill, but all have been consulted. It is not fair to say that there has not been wide consultation.

Some Members have expressed concern about bureaucratic burdens. I draw their attention to the book "Buying and Selling Art and Antiques—the Law", by Brian W. Harvey, a legal consultant to LAPADA. That book sets out the voluntary code of practice that the industry is supposed to adhere to. It requires vendors to provide their name and address and to sign a form identifying items for sale, and confirming that they are the unencumbered property of the vendors who are authorised to sell it.

The form must be dated, and there must be some verification of the identity and address of new vendors. Details must be recorded, and traders are asked to be suspicious of any item for which the asking price does not equate with market value. If they have any reason to be suspicious, they are expected to take a series of steps. If requested, they are expected to submit catalogues to the local police. For sales of £500 or more—single items, or accumulated amounts—special steps are expected to be taken. Vendors are expected to check registers for stolen property.

The industry has voluntarily signed up to that list of burdens, which in my view is no less burdensome than the Bill. My hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) said that many vendors do not adhere to the voluntary code, and he wished that they would. When the Bill is enacted, the code will be adhered to in Kent, and we shall have done the industry a favour by taking a step forward.

Dr. Stoate: Does my hon. Friend agree that the example of a voluntary code of practice that is not being adhered to is a precise reason why we need a statutory code? If dealers do not adhere to a code that seems stricter than that proposed in the Bill, action is needed. Even if we do not reduce crime by a factor of Avogadro's number, the Bill will have a significant effect on crime reduction in Kent and, we hope, across the country.

Dr. Ladyman: My hon. Friend is absolutely right. Even if crime is only marginally reduced, we shall do a service for our constituents. If only one other owner of Jonathan Richman and the Modern Lovers can be saved from the tragedy of losing his copy, we shall have taken a step forward.

I hope that the Bill will eventually become Government legislation. I should like my hon. Friend the Minister to watch the experiment in Kent and Medway with great care, and, in a year or so, if it is the success that we believe it will be, to introduce a Bill covering the whole country. I should like him to say that he will do so, and if he does not, when the Bill is enacted and shown to be a success, I shall badger him to adopt it for the whole country.

8.14 pm

Mr. Brian Cotter (Weston-super-Mare): Like many others, I have mixed feelings about the Bill. Its ultimate aim of crime reduction is admirable and a cause that we all support, but that does not absolve us of our responsibility to scrutinise it. The Bill raises some difficult questions.

When the Bill was introduced in the other place, my noble Friend Lord Thomson of Monifieth expressed concern that it was being discussed in the dinner hour, which did not imply that there would be a great deal of scrutiny or discussion. The other place welcomes the fact that we shall give it more discussion than it received there.

I should like to make some points about red tape, a much-discussed matter.

Dr. Ladyman: May I point out that the Bill began its consideration at 7.39 pm in the other place? The House of Lords was in session, and there was a thorough debate. The hon. Gentleman may have been misinformed by whoever told him that there was not.

Mr. Cotter: I thank the hon. Gentleman, but I was not misinformed. It was clearly stated in debate in the other place that it was regrettable that the Bill was taken during the so-called dinner hour so that there was not sufficient discussion. That is on the record, and I refer the hon. Gentleman to *Hansard*.

I was about to discuss red tape. Clearly, the Bill will create some extra work for dealers in Kent and Medway. The local Federation of Small Businesses stresses that the vast majority of companies engaged in second-hand business are small or micro-businesses that do not have the resources to allow them easily to adapt to the heavy administration that the Bill would require. As it is a private Bill, there is no requirement for an impact assessment, as there would be with a Government Bill, and that is a shame. Perhaps an impact assessment would dispel some concerns.

My second difficulty is over civil liberties, a perennial problem with Bills directed against crime. I am concerned that the balance of the Bill may go too far against liberty. The identity requirements attached to purchase and the powers of entry granted to the police both cause some concern. The fact that the powers will be localised seems pernicious. I accept the principle of private Bills, and consequent regional variations in criminal law, but I am far from convinced that such significant changes to rights should be made purely locally. Many Members have referred to the hope that the Bill could become a national measure rather than one restricted to a particular area. If I have any real concern about it, that is it.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard), and other speakers, said that previous examples of such Bills exist. Indeed, they do. We have had time to assess such Bills and to see what is good and what is bad about them. There have been, I think, six such Acts, with slight variation in each case. If something is not done on a national basis, we have the prospect of a further 200 pieces of legislation clogging up the House when the issue could be dealt with nationally.

There has been talk about consultation. The hon. Member for South Thanet (Dr. Ladyman) referred to a long list of organisations that had been consulted. Part of the consultation was with ordinary members of the public in Kent and Medway, who were asked whether they liked the proposals or not. Many said that it was good news without really understanding what the Bill said. I am not saying that this Bill is particularly difficult to understand, but when it comes to consultation, it can be difficult for the general public to pick up on the pros and cons of a Bill. People might say that the Bill is good because its objective is good, without taking on board the detail. I know that concerns have been raised that trading standards officers and the police might be overburdened as a result of these provisions.

A strong case has been made for the issue to be addressed on a national basis, and I hope that that will be done in due course. I do not wish to stand in the way of a Bill that has such strong local support, but I think that it is right that the issue has been raised. Were the Bill to apply nationally, it could be refined further, with far more discussion taking place to ensure that the problems that I have touched on peripherally are no longer problems.

I repeat that I do not wish to obstruct the Bill although I am unhappy that this is a local Bill rather than a national one that will cover everybody.

8.20 pm

Mr. Michael Fallon (Sevenoaks): I am sorry that the hon. Member for Sittingbourne and Sheppey (Mr. Wyatt) is no longer in his seat, because he began his speech by saying that he was originally in favour of the Bill and was now against it. I wanted to tell him that I have been on the opposite journey.

When I first heard about the Bill, I was somewhat suspicious. I had three principal concerns—the first was the additional cost to the county council, as more expenditure will be involved. My second concern has been touched on so often—why does the Bill apply only to Kent and not elsewhere? I speak as a Member whose constituency is bordered by Surrey and by the Metropolitan police area to the north and west. Thirdly, I heard concerns expressed about the level of consultation. Let me take those concerns one by one.

I inquired about the costs and had a letter back from the county council as long ago as October 1998. It said that there would be some start-up costs—promoting the Bill, of course—and then there would be the cost to the authority of appointing and maintaining the five enforcement staff. The cost of doing that was estimated, in 1998, to be between £120,000 and £130,000 a year. Those are substantial costs, and they need justifying. I think that they can be justified.

As for why the Bill applies only to Kent, I will come back to that a little later. On consultation, I have discussed the Bill with the promoters. I have had four representations from members of the antique trade in my constituency. I sent them the promoters' revised guidance document on the Bill, and have not, so far, heard further from them.

It is important not to lose sight of the fact that the Bill applies not only to the antiques trade—it will apply also to the stolen car trade. I have been told that some 30 per cent. of all stolen cars in Kent are never recovered. There is a huge amount of crime in Kent, and it is not all to do with antiques.

Let me deal with the objections to the Bill that have been raised so far. First, there are those who believe that the Bill should be avowedly compatible with the Human Rights Act 1998. I am perfectly satisfied with the opinion that was read to the House by the hon. Member for Gillingham (Mr. Clark), and the issue can anyway be tested further in Committee. Therefore, that objection need not delay us.

Secondly, it has been suggested that this is inappropriate material for a private Bill. Those who argue that have already ceded the point that there have been seven previous Bills, and we have had much discussion about the North Yorkshire County Council Act 1991. I hope that it is not suggested that there is any further technical impropriety in the Bill—after all, it has been examined properly in both Houses.

There is a subsidiary point on the issue of the appropriateness of legislation as to whether there is any prospect of Government legislation being introduced. There clearly is not—nothing has been brought forward, despite the good experience in North Yorkshire. On that basis, the promoters of these Bills are perfectly entitled to ask leave of the House to introduce these schemes in Kent and Medway. There are always competing demands on legislative time, although that seems an odd point given that we have spent most of the afternoon dealing with the problem of burger carts in St. James's park.

The real reason I am not concerned about propriety is that I do not object to different approaches locally; indeed I rejoice in them. If it turns out that, as a result of putting these measures on to the statute book, Kent becomes a tougher place for criminals to operate in than East Sussex, Surrey or the Metropolitan police area, that is good news for Kent. It is up to those other authorities to learn from that and replicate the scheme elsewhere—if it is a success.

That may answer my hon. Friend the Member for North Thanet (Mr. Gale), who referred to burglars driving from York to Leeds in 20 minutes. It is open to West Yorkshire to follow the example of North Yorkshire. It would be interesting to hear from the Minister whether other authorities are going down that route. I believe that some experimentation and difference is the essence of local democracy. I believe also that there is a significant advantage in a competition in ideas.

The scheme may not be successful in Kent; there is no guarantee. However, if it is successful, it can be copied elsewhere, just as those drawing up the Kent proposals have learned from the experience of North Yorkshire. That is a healthy development; it is stimulating and decentralising.

Will there be some inconsistencies? Will traders in Kent have to keep records of transactions outside Kent? As I understand the Bill, that will apply only to those traders who do most of their business in Kent. That seems logical to me.

[Mr. Michael Fallon]

It has been suggested that the Bill will result in more red tape, and that objection we should take most seriously. There is common cause on both sides of the House that, as the better regulation taskforce has reported, the burden on business is growing. I should be concerned about that, because I spent three years on the forerunner of that taskforce, the deregulation taskforce. I gave up half a day a week in the Cabinet Office—unpaid, I have to tell the House—trying to tackle red tape, and that requires needs constant vigilance.

Are we happy to increase slightly the burden of red tape in this instance, given the greater prize that we are assured may result? I welcome the concessions made on the £10 limit, those who do not trade principally in Kent and so on. It is important to remember that the Bill does not apply to private sales; that the registration process will be free; that charities and booksellers, for example, are exempt; and that the purchaser's name and address will be required only if the value is over £100.

As to the other objection concerning red tape—the burden on businesses of registration—let me say that at least half of all antique dealers are already registered for VAT. I cannot see that this would be any more significant a burden than registering every antique on some form of a national register, or supplying a name and address when one enters a car boot sale. The red tape argument cannot be sustained.

The promoters of the Bill have appeared to be flexible, and if there is further consultation to be done with the antiques trade or others, that is still possible. If further amendments can be agreed in Committee, I am sure that the promoters would be willing to consider them.

In the end, it comes down to the fact that burglary is far too easy. It is no use us moaning at the magistrates, griping at the police or chafing at the Crown Prosecution Service. We need to find more ways of tackling the problem at source. Burglary is easy and popular. The chance of being caught or imprisoned is relatively slight and burglars know that they can cash in the results. If they cannot cash in the results, why do they concentrate on silver, jewellery, pictures and so on? That is why I find the special pleading by some of the antique fairs rather hypocritical.

I am delighted to see the hon. Member for Newark (Mrs. Jones) in her place. When the church warden in my village was burgled just before Christmas, she was advised by Kent police to go straight to the Sunday antiques fair in Newark. She did that and recovered some of her stolen property, yet, we have perhaps all had a letter from DMG Antique Fairs in Newark banging on about the erosion of civil rights. Burglary victims have civil rights as well.

It may be that Mr. Harnden has written to us all because he feels that the Bill would hurt his business. However, if his business is not being underpinned by the proceeds of burglary, he has nothing to fear.

Mrs. Fiona Jones: I am interested in the proposed legislation because the international antiques fair is held in my constituency. The legislation applies only to dealers and businesses from Kent. That is why it is unfair and unenforceable. That is the point made by representatives of the antiques fair in Newark. The hon. Gentleman must address the fact that dealers from the Kent area will be disadvantaged when they come to the international antiques fair. How does he propose to address that?

Mr. Fallon: I have heard some special pleading in my time. I am not bothered about whether those who attend the Newark antiques fair will be disadvantaged. I am sure that there are reputable antique fairs in Newark. It is odd that this is the only group of antique fairs that seems worried about the Bill. I am concerned about the pleading over the erosion of civil rights. I do not believe that fences and dodgy dealers have civil rights.

I want to tell the House about another burglary that took place in my constituency just before Christmas. Commander Davidson, who lives in Seal, is a retired naval officer. He gave years of service to his country but burglars took almost everything dear to him. They took all his mementoes and naval objects, including his barograph, which had been collected over a lifetime of service to his country. What have we done for him? Police officers have called on him and he has received his letter from Victim Support. I have written on his behalf to the chief constable but he knows, as do we, that there is no chance of him recovering all the property that was stolen—an entire collection of a lifetime's service.

As my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) said, if we will the end of reducing burglary, we must be prepared to will the means. The Bill is a means, although it is only one, and the promoters have done enough to convince me that it should be supported.

8.34 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): The war against crime is a war not of the great gesture but of the constant little step here and there, trying to catch up with or to keep a step ahead of the burglary fraternity.

Many of the anxieties sparked by the Bill are misplaced. I understand that any respectable business that knows that what it does is wholly honest and scrupulous naturally feels that any further record keeping or opening of its books to outside inspectors is a further threat, but it is interesting to hear from the Medway towns that those respectable businesses that have signed up to the voluntary code of conduct have not found the paperwork particularly onerous. They have been pleased to think that they have done all that they can to ensure that when people buy something from them it cannot later be expropriated because it has to be given back to the person from whom it was stolen. Instead of being open to a series of bad debts, they have done as much as they can to ensure that what they sell is above board.

Dealers who refuse to join the voluntary scheme open themselves to having the provenance of their merchandise questioned. If they cannot answer the question, it clearly opens the possibility that the stuff that they are dealing in is dodgy. That is important. The fact that the police and the county council enforcement officers are likely to be understaffed provides a much greater security against oppression, because they will concentrate only on those dealers whom they have reason to suppose are in the dodgy trade.

The most difficult thing for the police in the fight against crime—and we all know it—is when they know virtually for certain that certain shops or individuals are

crooked but cannot enforce any action against them. That drives them crazy. It drives my constituents crazy. A group of my constituents came to me and named a whole host of shops and dealers in my constituency that they know not only receive stolen goods but, in some cases, commission their stealing.

I went to the police, thunderstruck by that information, and asked whether it could really be true or whether my constituents were romancing. They said that it was absolutely true but that they found it almost impossible to get any evidence on which to proceed against the dodgy dealers. I believe that the Bill will do a small amount to make it harder for such people to continue in business.

There are plenty of highly sophisticated criminals around who, as my hon. Friend the Member for North Thanet (Mr. Gale) said, can tell a genuine picture from a fake and can distinguish between George III silver and electro-plated nickel silver at the drop of a hat, and who know exactly where to go, how to steal the goods and how to get them out of the country. In Kent, that is only too easy: they can get across the channel in hours and may well be stealing to the order of some Dutch or Belgian fence. They are very hard to proceed against, and the Bill will do little to stop them.

The police and the criminal statistics tell us all the time that a vast proportion of the burglaries that cause so much distress to our constituents are carried out by a very small number of repeat burglars. They offend repeatedly because they have no difficulty whatever in travelling five miles down the road to flog off what they have stolen. They are not like the burglars who travel from York to Leeds or into the Metropolitan police area. They reckon that someone round the corner—in Deal, Dover, Folkestone or Canterbury—will take their stuff. The police often have a good idea who receives such goods, but boy is it difficult to pin that down!

The Bill will play a small but convincing part in making such people's lives a little more difficult. If a petty burglar who causes huge distress to many people in a lifetime of crime can be discouraged because his market has been taken from him, it is well worth supporting.

8.40 pm

Mr. Julian Brazier (Canterbury): As a number of colleagues on both sides of the House have put the case so strongly, I shall be extremely brief.

To take us back to first principles, I refer to intelligence-led policing, of which David Phillips, our splendid chief constable of Kent, was a pioneer. It involves a shift, which is fundamental to both Bills, from targeting crime to targeting criminals, and from solving a crime after the event to identifying and following known criminals until they can be caught on the job and convicted. Most burglaries are carried out by a relatively small number of extremely active people, a growing proportion of whom are drug addicts, and the logic of the measure is to duplicate that searchlight by focusing on fences in the same way that intelligence-led policing focuses on burglars.

We need the Bill to target fences: although it is relatively easy to discover who they are, it is extraordinarily difficult to prove that somebody has deliberately and knowingly handled stolen goods. Incidentally, there is some misunderstanding in the House as the hon. Member for Newark (Mrs. Jones) referred to criminalisation. We are dealing with a civil offence. A relatively modest civil fine of up to £2,000 will be available, and repeatedly so, for those who do not adhere to a code that is voluntary at present and underpinned by many organisations, but which will become compulsory. The police will have a way to hit back at known fences. Intelligence-led policing has already led to a staggering 70 per cent. reduction in burglaries in Kent over the past few years, and we shall be able to harvest even more of its fruits.

I want to focus on the measure's local nature as there is a danger of us becoming confused. I would support its introduction nationally, but that option is not before the House and we can introduce it only for the county of Kent and the Medway area.

Mr. Rowe: My hon. Friend is an historian. He will no doubt recall that the civil servants of Charles V, who tried to administer his far-flung empire, remarked to one another, "If death came from Spain, we should live for ever." Does he not think that there is a similar likelihood of obtaining national legislation on this issue?

Mr. Brazier: Indeed. My hon. Friend is learned in these matters. He anticipates unconsciously the point that I was about to make. One of the differences between British local government when it was set up in the Victorian era, and its competitors in many continental countries was precisely that it was locally based and volunteer led, rather than centrally administered and bureaucratic. However, essentially the point is that we do not have an option to introduce the scheme nationally, but we do have an option to introduce it for Kent and for Medway.

I strongly support those colleagues, including my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who I am so pleased has joined us—the only Home Secretary in the past 50 years to achieve a substantial reduction in crime—who have said that it is worth having local initiatives. The whole point of a diverse system of local government is that local people's locally elected representatives should be able to experiment in such areas. I ask the House to give Kent and Medway that opportunity.

Still on the issue of the local nature of the measure, we should put to bed the red herring about displacing crime. When I became co-ordinator of one of the first neighbourhood watch schemes in London, people said, "All you are doing is displacing crime," but we hugely reduced the level of crime in our area. There is some anecdotal evidence that some of it was displaced, but that has not stopped successive Governments embracing neighbourhood watch as a successful concept.

Such a case with regard to the Bill, however, is much weaker than that on neighbourhood watch because we are not displacing burglaries. All we are displacing, in theory anyway, is the ability to fence goods, but if we compel every burglar to put his goods into a motor vehicle—and not every drug addict feeding his habit has access to a motor vehicle all the time—and to drive them a long way across a county boundary, that will give the police another opportunity, with the intelligence-led approach, if they are watching that chap to catch up with him, so I welcome the measure. It obviously does much to cut his margin.

For all those reasons, like many colleagues on both sides of the House I urge the House to support the measures.

8.47 pm

Mr. Nick Hawkins (Surrey Heath): I can be brief. The fascination of private business is that one sees differences of opinion within the parties and on different sides of the House. There is no doubt that we have had additional fascinations tonight.

Before coming to the debate, I was aware that different views were held by members of both the main parties on the issues. I knew that some Members representing Kent constituencies on the Government Back Benches supported the Bill and others, as we heard from the hon. Member for Sittingbourne and Sheppey (Mr. Wyatt), opposed it.

I was also aware that, among my right hon. and hon. Friends, some were strongly in favour, some had reservations and some were against, but we have had yet further variations on that theme. We have heard that the hon. Gentleman started off as a supporter of the Bill and has now turned against it, whereas my hon. Friend the Member for Sevenoaks (Mr. Fallon) has moved in the opposite direction, having previously been against it. He has now spoken in favour.

We have had the even greater fascination of the reference to Emperor Charles V. Like my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe), I studied that period of history. I welcome his use of that particular quotation, but one never knows what one will hear in dealing with private business.

Perhaps because of the many differences of opinion among my right hon. and hon. Friends and, indeed, among Members on the Government Benches, Opposition Front Benchers can remain largely agnostic. It is for the sponsors of the Bill to make their case. I understand why my hon. Friend the Member for North Thanet (Mr. Gale) has expressed some reservations. For myself, I always want to express some scepticism when further legislation is being contemplated, particularly if it puts burdens on small businesses. I am a deregulator by nature and by instinct.

Before I was on the Front Bench, I frequently said that if I was ever lucky enough to win a high place in the ballot, the Bill I would introduce—perhaps one day I will have the chance to do so—was the automatic repeal of legislation Bill, under which, for every new page of statute, we should find at least one page of existing statute to repeal. Perhaps we could follow that by repealing 10 pages for every new page.

The trouble with any Government, regardless of party, is that there is a constant flow of legislation. For many years, I was one of the vice-chairmen of the small business bureau. I know that the hon. Member for Weston-super-Mare (Mr. Cotter) shares my interest in these issues. He referred to another national organisation, the Federation of Small Businesses. I think he would agree that those and other organisations representing small business would have similar concerns.

My hon. Friend the Member for Sevenoaks referred to letters that many of us have received from a gentleman who runs an antiques fair business in the constituency of the hon. Member for Newark (Mrs. Jones). I was particularly concerned by one of the points made in the accompanying documentation about the London and Provincial Antique Dealers Association.

My hon. Friend the Member for Canterbury (Mr. Brazier) spoke of displacing crime. As a Surrey Member, I have an interest in ensuring that we try to tackle crime throughout my constituency and my county. Everyone in Surrey is well aware that mobile criminals using the motorway network—in particular, the M25 and the M3—are frequently involved in burglary and other crimes. It is well known to my chief constable and all his officers in Surrey that a large amount of crime is committed by people outside our own county. The issues mentioned by my hon. Friend the Member for Canterbury, who strongly supports the Bill, in relation to the displacement of crime are of concern to every county. Is it possible that those who have expressed reservations about private Bills and suggested that we should wait for national legislation have a point?

I was particularly struck by what was said by my hon. Friend the Member for North Thanet. He said that the reasons for some of his personal reservations about Bills such as this were based on his discussions with our hon. Friend the Member for Ryedale (Mr. Greenway), relating to his experience in North Yorkshire. There are clearly different opinions—we have heard different opinions in the debate—about what the North Yorkshire experience actually means. If there is more than one view about the North Yorkshire experience, we need to take care before we impose yet further burdens on small businesses.

As the London and Provincial Antique Dealers Association has said, Bills such as this would undoubtedly impose burdens if they became law. It suggests that, given the demand for detailed records of every second-hand purchase that takes place either in Kent or anywhere involving dealers registered in Kent, between half a million and a million records would have to be made each year, and then thrown away after three years. Everyone who has traded in Kent would keep those records—not only traders based in the county, but traders scattered across Britain. Moreover, we should consider the extra burden imposed by red tape on law-abiding and legitimate small and medium-sized businesses.

This has been a fascinating debate, not least because of the number of Labour Members who supported my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). I echo what my hon. Friend the Member for Canterbury said about his having been the most successful Home Secretary in terms of tackling crime. It is a change to hear so many Labour Members support my right hon. and learned Friend. No doubt he welcomes that, as I do. We used to hear very different comments.

I would be reluctant to oppose what my right hon. and learned Friend and chief constables say will help to tackle crime, but there are undoubtedly balanced arguments, which is no doubt why members of the same party on both sides of the House have taken different views. This has been a fascinating debate, but not one that prompts the official Opposition to feel it necessary to come down on one side or the other.

8.54 pm

The Minister of State, Home Office (Mr. Charles Clarke): As the hon. Member for Surrey Heath (Mr. Hawkins) said, this has been a most interesting and illuminating debate. I congratulate my hon. Friend the Member for Gillingham (Mr. Clark) both on prosecuting it and on the way in which he put his case. It is conventional in this type of debate for Governments to be neutral rather than to take a particular side, but there are one or two observations that I should like to make.

First, I should like to state that the Government did have objections to parts of the Kent County Council Bill, which were set out in our report of 17 March 1999, when the Bill was being discussed. I should like to place on record, however, that the Government are content that the Bill's promoters have taken on board our comments satisfactorily, so that the points covered in the report have been appropriately and properly met.

Secondly, I should like to join in the general tributes that have been paid to the chief constable of Kent. Not only does he chair the Association of Chief Police Officers crime committee, but my right hon. Friend the Home Secretary appointed him to be the vice-chair of the taskforce, which I chair and which deals with crime reduction. As the hon. Member for Canterbury (Mr. Brazier) described very well, the chief constable has led the whole drive towards intelligence-led policing not only in Kent but across the country. He has developed many of the approaches that we are now seeking to roll out across the country.

I myself have not spoken to the chief constable about the Bill but I am very keen to pay tribute to his work, and it is the case—I thought the hon. Member for Canterbury put it extremely well—that the chief constable's focus on sources of criminality, hot spots and patterns of behaviour is a model to us all in how crime should be fought. As Members on both of sides the House have described, the Bill reflects that type of approach to addressing such issues.

I therefore confirm on behalf of the Government that we understand the chief constable's support for the Bill, and understand that he supports it not only as chief constable of Kent but because he understands many of the wider issues that have been raised in the debate and sees advantages in it.

Various hon. Members have asked whether there should be national legislation in this sphere. The argument that we should await national legislation before acting has even been used as an argument against the Bill. However, I assure my hon. Friend the Member for South Thanet (Dr. Ladyman) that although I cannot follow him in his musical tastes, the Government will watch operation of this Bill and practice in other areas very closely for precisely the reason that I have just given—namely, to decide whether it would be appropriate to consider national legislation in that context. It is valuable to have this type of experiment, and to understand the issues and how they are being addressed. That is why we want to examine very carefully what is being done.

As the hon. Member for Sevenoaks (Mr. Fallon) said, it is true that there are always competing pressures for legislative time. That is certainly true in the Home Office, in dealing with the various items of legislation that the House is considering in this Session. Nevertheless, it is important that we examine what is happening, learn what we can from it and consider the desirability of appropriate national legislation.

The hon. Member for Surrey Heath was right to say that we always have to strike a balance between the burdens on industry, which he described, and the crime solution benefits that we can achieve in that regard. That will be a matter to be taken into consideration by the Government.

In answer to the question asked by the hon. Member for Sevenoaks, I am not aware of other examples in other parts of the country or of other police authorities and forces that are essentially queueing up behind the Bill with their own initiatives. However, I shall look into the matter, and if I am wrong in that I shall write to him. He made an entirely appropriate point.

I was interested in the comparison with Emperor Charles V used by the hon. Member for Faversham and Mid-Kent (Mr. Rowe). Although my right hon. Friend the Home Secretary has in his recent life had to bear many comparisons with particular types of historical figures, I do not think that Charles V has previously arisen as a role model for him. However, I shall certainly draw the comparison to his attention and ask whether he needs to bear in mind any particular aspects of the emperor's behaviour in thinking how he should conduct his duties and meet his responsibilities.

I simply counsel hon. Members against making the best be the enemy of the good in discussion of the need for national legislation versus the need for local legislation. Obviously, there are real arguments about the advantages of national legislation, and the travelling arguments that have been made are real and substantial. However, that does not of itself convince that one should necessarily resist a particular item of legislation, regardless of whether one wants to follow the particular argument advanced by some hon. Members on the benefits or otherwise of local legislation.

My hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) raised some points about the Human Rights Act 1998 in a letter to me a few weeks ago. The situation is complicated. Private Acts are not exempt from the Human Rights Act 1998, which applies equally to public and private Bills once they are enacted. A higher court will be able to issue a declaration of incompatibility in respect of a private Act, just as it can for any primary legislation. However, Parliament has decided that under section 19 of the Human Rights Act 1998, if a Minister of the Crown is in charge of a Bill, that Minister must make a statement of opinion on the Bill's compatibility with the convention rights. As my hon. Friend the Member for Gillingham made clear, that section does not apply to private Bills because there is no Minister in charge. Some problems arise as a result of that.

Section 19 applies to a Government Bill or a consolidation Bill, but it does not apply to private Members' Bills or private Bills because there is no duty to make a statement about their compatibility with convention rights. However, concerns have been expressed about the Government giving a view about the compatibility of private Bills. We are considering the issue urgently and I hope that we may be able to make an announcement in the next few weeks, because there are important issues involved.

My hon. and learned Friend the Solicitor-General made the position clear in the House on 13 April in response to a question from my hon. Friend the Member for Thurrock (Mr. Mackinlay). Accepting that my hon. Friend had raised a serious point about private Bills, my hon. and learned Friend said:

> The concerns that he has expressed on previous occasions have been taken on board. My right hon. Friend the Home Secretary is considering them seriously.—[*Official Report*, 13 April 2000; Vol. 348, c. 496.]

I can confirm that we are considering those important issues seriously.

[Mr. Charles Clarke]

I have tried to set out the Government's approach. We are conventionally neutral on such Bills and I hope that I have not said anything to suggest that we are anything other than neutral on this Bill. However, I congratulate my hon. Friend the Member for Gillingham on the way in which he introduced the debate. It is important to look at all possible ways to combat crime and this offers many aspects of interest.

9.2 pm

Mr. Paul Clark: With the leave of the House, I should like to respond to the debate, but I shall not detain the House for longer than necessary.

In my opening statement, I said that there was cross-party support for the Bills on both councils in question. I am delighted that there is also cross-party support in the Chamber. I appreciate the contributions that have been made from both sides. At one point, we were concentrating on antiques. The hon. Member for Sevenoaks (Mr. Fallon) drew attention to other aspects of the legislation, which also covers motor vehicle thefts and burglaries. Those issues have not all been covered in as much depth.

Several hon. Members asked whether there had been enough consultation. I am grateful to my hon. Friend the Member for South Thanet (Dr. Ladyman) for listing all the consultation that had gone on in trade journals and papers. The number of amendments that the promoters have made to the original Bill shows that they have listened to the trade to ensure that the Bill is not overly burdensome, but still meets the essential requirements of reducing the market for stolen goods in the second-hand trade.

My hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) made an interesting speech, but I was concerned by his point about the concept behind the Bill. We are seeking a market reduction which will help to reduce the incidence of burglaries and so on. However, it has to be seen as part and parcel of the overall approach.

The hon. Member for Weston-super-Mare (Mr. Cotter) asked whether the Bill was practical and enforceable. When the Bill was considered on Third Reading in another place Lord Bassam, the Under-Secretary of State for the Home Department, responded to those who had raised the issue as follows:

> I feel bound to say . . . that I find it hard to believe that a measure prepared and promoted jointly by the local authority and the police could not be effectively enforced.—[*Official Report, House of Lords*, 18 January 2000; Vol. 608, c.1054.]

Hon. Members on both sides of the House have expressed admiration for the chief constable of Kent. That should be borne in mind in relation to the practicality and enforceability of the legislation.

The hon. Member for Surrey Heath (Mr. Hawkins), among others, referred to the burden of keeping records. Many of the amendments to the Bill have sought to reduce the burden on legitimate businesses. Codes of practice within the trade require businesses to keep records for far longer. The Bill proposes that records should be kept for only two years; the codes of practice require them to be kept for six or seven years. The records have to be kept for financial purposes such as VAT. One amendment that has been agreed by the councils is that almost any record will be acceptable, so there is no need for dual recording.

I am grateful for the speech by my hon. Friend the Minister of State. I particularly noted his comment about the chief constable. The reservations in the report and guidance from my right hon. Friend the Home Secretary have been taken on board. It is useful to have clarification of the human rights issue involved and I reaffirm that the promoters of the Bill have taken counsel's opinion and produced a statement of compatibility.

Finally, I thank hon. Members for contributing to a positive and interesting debate. In Newark, the antiques liaison officer, DC Austin O'Driscoll, said that he supports the legislation wholeheartedly because so often one finds stolen goods but the chain goes cold. The Bill is about being able to set up a paper chain, to return stolen property to its rightful owners and to reduce the market for turning stolen property into quick cash. I urge hon. Members to support the Bill.

Question put and agreed to.

Bill accordingly read a Second time, and committed.

MEDWAY COUNCIL BILL *[LORDS]*

Read a Second time, and committed.

Royal Parks (Trading) Bill

Not amended in the Standing Committee, again considered.

Amendment moved [this day]: No. 6, in page 2, line 4, leave out clauses 4 and 5.

Mr. Deputy Speaker (Sir Alan Haselhurst): I remind the House that with this we are considering amendments Nos. 28, 22 to 25, 7 and new schedule 2.

9.10 pm

Mr. Maclean: You will recall, Mr. Deputy Speaker, that, as you were taking the Chair, I was beginning my introduction to the amendments. We have dealt with important private Bills in the past two hours, but, as I said earlier, if we had not had the Government statement today, I am sure that we could have polished off the important business of the Royal Parks (Trading) Bill before the private business commenced at 7 o'clock.

Amendment No. 6 would delete clauses 4 and 5. I stressed that I did not intend to press that amendment to a Division because I suspect that, as the Bill is constructed, those two clauses may be essential to the panoply of penalties that the Minister wants. Nevertheless, in order to explore whether the seizure of property was necessary, and some of the rules incorporated in clause 5 on retention and disposal, the best parliamentary device available is to suggest deletion of the clauses, and to let the Minister persuade the House that it is essential to retain them.

Clause 4 allows a park constable who reasonably suspects that a person has committed one of the park trading offences to seize property of a non-perishable nature. There are a couple of points on which the Minister must comment.

The first point is the nature of these park trading offences. The Minister was expansive in his earlier replies to the amendments proposed by my right hon. and erudite Friend the Member for Bromley and Chislehurst and myself, but he did not say what he envisaged would be the park trading offences in future. It may be more appropriate, and I hope entirely in order, if, in discussing the deletion of clause 4, I pressed the Minister to explain to the House which offences he envisages will be designated as park trading offences in future.

I quoted to the House from regulation 4 of the Royal Parks and Other Open Spaces Regulations 1997, which listed a series of offences that may take place in the royal parks. Those offences include stepping on the shrubbery, stepping on the flower beds and playing music. One offence, specified in paragraph (6), is trading in a royal park and selling goods and services. When the Minister makes regulations on park trading offences and designates certain offences, I anticipate that regulation 4(6) of the 1997 regulations will be lifted entirely or redrafted.

I mentioned that the 1997 regulations specified other offences, such as taking photographs for commercial purposes. If that were designated as a park trading offence, there is a possibility that colleagues who go across to the royal park opposite Millbank studios and have their photographs taken by the BBC and other august organs of the state—or even less august organs of the state than the BBC—may be committing an offence and subject to a £1,000 penalty.

Other activities in royal parks, such as displaying posters, advertising the millennium dome, displaying billboards, or putting on reviews, shows or theatrical events, could be a trading offence if done for commercial purposes.

We understand from what the Minister said earlier and from what we read in the London local rag that the main thrust of the Bill is to deal with the hamburger and hot-dog sellers. I well understand that 99 per cent. of the action is directed against those who are selling those foods in parks. That seems to be where the bulk of the offence is committed and what the bulk of the trade is. However, it would be helpful if the Minister would say whether other items that are listed in the regulations are being sold, illegally and without a licence, in the royal parks. In what other commercial activities do people indulge without a licence, under the third of the 1997 regulations? Will the Minister list what he envisages will be the future park trading offences that he wishes to create under the Bill?

My second point has to do with the seizure of non-perishable items. Hamburgers, hot dogs and chestnuts are all sold in our royal parks. One cold December day, I enjoyed some hot chestnuts that I had purchased in Westminster gardens on my way to the House. I had no idea that I was aiding and abetting a serious criminal offence, or that I was buying the local Mafia's nuts. I can understand why park constables should be empowered to confiscate the carts or barrows of the people who sell such commodities, and that those constables would not want to have to deal with a great many hot dogs, hamburgers and fried onions.

However, the little wheeled carts or barrows used by food sellers in parks are often red hot, thanks to the fire that burns inside them. They also contain red-hot fat in which to cook the items, and any park constable who tries to seize such a cart clearly risks injury—to himself and to others. However, clause 4 makes it clear that the Government do not want park constables to take the edible material—cooked chestnuts, half-cooked hamburgers and hot dogs, fried onions and fat—when they seize the barrow and the rest of the equipment.

In those circumstances, what are the park constables to do? I do not want to be facetious, but to make a genuine little point.

Mr. Forth: I think that my right hon. Friend makes a genuinely big point. In Standing Committee, the Minister was asked a similar question, to which he replied:

> The Royal Parks Constabulary will follow the same procedures as City of Westminster council officials, who offer the unlicensed trader the opportunity to take the perishable goods away. Almost all traders accept that invitation—[*Official Report, Standing Committee G*, 21 March 2000; c. 9.]

In other words, there is no answer to the question, according to the Minister's response in Standing Committee. Thank goodness, therefore, that we can do the job properly on Report today. I hope that my right hon. Friend will press the Minister hard for a satisfactory answer now.

Mr. Maclean: I have been stirred up by my right hon. Friend on a point that I may, negligently, have glossed over as minor. The mind boggles when one tries to imagine how traders take their goods away. This morning,

[Mr. Maclean]

I tried to purchase—for academic and scientific reasons—a hot dog and/or a hamburger from the two chaps at the House of Lords end of Westminster gardens.

Mr. Forth: Without onions?

Mr. Maclean: No; they smelt rather good. The two men were selling their goods when I passed at 10 o'clock this morning. It would be out of order to comment on the quality—we have already discussed the smell and whether the stink may be objectionable to local people. Clause 4 gives park constables the right to take the equipment: the barrow, or sort of stainless steel and aluminium cart that the chap at the House of Lords end had this morning. He looked as if he was in his 90s—I cannot imagine that he was a Mafia person. I am not trying to make an ageist remark—I hope that, if the Government set up a commission for age equality, it will not prosecute me.

The old boy who was selling hamburgers and hot dogs at the House of Lords end this morning had a large bag of unpeeled onions and a large bag of sesame seed rolls. As I passed, he had a fry-up on the go. It smelt rather good at 10 o'clock. The hot dogs, the hamburgers and the onions were on the griddle. If the park constable had arrived and used his powers under clause 4 to seize anything of a non-perishable nature, he would have taken the aluminium cart and barrow, but he would not have been empowered legally to take the bag of unpeeled onions or the bag of sesame seed rolls. Doubtless, the seller could return those. What on earth would the constable do with the food that was sizzling away on the griddle, ready for the tourists to eat?

Mr. Forth: Perhaps the answer is to include a grandfather clause in the Bill.

Mr. Maclean: I am one of the few hon. Members who, many years ago, passed their articulated truck driving qualification. I believe it was called the national certificate of competence in road traffic management—those are the correct words, but they are not necessarily in the correct order. Doubtless those in the Department of the Environment, Transport and the Regions could advise. Having done the qualification, I should be better able to advise my right hon. Friend. However, I had better not go down that route.

It may appear that I have been slightly facetious, but there is a genuine problem, which the Bill does not address. I hope that the Minister will deal with it in his reply. Parks police will have to devise extra legal measures to deal with the problem. The Government have given them no help in the Bill. I shall not vote against the clause, but the Government will give the police powers to seize non-perishable goods but no powers to deal with perishable goods, which constitute 99 per cent. of the problem, given that the food sellers cause the main difficulty. What will happen to them?

Clause 5 states:

> The Secretary of State may retain anything which has been seized under section 4 until the end of the period of 28 days beginning with the date of the seizure.
>
> Subsection (3) applies where before the end of that period an information for a park trading offence is laid.

Subsection (3) allows the Secretary of State to "retain the thing"—or things—until the court case is over. If an award is made, the Secretary of State can hang on to "the thing seized" until the costs have been paid.

The clause uses standard forfeiture terms that may appear in other legislation. The fact that the parks constables have seized the items and the Secretary of State has hung on to them means that their value instantly diminishes. If the person buys the goods new, they become second hand as soon as he uses them. By the time that they have been confiscated by the parks police, they are third hand. The value declines immeasurably. The retention and disposal provisions make it impossible for the Secretary of State to get a fair price for the goods.

Perhaps that is part of the penalty. If the Government say that it is, I have no qualms about it. Part of the penalty that we parliamentarians are building into the legislation is that a parks constable may seize the cart, the barrow, the brazier, and all the rest of the stuff, which are perhaps worth £500. However, the second that they are seized by an organ of the state and are sold off at a warrant sale or a disposal of surplus Government junk and property, they are worth only a tenner—that seems to be standard practice. Are we saying that we are happy with that and that it is another penalty that the person has to suffer when his goods are confiscated? He has not a hope in Hades of getting anything like the real value or a fair market value. With Government sales of surplus property and surplus equipment, or at sales at Waterloo station of all the equipment that people leave on trains, including umbrellas and wooden legs, one gets a fantastic bargain. People do not like going to such a sale because things have been handed in or they may have been stolen and, although they are dirt cheap, it is all awful and tacky.

If the Government confiscate the property, when it is sold on behalf of the people who have committed the offence, the Government will get nothing like its real value—the people from whom it has been confiscated will get nothing like its value.

If that is the case, let us be honest with the House. Then we will know that we are passing yet another sanction. We dealt with the fines in clause 2. Another part of the penalty will be the fact that the goods will be sold for a song and people will have to suffer that penalty as well.

Mr. Christopher Gill (Ludlow): My right hon. Friend will doubtless have seen recent press reports that suggest that bailiffs should no longer sell off the goods and chattels of people who have committed some offence. The argument is that the goods and chattels have so little value nowadays that it is not worth the effort of seizing them. Does he agree that, if the equipment that is be seized under the Bill is re-sold—as he said, it will have a low value—it is likely to be sold back to the same sort of people who are committing the offences in the first place?

Mr. Maclean: My hon. Friend makes a good point. I was concluding my remarks on the amendment and I was about to mention bailiffs and warrant sales. It is a fact that, if one is unfortunate enough not to have paid one's bills and bailiffs seize one's property, one never gets anything like its real value. That is a good allusion to what may happen under this clause. One may purchase a new television for £300 today, but the second that one takes it out of the shop, it is second-hand. If the bailiffs seize it tomorrow, they may get £50 for it, if they are lucky.

The same is true of the hamburger stalls, although they may be of greater value to the sort of people who are in the business than to my hon. Friend and me, who do not want to purchase a hamburger stall, or to the general public. The specialists who trade in the business may pay slightly more for them. I do not think that the Government would want to sell them back to the sort of people from whom they confiscated them, unless those people had got a licence in the meantime.

The main amendment in the group is No. 28, which would provide that the constable ensured that there were facilities for the safe removal from the park of perishable material by the person in possession or control. I will not again discuss the problem of the burgers, the sausage rolls and what one does when someone takes the trolley that they are on but not them.

Amendment No. 28 suggests a solution to the Government. If they are going to give the park constables the powers under clause 4 to seize the fellow's cart and barrow, under my amendment they must stipulate that the park constables and police must have facilities for the safe removal of the perishable materials. If the hamburger seller usually takes away his stuff when the police tell him to move on, he will want to take it with him. For example, the sack of unpeeled onions that I saw this morning must have been worth a few pounds. The seller would want to take it with him—no problem. He would want to take his buns with him, but I bet that he would not take his semi-cooked hot dogs and half-fried onions with him. That would not make sense. So what will happen to them?

The royal parks are meticulously kept. It was a tragedy to see the damage in the park at Millbank after the millennium celebrations. The garbage left behind was appalling. I felt sorry for the park staff as they tried for days to clear up. Nevertheless, Mr. Haselhurst—I mean, Sir Alan—Mr. Deputy Speaker—there have been so many occupants of the Chair tonight—

9.30 pm

Mr. Deputy Speaker: Order. That is one of the quickest promotions that I have ever received.

Mr. Maclean: It is well deserved, Mr. Deputy Speaker.

I will not discuss further the problem of garbage in the park after the millennium celebrations. However, such problems could be increased, if the park constable exercised his powers under subsection (1) of the clause and had to dispose of the material. He cannot take it with him, because he is not empowered to remove non-perishables. He would probably not want to touch them; they could be dangerous or a health hazard—I shall discuss that matter later. The person from whom he has removed the property would not want it. Those apparent Mafia types are hardly likely to want to put their semi-fried onions into a poly bag to take them away—they will just chuck them into the bushes. They will dispose of them in the easiest possible way. If their non-perishable equipment has been confiscated, they will dump the semi-cooked burgers and hot dogs.

We need to ensure that, when a constable exercises such powers, he brings with him a bucket or a dustbin or insists that there is some facility for getting rid of the perishable material that the person conducting the illegal or criminal activities is ready to dump in the park. My amendment states that the constable

shall give to the person having possession or control—

of the thing or things to be seized—

a document, in an appropriate language, setting out the reasons for the seizure, itemising the things seized and informing the person of his rights and liabilities under section 5.

My rough attempt at a model schedule sets out what the person whose property has been confiscated should be told. Some colleagues may have found some parts of that schedule amusing, because I listed the languages that are used by many of those sellers—or so I am informed. It has been pointed out that many people engaged in such activities were of eastern European origin—some were asylum seekers. Under normal police rules and PACE, when people are taken to police stations and charged, the normal procedure is for interpreters to be employed and for people to be informed in their own language of their rights, duties and obligations and of the reasons for the charge.

That is a fundamental principle; it would be a breach of the convention on human rights to take people who are not English to a police station and charge them in English when they do not have a clue about what is going on. The police are under an obligation to make sure that such people understand.

The Minister, with all his excellent advisers, may tell me that my schedule is not perfect or inappropriate—it may contain too many languages. I may have the wrong languages; it might be condensed or improved. However, it is a rough attempt to say that a person arrested in a park who has his property seized should be told what is happening in a language that he understands. I have included English, French and Spanish and many eastern European languages, which the Library of the House of Commons kindly provided for me. I shall not go through them.

Mr. Forth: Why not?

Mr. Maclean: The new schedule speaks for itself. I offer it merely as guidance for the Minister and hope that he will accept the concept in principle and tidy up the details later. The other place, which is, of course, much closer to the illegal hamburger sellers than we are, may wish to concentrate on refining the schedule.

The new schedule also provides that the person should be given the reasons for seizure, which is common practice, for example, when a health and safety at work notice is issued warning someone of a prohibition, or when an inspector sets out reasons in an improvement notice. In this case, the reasons for seizure should be set out so that the person involved may take them to his lawyer, or whoever.

There should also be a list of the items seized. There is nothing fancy or posh about that; it is a simple form of receipt, which will protect the park constable. If the people involved have criminal links with organised crime, the next new racket will be suing the parks constables for the equipment that they have confiscated. It is a source of distress and annoyance to me that one of the best rackets going is suing the Metropolitan police for no good reason. People who trip over pavements sue the Met. I can see people getting into the same racket with claims that the

[Mr. Maclean]

police have confiscated equipment worth tens of thousands of pounds. The parks police will have to spend a fortune defending the allegation and proving that they were right. A receipt would provide protection for the constabulary.

Finally, my model new schedule, to which the Minister or other hon. Members may wish to add, suggests that the person should be told his rights and liabilities. The Minister may say that they are set out in the Bill and that the person could read clause 5 or clause 6. However, when police officers stop and search someone, they tell the person that he has been stopped and will be searched and they give him his rights and liabilities under the PACE rules.

I have tried to replicate that so that a person will be told all his rights—I hope that I have listed all of them, but I may not have. The person will be told that the Secretary of State may hang on to his barrow and trolley until court proceedings are finished. He will be told that the Secretary of State can sell them off and keep the proceeds until costs are paid, and will then return the remainder, if there is one. He will be told that the court may hang on to his goods and that they may be forfeited or destroyed if he is found guilty. He will be told that he has the right to make representations to the court before the court decides how to dispose of his goods.

Mr. Owen Paterson (North Shropshire): My right hon. Friend has taken advice from the Library on the relevant languages. Why did he miss out German and Italian? There are significant German minorities in eastern Europe, and many poorer people from the Mezzogiorno in southern Italy try to come to the UK.

Mr. Maclean: That is a good point. I deliberately missed out languages that I thought were not used by those involved. Perhaps not many English people are involved, but it is a common language, and a parks constable must serve a notice in English when he arrests anyone. I included the languages of people who, I had heard or read or been instructed, might be involved in the activity. I was not aware of many Italians or Germans being involved. It may be best simply to have a schedule of the main United Nations languages: English, French, Spanish, German—American is not a United Nations language, is it?—and some of the main Indian or eastern European languages.

Dr. Jenny Tonge (Richmond Park): Esperanto?

Mr. Maclean: I respect those who participate in Esperanto and recently attended a national conference on it in my constituency, but I did not think it appropriate to the new schedule.

I was speaking about the part of amendment No. 28 that deals with the proposed new schedule. I consider amendment No. 28 to be terribly important, and I hope that the Minister will be able to reassure me that he will accept some of it in spirit or in context.

The final part of amendment No. 28 relates to the Control of Substances Hazardous to Health Regulations 1988. Under proposed subsection (4)(c), the constable

> should not remove any article until he has performed an assessment under the Control of Substances Hazardous to Health Regulations that the removal of the thing or things would not create hazard for his or others' health and safety.

This is a slightly different point from disposing of obnoxious hamburgers. Disposal of the hamburgers into the bushes may cause an environmental hazard. If the constable grabbed the red-hot chestnuts and the burning brazier, he would injure himself. I refer not to the burning Brazier from Canterbury—my hon. Friend the Member for Canterbury (Mr. Brazier)—but the burning brazier containing charcoal and chestnuts.

Park constables will be expected to take such articles. Apart from obvious things such as hot fat and burning charcoal, there will be heavy trolleys which may be of an odd construction. Some of the barrows may be built of steel and various contraptions on them may be dangerous to the health of someone who does not know how the barrow is constructed. If the constable takes possession of a mobile cart, which has a steel frame and is covered by a parasol, and he does not know how to collapse that parasol, fold the barrow, load it on to his parks' department vehicle, he could suffer a serious back injury or other injury.

The amendment suggests that, in those circumstances, before the park constable and the police take possession of these contraptions, they perform a quick assessment that doing so will not injure their health and safety or the health and safety of others who may have to do so. The amendment refers to performing an assessment, but I think that in reality it would be a checklist—a simple page of A4, with a list of items that the park constable can run through and tick off. If he is then satisfied that he can confiscate the red-hot chestnut trolley with the burning charcoal brazier with no risk to his health or that of others, he can carry on.

The Minister may pooh-pooh this idea, or say that it is not necessary to include it in the law. I am not a betting man, and one should not, in any case, lay a bet on the Floor of the House of Commons. However, I am willing to bet that, when the Bill becomes an Act and the police have to operate its provisions, they will perform a COSHH assessment before carrying out any of the requirements specified. The requirement to perform health and safety assessments before making any police decisions bogs down the rest of the civil constabulary. It will take only one bobby or one park constable to be injured for a claim for £500,000 to be made, and then the Department will have to ensure that these actions are carried out safely.

Amendment No. 28 is my main area of concern. I will not speak to amendment No. 7. It makes sense to me, but it would make sense to others only if various other amendments were grouped with it. As those other amendments have not been selected for debate, I do not wish to speak to it.

I hope that the Minister can reassure me that clauses 4 and 5 are essential, tell us more about what park trading offences he envisages being designated, deal with the problem of perishable goods, mention COSHH and say what facilities there will be for the safe removal of perishable materials. I hope that he will also be able to

reassure me that there will be procedures for telling these people—who apparently include many asylum seekers and foreign nationals—in their own language, whatever that may be, about their rights, obligations and duties.

9.45 pm

Mr. Forth: I want to reinforce some of the remarks of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), and then cover some other points. I share my right hon. Friend's anxiety about a lacuna in the Bill as drafted. In Committee, my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said:

> It would be helpful if the Minister could give a more graphic account of what will happen to perishable goods.

That is the thrust of what my right hon. Friend the Member for Penrith and The Border has said. I confess that I posed a trick question to my right hon. Friend earlier, because I quoted the first part of the Minister's reply. The Minister said:

> The Royal Parks Constabulary will follow the same procedures as City of Westminster council officials, who offer the unlicensed trader the opportunity to take the perishable goods away.

That concerns the man with the hot nuts who is running off in the opposite direction. In fairness to the Minister, he went on to say:

> The trader is asked to sign a form acknowledging that he is either taking or refusing to take the perishables, whichever applies.

We now have some documentation entering the scene, although none of that is in the Bill. He went on:

> If he refuses to take them, it is on the understanding that they will be destroyed by the enforcing authority to protect environmental health and the general amenity of the surroundings.—[*Official Report, Standing Committee G*, 21 March 2000; c. 8-9.]

That raises more questions and, at best, is a partial answer to the problem. Never mind that the trader is being offered options, or that documents are being filled in, seemingly on the spot; it raises the question as to how or when the goods will be destroyed by the enforcing authority. So we have a Mafia man with his cart in the middle of a royal park, peddling hot dogs and hamburgers. His collar is felt by the constable, and documents are then filled out in the middle of the park. Then, the enforcing authority appears mysteriously to take away the offending items. That does not sound right to me, and we will have to hear more from the Minister. That is not a credible sequence of events, but it is all we have on record from the Minister in the 35 minutes of the Committee.

I am not happy with the proposal, which is why I am attracted by amendment No. 28. The amendment proposes that when the park constable is exercising his powers, he must ensure that he provides facilities for the safe removal from the park of the perishable materials. That is an explicit requirement, which, at the moment, I cannot find in the Bill, and which we are being asked to take on trust.

Mr. Swayne: I am concerned by the use of the word "safe". What are the hazards consequent upon hot nuts, either environmental or otherwise?

Mr. Forth: My hon. Friend knows about the hazards because my right hon. Friend the Member for Penrith and The Border explained them. We are talking about the definition of heated items. We are talking about heated hamburgers, heated hot dogs and hot fat. Those are all perishable and potentially dangerous. They are a hazard to health and a danger to whoever handles them. That is where the COSHH regulations arise, which were correctly mentioned by my right hon. Friend the Member for Penrith and The Border under amendment No. 28.

I recall dealing with this in the past when I had certain responsibilities for the Health and Safety Executive. There is an attempt under the regulations to try to ensure that in the workplace—ironically, this is a workplace of sorts—we do whatever we can to ensure that unnecessary hazards are not met. There could be a hazard for the Mafia man, with whom we are becoming familiar—or even fond—the officer and any members of the public in the vicinity. Let us not forget that this is a public area. We have a responsibility to ensure that, as far as possible, all those people are protected. That is why I support my right hon. Friend the Member for Penrith and The Border. Enough of that.

My amendment No. 22 seeks to strengthen the Bill. I thought that there was a risk that the drafting of clause 5(2)(b) may be unduly restrictive. Subsection (2) says:

> Subsection (3) applies where before the end of that period an information for a park trading offence is laid—
>
> (a) against the person from whom the thing was seized, and
>
> (b) in respect of his activities at the time of the seizure.

It occurred to me that the words,

> at the time of the seizure

may be unnecessarily and unfortunately restrictive.

My amendment seeks to insert the words "or before". It occurred to me that a narrow interpretation of the current drafting could unnecessarily restrict the powers available to the precise moment of seizure. To be more effective, the subsection needs to be broadened to encompass activities that may have occurred before or just before the time of seizure. I am trying to be helpful. I have identified what I believe is unduly restrictive wording and I hope that the Minister can reassure us or, who knows, accept this modest but helpful amendment.

Amendments Nos. 23, 24 and 25 touch on what I believe is an important area. Throughout the Bill we are talking, necessarily, about a tension or conflict between the understandable desire of the authorities and the House to deal with what everybody perceives to be antisocial, unpleasant and unfortunate while also dealing with individuals who have rights, who are attempting to run a business and who own property in the form of perishable or non-perishable materials.

The Bill introduces some draconian powers. Indeed, clause 4 is entitled "Seizure of property" and clause 5 is entitled "Retention and disposal". One of the main arguments in favour of the Bill—it is argued by the Minister—is that, in addition to mere fines, which were discussed earlier, the ability to seize or confiscate property will be one of the most potent new weapons available to the authorities.

Given all that, and accepting the thrust and the principle of the Bill, what bothers me is that we must make sure that we strike the appropriate balance between our desire to do all the necessary seizing, confiscating, punishing and stopping of illegal trading while considering the proper rights of the individual. We live in an age where we are sensitive, perhaps overly so, about the powers of the police and the possibility of giving them more.

[Mr. Forth]

I bet that, in a different context, the Chamber would be full of people frothing at the mouth at the suggestion that we should give the police any more powers, yet the Bill gives the police considerable extra powers and there is little frothing. I am puzzled as to why such powers should be given almost casually in this case, when in other circumstances there would be widespread concerns.

My modest amendments are an attempt to strike a proper balance between the increase in powers and the rights of individuals, by putting reasonable time limits on the process, so that if someone is deprived of his livelihood and it turns out, after rapid due process, to have been an injustice, he will at least be deprived of it for only a minimum, reasonable time. We all know that the wheels of justice tend to grind somewhat slowly. If such draconian powers are introduced, some innocent individuals may be deprived of their livelihood almost indefinitely, or at least for too long.

Mr. Swayne: Under some of the amendments, including No. 28, for which I know my right hon. Friend is not personally responsible, the police may actually lack powers. I am not persuaded of the hazardous nature of many of these comestibles—they are for consumption—but if we accept the force of the amendment, that they are hazards, under proposed new subsection (4)(c) they are not to be removed; they are to stay in the park. What agency is to remove them thereafter?

Mr. Forth: That thought is even less palatable—if I may use that word—than what we had before. My hon. Friend illustrates the alarming element of doubt in everyone's mind about what is to happen to these hot, unpleasant perishables when the cart has been seized. Are they left in the park? Are they taken away, and by whom? Where are they put as a matter of safety? The Minister may have satisfied the Committee—it went so quickly that nobody would have noticed whether he did—but he has not yet satisfied us. We are now properly fulfilling our role on Report, and he will have the time carefully and comprehensively to answer our questions.

I tabled my amendments to raise those questions and to probe. I hope that we will get full answers, because I am very attracted by amendment No. 28, which contains much that is valuable and would strengthen the Bill. We will listen very carefully to the Minister's response before deciding how far to proceed. If necessary—if we are not satisfied—my right hon. Friend may want to press amendment No. 28 to a vote.

Mr. Chope: I support amendment No. 6. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) said that it was designed to probe. My worry is that clauses 4 and 5, which it would delete, might have unintended consequences—not an unusual effect for the legislation that we discuss.

The rationale for the Bill is succinctly expressed by a source at the Department for Culture, Media and Sport, as reported in *The Daily Telegraph* on 4 February. He said:

> The Royal Parks should be a showcase for Britain. They should not be ruined by a dodgy geezer selling a burger on a dirty old trolley.

Clauses 4 and 5 could mean that there are more people selling burgers on dirty old trolleys than on clean new ones. Those who sell such goods should, in the interests of public hygiene, have equipment to refrigerate the uncooked goods, separate cooked and uncooked meats and ensure that the cooking is done to an adequate temperature to kill the vile bugs that the Food Standards Agency—

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

Manufacturing Industry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10 pm

Mr. Laurence Robertson (Tewkesbury): During this Adjournment debate, which I am pleased to have secured, I hope to talk about matters equally as interesting as hamburgers, of which I am a great eater. I thank the Minister for attending, especially as manufacturing industry was discussed at length yesterday. I shall try not to repeat any of those remarks.

I have initiated the debate because I have a manufacturing background, although I have no interest to declare these days. However, I have worked for about 80 different companies as a consultant. Most were manufacturing companies and a lot were in the textile industry. I want to consider the background to manufacturing, discuss the problems that the industry faces and perhaps touch on a couple of local issues that affect my constituency.

Since the industrial revolution, the wealth of this country and individual prosperity have increased greatly because of developments in manufacturing such as automation and mechanisation. It is relatively difficult to improve the productivity of a restaurant or of service industries, but increased wealth can be achieved by improving manufactured goods industries and through the world trade that that facilitates. Service industries are not easily traded internationally, but it is relatively easy to trade manufactured goods, although it is crucial to be efficient in world terms. In other words, better manufacturing performance makes goods relatively cheaper and makes us all better off. That is the battleground and, therefore, that is where we must concentrate.

Manufactured goods also represent about 63 per cent. of our exports, so they are extremely important in terms of national earnings and the relative wealth that is created for the people of this country. However, I am concerned by some manufacturing industry statistics which suggest relative decline. Indeed, some are startling. The manufacturing industries employed 8.3 million people in 1950, and that figure remained relatively stable for about 20 years. Today, they employ only 4 million. To put that into perspective, manufacturing employed about 41 per cent. of the work force in 1950. I do not want to be party political, but the Government have said that 160,000 manufacturing jobs have been lost since the election and the percentage of those working in manufacturing has fallen from 18 to 16 per cent.

There are other problems. Companies find it difficult to recruit school leavers, who find the computer, high-tech and financial services industries far more attractive. Many potential recruits have been lost over the past 20 years or so because at one stage employing young people became expensive. That mistake should not be repeated, and I shall return to that point.

We have to accept that productivity increases and mechanisation have in part caused the decline in the number of people employed in manufacturing industry, and manufacturing's share of gross domestic product represents another depressing statistic. In 1950, manufacturing provided about 37 per cent. of GDP. Today, that figure is 20 per cent. and falling. It would be easy to say that industrial workers have been very greedy. At times, that has been the case, but, using the same dates, in 1950, wages in manufacturing were about 104 per cent. of the average wage—slightly above average. Today, they are about 99 per cent., so it is not true that manufacturing workers have priced themselves out of work.

Some of the decline that I have spoken of is relative. It is due to the growth in service industries. However, the demand for manufactured goods is on the increase. These days, many families do not have just one car. Quite a few have two, or sometimes even more. There are colour televisions not just in one room in a house, but sometimes in two, three or even four. Likewise, computers, mobile phones and pagers—mine is being a nuisance at the moment—are commonplace, so there is a great call for manufactured goods. There is a market for more and more goods. The saturation point with manufactured goods is much higher than that for the service industries.

All that is borne out by the level of imports. Twenty years ago, manufacturing made up about 50 per cent. of all imports. Now, the figure has risen to 67 per cent. At the same time, although there has been greater demand for services domestically, the level of services imported has been static because it is more difficult to import services. Because of that, we are retaining service industry jobs but losing manufacturing industry jobs. However, it is manufacturing that creates the added valued. Manufacturing has not declined because there are no orders, or because no one wants manufactured goods—far from it. It has declined for other reasons.

May I suggest several ways in which the Government might help manufacturing industry? First, it has been right to concentrate on the car and coal mining industries recently, but there are many other industries in the country—perhaps not high profile and perhaps a lot smaller, but they require recognition of what they contribute to GDP and, indeed, to the wealth of the nation. Thousands of jobs in, for example, the textile industry, my old industry, have been lost recently.

Secondly, it is essential that instead of increasing taxes, the present Government—indeed, all Governments—should cut taxes. Taxes stifle enterprise, put up costs and drive jobs abroad. A particular example is petrol in the United Kingdom, which I understand starts off as the cheapest in Europe, but, when tax is added to it, ends up the dearest.

Thirdly, some countries that are far less efficient than us are catching us up because they are less regulated. Again, many regulations that have been introduced by the Government, although well intentioned, will not help. Companies stopped employing and training youngsters, as I have said, because it became too expensive to do so, partly because of the wages councils that existed at that time. I would not want further regulation and burdens to cause industries to employ even fewer youngsters.

Fourthly, it is important that we understand industry. It is extremely difficult to make things. Deadlines are tight and margins are low. The quality of manufactured goods, rightly, must be very high. Fifthly, we should ensure that European competition rules are not being broken by other countries on the continent when we try to comply with them so strictly. Sixthly, we should pursue policies that would enable interest rates to be reduced and, therefore,

[Mr. Laurence Robertson]

the pound to fall in value, although it seems that the weakness of the euro as a currency will always be a problem—at least it will be for the foreseeable future.

While I am on Europe, my final suggestion is that the Government should avoid economic and monetary union at all costs. We should be more competitive than Europe and not the same as Europe. If we are just the same as Europe as regards add-on costs for industry, employing people, tax, wages and everything else, why on earth should companies come to the periphery of Europe? They would build factories in the centre of Europe. We must be different from Europe and, indeed, better than Europe.

I want to mention two local issues that are to do with manufacturing industry and of which I have given the Minister notice. A company in my constituency called Ultra Hydraulics has employed 252 people. It is owned by an American company—a joint venture between Commercial Intertech and its partner Parker Hannifin in Ohio. One of the partners has been systematically transferring work from Tewkesbury to Chemnitz in Germany, with the consequent loss of 252 jobs.

The parent company blames sustained losses, the strength of the pound and the prevailing economic conditions in this country, but it also blames the incentives being offered to it by the German Government to relocate there. Will the Minister consider those incentives? Are they legal? I should like an assurance from her that she will look into the matter.

My second point, on a slightly more positive note, concerns the A400M airbus project. I welcome the long-awaited decision to order 25 of those planes, should the project go ahead. British jobs—again, many jobs in my constituency—will depend on it, but they will also depend on fair competition rules. We need to ensure that any help that is afforded to companies in France particularly, but on the continent generally, is also available to companies here. British companies should not be disadvantaged in this respect. In the case of aerospace-type work in particular, the set-up costs are very high. Our Government should give at least as much help to our companies as, say, the French give theirs. The Minister must persuade the Europeans to follow suit and pledge to support the project. Otherwise, the project simply will not go ahead, and, obviously, jobs will be created and safeguarded only if it does go ahead.

I am not asking for intervention or state control in manufacturing industry. The industry made itself great, and Government interference is often the problem rather than the solution; but Governments can create the right conditions, which I am asking this Government to do. I am looking for a recognition of the value of manufacturing to the economy and to our wealth generally. I am looking for an understanding of how hard it is to manufacture goods. So much can go wrong, and, as I have said, the margins are so slim, especially when some workers in the world are earning trifling amounts in wages and yet producing the same goods. I am looking for lower taxation and less burdensome regulation, and I am looking for a determination to make British manufacturing prevail again.

10.12 pm

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): I congratulate the hon. Member for Tewkesbury (Mr. Robertson) on securing a debate on an extremely important issue. It is important not just to his and, indeed, my constituents but to our country.

As the hon. Gentleman readily acknowledged, we had a full debate on manufacturing industry only yesterday. In that debate, he referred to statistics, as did the hon. Member for Tiverton and Honiton (Mrs. Browning). Let me remind the hon. Gentleman that although 160,000 manufacturing jobs have indeed been lost since the election three years ago, that compares with an average loss of 140,000 manufacturing jobs a year under the Conservative Government whom he supported.

Although some manufacturing jobs have indeed been lost over the past three years, for reasons that we well understand, total employment in our country is higher by more than 900,000. Nearly 1 million more people are employed now than have been employed since records began. We have a sound, proud record of rising employment and rapidly falling unemployment.

We may not agree on the statistics, but I can at least agree with the hon. Gentleman about the importance of manufacturing industry. I am increasingly concerned about the tendency of much of the press and some commentators to talk of the new economy and the old economy. That is very misleading. Most of the time, such talk brings with it an implication not only that the new economy is all about dot.coms and the internet and all the very exciting stuff for which I have a certain responsibility as Minister for Small Business and E-Commerce, but that that is all the new economy consists of, and that the old economy—which is always associated with traditional manufacturing sectors—is somehow destined to decline and die. That is, of course, absolute rubbish.

The new technologies—including, but not only, the information and communications technology underlying the internet—are transforming every sector of the economy. They are also transforming every part of the production process and almost all the goods and services that we buy. Therefore, a high-tech, science-based and modern manufacturing sector is just as much a part of the global, 21st century, knowledge-driven economy as the service sector, the dot.com companies and the rest of the so-called new economy.

It is very important that we get that message across to City analysts, to the financial institutions that make investment decisions and to the public. I think that the hon. Gentleman and I might well agree on that point. However, I can assure him that there is no confusion at all within the Government about the importance of manufacturing industry. Moreover, as this is an Adjournment debate, I shall not dwell on the lamentable record of the previous Government, who killed off large parts of United Kingdom manufacturing industry in two disastrous recessions, in the early 1980s and in the early 1990s.

The other thing that is happening under the impact particularly of information and communications technology is that the distinction between the manufacturing and the service sectors is becoming increasingly blurred. It is important that we understand that, too. In a modern luxury car, for example—as the

hon. Gentleman said, cars have been somewhat in the news recently—70 per cent. of the value comes from the design, styling and, above all, intelligence—the computing power and the communications power—that are embedded within it. Therefore, it is manufacturing, but it is also services.

Let us consider the example of the internet, e-commerce and dot.com companies that have been so much the fashion recently. As the Minister responsible for e-commerce, I am constantly struck by the sheer volume of manufacturing industry that is required by the internet, the telecommunications and, increasingly, the converging sectors.

Earlier today, I had the pleasure of going to Colt's new internet hosting centre. Colt is not only a rapidly growing British-based telecommunications company, but the first telecommunications company to be licensed after the telecommunications duopoly collapsed some years ago. What I saw there was bank upon bank and row upon row of intensely intelligent, expensive and highly engineered manufactured equipment which are the servers enabling the very secure hosting of websites and other services for Colt's hundreds—and, in future, undoubtedly many more—business clients. That type of facility is developing in many parts of London, which is one of the centres for electronic commerce, particularly in the European Union.

All of that depends on high-tech manufacturing, and ever more of that high-tech manufacturing is being done in the United Kingdom. We are European and world leaders in many parts of the electronics and components industry, which is enormously important to our economic future, to employment and to the standard of living that we can offer our people. Therefore, there is certainly no misunderstanding or mistake on the Government's part about the importance of manufacturing and the need to ensure that the environment is right to get the investment in the high-tech, high-value-added and highly competitive manufacturing base of the future.

The hon. Gentleman and I agree that it is not the proper role of a modern Government to run industry. However, it is the Government's responsibility to create an environment in which modern manufacturing and every other part of the economy can flourish. Our first and most important task as a Government was to create a stable economy—a stable macro-economic environment and an end to the cycle of boom and bust that has bedevilled the British economy not just for the past 20 years, but for the past 30 or 40 years.

The economic cycle has been far more intense in the United Kingdom than in our competitor countries. We have had far higher upswings of unsustainable, inflationary, above-trend growth and far more severe and damaging recessions that plunged home owners into negative equity and businesses into bankruptcy. That was a disaster for manufacturing, for business generally and for long-term investment, because more than any other factor the cycle of boom and bust accounts for the fact that long-term investment in productive capacity in our country has been so much lower than it has been in Germany or the USA, with the result that we face a severe productivity gap. One can argue about the numbers and the different ways of measurement, but one cannot argue about the reality of the productivity gap between us and France, Japan and the USA. That holds us back.

Our first task was to secure economic stability and our first decision was to take the politics out of interest rates by giving the Bank of England independence to set them. As a result, we have not only got inflation down and kept it down, but we have the lowest long-term—and, indeed, short-term—interest rates that we have had for a long time, with no prospect in this or, I think, the next economic cycle of returning to the appalling situation that we had under the previous Government, when interest rates were above 10 per cent. for four years on end, peaking at 15 per cent. I remember only too well the pain and devastation that that caused to home owners and businesses alike.

We are making decisions for the long term and building for long-term economic stability. We are not going to put that long-term stability at risk by trying to provide short-term fixes. As my right hon. Friend the Chancellor said last week, we well understand that the exchange rate between sterling and the euro does not reflect any sensible view of long-term economic fundamentals. We readily acknowledge that that rate creates real difficulties for any company seeking to export into the eurozone. That particularly affects manufacturing.

However, that does not mean that we should seek an artificial devaluation of the currency. It is worth remembering that against the dollar, the pound has been remarkably stable for the past four years. The suggestion that sterling is fundamentally overvalued does not hold water. The problem clearly has much more to do with the weakness of the euro. The hon. Gentleman expressed his view and that of a large part of the Conservative party about the euro, but one reason for our commitment in principle to joining a successful single currency if the economic conditions are met is that it would eliminate the exchange rate instability that has been so damaging and that has created such difficult conditions for manufacturing industry and other exporters.

Mr. Robertson: Does the Minister recognise that the two recessions that she referred to—those in 1988 and 1991—were caused by the Conservative Government trying to skew the economy to keep the pound at artificial levels? The problem is not the fluctuation of the exchange rate, but that sterling is at too high a level. Locking sterling into the single currency would mean that that situation existed for ever, rather than just for a brief time, as was the case under the exchange rate mechanism.

Ms Hewitt: I said that we wanted to join a successful single currency if and when the five economic conditions were met. I have no doubt that the hon. Gentleman will be familiar with the economic conditions that my right hon. Friend the Chancellor has laid down, but I readily remind him that we would have to be satisfied that convergence between our economy and that of the eurozone countries had been achieved on a lasting basis, not on a temporary basis, and that membership of a successful single currency would be good for jobs, business and the City. Clearly, that would not have been the case had we joined last year, or indeed if we were to join this year, and that is why we are not joining.

[Ms Hewitt]

I stress that we are not about to engineer an artificial devaluation of the currency against the euro. We are not about to try some short-term fix that might or might not produce short-term gain but would undoubtedly put at risk long-term economic stability and would throw away the prize that we have secured of departing from the long-term post-war record of boom and bust that is at the heart of the economic problems from which we have suffered.

The hon. Gentleman referred to the recessions under the Conservative Government, and I am glad that he was willing to acknowledge their mistakes. There is no doubt at all that the policy of the former Chancellor, Nigel Lawson, in trying to pursue an inflation target and an exchange rate target through the shadowing of the deutschmark, was absolutely fatal. Some right hon. and hon. Members—notably those on the Liberal Benches—would have us repeat that mistake and that would not be at all sensible.

The hon. Gentleman referred to two local issues. I was extremely sorry to hear of the loss of 250 jobs that would result from the closure of Ultra Hydraulics. I understand that the hon. Gentleman wrote to my hon. Friend the Minister for Competitiveness in April. When I checked up on that, I found that my hon. Friend and his office have absolutely no record of having received that letter, but of course the hon. Gentleman will now receive a reply. After an initial glance, we do not have enough information about the suggestion that the German Government may be offering state aid in breach of the European state aid rules to try to entice Chemnitz to relocate Ultra Hydraulics to Germany. However, we shall readily explore the matter with the hon. Gentleman and if we can get chapter and verse we shall pursue the issue.

Following the announcement of those redundancies, the Employment Service has granted large-scale redundancy status which means that rapid response funding has been approved so that workers made redundant from Ultra Hydraulics will be given additional fast-track help in job searches and, if it proves necessary, in retraining to secure new employment. I hope that that will be of real assistance to his constituents who are at risk of losing their jobs. Gloucestershire development agency has been in contact with the company to discuss the help that is available locally and through the regional development agency.

Finally, I am pleased that the hon. Gentleman repeated his welcome for the announcement that we made on the award of the A400M airbus project. I know that it is a matter of great concern to him. Indeed, I know that he saw my noble Friend Baroness Symons back in March to discuss the project and was accompanied at that meeting by the managing director of Dowty Propellers and the marketing director of Ultra Electronics—both, I think, companies in his consituncy engaged in the development of that aircraft. Like him, I welcome the announcement by my right hon. Friend the Defence Secretary that the Ministry of Defence will procure missiles—

The motion having been made at Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Thursday 18 May 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[LORDS] (BY ORDER)*

Order for consideration, as amended, read.

To be considered on Thursday 25 May.

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Thursday 25 May.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Employee Share Ownership

1. **Mr. Jim Cunningham** (Coventry, South): What assessment he has made of the effectiveness of regional conferences held to promote his new employee share ownership scheme. [121370]

The Chief Secretary to the Treasury (Mr. Andrew Smith): The conferences went very well, with over 1,000 companies taking part. The scheme was well received. We expect a lot of firms to take part and more than 500,000 employees to own shares in their companies for the first time.

Mr. Cunningham: Will my right hon. Friend tell us whether there is a size limit for the small companies that can participate in the scheme? More importantly, what benefits will the labour force get out of such a scheme?

Mr. Smith: The scheme has been designed—through consultation with companies, the Trades Union Congress, financial advisers and academics—to be flexible in responding to the needs of small companies. As for the benefits for employees, for the first time they can set aside money from pre-tax income to buy shares. Those can be matched by the employer with up to two free shares for every one that is bought. On top of that, employees can be awarded up to £3,000 worth of free shares a year from their employer; the amount can be performance related.

As my hon. Friend implies, the real benefit derives from the link between the participation of workers who identify with their firm and the benefits to the productivity of individual companies and the whole economy.

Mr. Desmond Swayne (New Forest, West): So why does the Chief Secretary devalue the potential value of the shares by the huge burden of regulation that he is imposing on the relevant companies?

Mr. Smith: We are not devaluing the shares. Conservative Members would do well to put aside their churlish criticism and welcome the scheme as a huge boost for a shareholding democracy, in which they used to claim that they believed. In practice, they are obsessed with share options for the few, while we provide shareholding for the many.

Mr. Denis MacShane (Rotherham): In that spirit of bipartisanship, has my right hon. Friend read the extravagant praise that the shadow Chancellor showered on the British economy? He used the sort of sycophantic language that even the most on-message Labour Member would not dare employ.

Does my right hon. Friend agree that employee share ownership should command support from all parties, unions and employers? Previous Conservative Governments initiated moves in that direction and we are building on them. The House should unite and support it so that it is a big success in Britain.

Mr. Smith: I agree wholly with my hon. Friend. Compared with the shadow Chancellor's statements about the strength of the economy, we have been modest in our claims. There should be a bipartisan spirit about the scheme. I hope that all hon. Members will welcome the huge extension of shareholding to many employees who were previously denied that opportunity.

Horticulture

2. **Mr. Peter Luff** (Mid-Worcestershire): If he will exempt horticulture from the climate change levy. [121371]

The Financial Secretary to the Treasury (Mr. Stephen Timms): No. We have recognised the unique position of the horticultural sector, with a special package of support, including a 50 per cent. discount on the levy for up to five years while energy efficiency measures take effect.

Our approach will help improve energy efficiency in the horticultural sector, while protecting its competitiveness.

Mr. Luff: Although the concessions are welcome, why is the Treasury pressing ahead with the imposition of the tax? Is that not another example of the Government's gimmick-ridden, soundbite-driven policies, which are stealthily strangling British business? Why, instead of imposing a tax of £12,500 per hectare on glasshouse growers in the United Kingdom, do the Government not follow the example of the Netherlands, where growers have been granted a 100 per cent. exemption from the levy in return for an agreement on emissions?

Mr. Timms: The hon. Gentleman is wrong on several points. There is no longer a 100 per cent. exemption in

the Netherlands. We have taken account of the way in which the horticulture sector is treated elsewhere in the European Union. That is reflected in the strong additional package of support for horticulture that we have announced. I am glad that the hon. Gentleman welcomes it. The climate change levy arose from work that was carried out by Lord Marshall, who began it when he was president of the Confederation of British Industry.

Organisations such as the Council for the Protection of Rural England and the Royal Society for the Protection of Birds have said:

> As we are cutting carbon emissions from fossil fuels, the new levy will make UK plc more competitive. Which is why Lord Marshall, chairman of British Airways, recommended using taxation . . . We think the Chancellor is introducing an essential levy that will support forward thinking industries and help to protect our environment. We applaud him for it.

I hope that the hon. Gentleman does so too.

Mr. Barry Sheerman (Huddersfield): Does my hon. Friend agree that if horticulture needs some second thoughts and perhaps more concessions, manufacturing industry, too, needs a break? The manufacturing sector is trying to export at a time when the exchange rate is causing difficulties. It takes that on board, but it does not want a double hit through the levy. Could not we put it on hold for a while or ameliorate the position in some way?

Mr. Timms: No, it is important that we go ahead with the levy. We have given a long period of notice so that everyone can make the necessary preparations. We have introduced a range of measures to boost the position of United Kingdom manufacturing, including the measures in the Budget on capital allowances, and there have been announcements recently about new orders for UK manufacturing.

We have recognised the particular position of the horticulture sector. We have recognised, too, the special treatment afforded to horticulture elsewhere in the European Union, but our approach is the right one. My understanding is that 60 per cent. of the energy used in manufacturing will be covered by the concessionary negotiated agreements.

Mr. David Heathcoat-Amory (Wells): Is the Financial Secretary aware that the brief flirtation between British industry and the Government is now well and truly over, because of the endless stream of new regulations and new business taxes, of which the levy is a good example? Will he confirm that the required CO_2 reductions could easily be achieved by other less damaging means, as has been confirmed by the Government's own figures? Will he also confirm that sectors such as horticulture are likely to try to avoid the tax by moving to other countries, including those with lower environmental standards? Therefore the new business tax will damage not only British industry and jobs, but the world environment.

Mr. Timms: The right hon. Gentleman is wrong. As I have told the House, the levy emerged from discussions with the CBI. The then president of the CBI carried out the initial work that led to its introduction. He recommended the use of taxation to deal with the climate change problem.

I remind the right hon. Gentleman of the views of the previous Government's Secretary of State for the Environment. I have already put this quotation to him, and I would have hoped that by now, he would have taken it to heart. The former Secretary of State said:

> Ozone depletion and climate change are not concerns which can be met in the short term. They demand alterations in our lifestyles which are neither easy nor quick.

We are making the changes that need to be made. That is the right thing to do.

Public Services

3. **Mr. Bill Rammell** (Harlow): What representations he has received on the Government's plans, announced in his Budget, to invest additional resources in public services in the coming year. [121372]

The Chancellor of the Exchequer (Mr. Gordon Brown): My colleagues and I have received a number of representations on the Budget spending announcements, welcoming the £2 billion extra that we provided for the health service, the £1 billion extra for education and the over £0.5 billion extra for improving transport and fighting crime, all within our prudent fiscal plans. In total, that means that public spending on the national health service will rise by £5 billion this year and spending on the other services as a whole will rise by £25 billion.

Mr. Rammell: I thank the Chancellor for that response. Does he agree with the House of Commons Library analysis that I have obtained which shows that the three-year spending increase for the NHS has never been matched by any Government in the history of the NHS? Does he agree that any political party that said that it would match those spending increases while at the same time cutting taxes regardless of economic circumstances would be not only economically illiterate, but deliberately trying to mislead the British public?

Mr. Brown: Yes. The politically driven tax guarantee of the Conservative party means that the tax cuts would go to a privileged few, public services would be denuded of money, and the monetary and fiscal stability in our economy would be put at risk.

If we look at what the Conservatives have said about the extra money that we are providing for the health service, we see that they refused to vote with us on the £400 million that we have raised from cigarette revenues; in other words, that money would not be available for the health service. They now say that £1 billion of the money should go to private medical insurance; in other words, that money would not be available to the health service, either. As for their other promises, it is absolutely clear that their politically driven tax guarantee cannot ensure that the health service has the money that it needs. The Conservative party is for privatisation in health. We are for a health service that is safe in people's hands.

Sir Peter Tapsell (Louth and Horncastle): Does the Chancellor accept that whenever he increases public expenditure, he makes it more likely that the Bank of England will raise interest rates still higher, and that that

in turn will force up the exchange rate of sterling against the euro? Is there not now a clear and damaging conflict between the Government's fiscal and monetary policies?

Mr. Brown: If we had listened to the advice of the shadow Chancellor—who at the time of the Budget said that there should be a fiscal loosening—there would have been a problem, but over the next two years there will be a fiscal tightening over and above what we have locked in in previous years. We have managed to do that by cutting debt interest payments, whereas the Conservative Government doubled the national debt. We have also cut the bills for social security, because we have got 900,000 more people into work. That is why we can spend more on the health service. That is why we can spend more on education. That is why public services in this country are improving—whereas they would be privatised under the Conservatives.

Mr. Michael Connarty (Falkirk, East): Can the Chancellor confirm that his plans for the health service will mean an increase of 50 per cent. in cash terms, and 35 per cent. in real terms, for the health service through the period 2003–04? Does not that increase mean that £2,800 will be spent per household, compared with current spending of £1,800 per household? Can he also give us the figures for Scotland? Will Scotland receive the same percentage increase? What benefits will accrue to the Scottish health service?

Mr. Brown: The Scottish Administration will receive its full settlement under the Barnett formula. I can confirm to my hon. Friend that the figures for the health service are £49 billion—that was for last year—then £54 billion, £59 billion, £64 billion and £68 billion, showing a 50 per cent. cash increase in the money going to the health service over five years.

What I have noticed in the ensuing debate is that not one former Conservative Chancellor has supported the policy now being promoted by the shadow Chancellor. The former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), has said that the Conservatives' politically driven tax guarantee is "mad". The former Chancellor, Lord Lamont—whom the shadow Chancellor might expect to support him—has said that no party could responsibly propose what is being proposed. Both Lord Lawson and the most recent Conservative Chancellor have admitted that the private health insurance plans do not get value for money, and that the money would be better going where the Government are putting it—into the national health service.

Mr. Michael Portillo (Kensington and Chelsea): How can the Chancellor be so self-satisfied and puffed up when public services have got worse while he has been in office? Class sizes have gone up, police numbers have gone down by 2,300, 100 vital road improvements have been cancelled—although the roads position in this country is the worst for 20 years—and an extra quarter of a million people are waiting to see a consultant. Why does the Chancellor not talk about services delivered rather than what he has promised for the future?

As the question concerns what representations the Chancellor has received, will he please confide in the House and tell us what his attitude will be to any representations from the Secretary of State for Northern Ireland?

Mr. Brown: The Secretary of State for Northern Ireland and the whole Cabinet have been arguing the case—*[Laughter.]* Yes, we have done that in every region of the country. What the shadow Chancellor should face up to is that in his call for extra spending on transport, crime, health and education—that is exactly what he is implying—he is driving a coach and horses through the politically driven tax guarantee that he says that he supports.

I do not think that people will listen to a shadow Chancellor who was responsible for some of the biggest tax increases that this country has ever seen, introduced VAT on fuel, increased national insurance, introduced the airports tax and the fuel escalator—all of which he put through the House of Commons—and said that he wanted to cut public spending, but who now says that he wants to increase public spending.

Mr. Portillo: I do not think that the country will believe a Chancellor of the Exchequer who can never look me in the eye when he answers one of my questions. I wonder why the Chancellor of the Exchequer finds it so difficult to maintain eye contact. Could it be because, after three years of non-delivery, Labour voters in Labour heartlands know that he has let them down? Could it be because they know that he has wasted £7 billion on fraud, which has been identified by the right hon. Member for Birkenhead (Mr. Field)? How does the Chancellor of the Exchequer respond to the criticisms made by the British Medical Association, which said that the Government have not focused on what is "important" for the national health service, but have become preoccupied with "totally artificial indicators"?

Will the Chancellor of the Exchequer not take some personal responsibility for the message from the local elections, which is that people know that Labour has broken its promises, not only on tax, but on public services, and that he is a Chancellor who taxes more but delivers less?

Mr. Brown: I know what the BMA will say. First, it will support our policy on cigarette taxation, which will bring an extra £400 million for the health service. Secondly, it will support our policy on private medical insurance and giving money to the national health service.

The shadow Chancellor said on the Jimmy Young show:

> Well, Governments are in a strong position when the economy is doing well. there's absolutely no denying that and I'm not going to go around saying that the economy is not doing well.

The Leader of the Opposition is always saying that the economy is doing badly, but the shadow Chancellor has admitted that it is doing well. The Leader of the Opposition wants the politically driven tax guarantee, but the shadow Chancellor does not. The Leader of the Opposition is at odds with the shadow Chancellor on all the major economic issues. I know who the shadow Chancellor is shadowing, and it is certainly not me.

Mr. Portillo: I am delighted that the Chancellor keeps quoting me. Does not that demonstrate that I will be a much more honest Chancellor than he has ever been?

Mr. Brown: The shadow Chancellor went into the 1992 election saying that there would be no tax rises.

He then introduced VAT on fuel, the fuel escalator, a national insurance rise and the airport tax. He is not the solution to the Conservatives' problems; he is the problem for the Conservative party.

Mr. Christopher Leslie (Shipley): May I look my right hon. Friend in the eye and tell him that I welcome his priorities for investment? Is he aware that spending on the NHS in the Shipley and Bradford district has gone up by 9.3 per cent. this year to £344 million? That will have a major effect in reducing waiting lists, despite the criticisms from the Conservatives that it is reckless spending.

Mr. Brown: Yes, and we know what my hon. Friend's constituents and the BMA would say about the present Conservative party policy on health. The Conservative health spokesman has said:

> Insurance companies could cover conditions that are not high tech or expensive, like hip or knee replacements, hernia and cataract operations

that currently involve long waiting times. In other words, the Conservatives' policy is that pensioners and others would be told to get their operations outside the national health service. The Conservatives would compel people to take out private health insurance. The shadow Home Secretary has said that the problem with the health service is that we do not charge for much of what we do.That is the Conservative health policy. The shadow Chancellor spent two years outside the House of Commons looking again at Conservative policy. He might start by looking at that.

Energy Taxation

4. **Mr. Tim Boswell** (Daventry): What recent representations he has received on energy taxation. [121373]

7. **Mr. Damian Green** (Ashford): What recent representations he has received from businesses on the climate change levy. [121377]

The Financial Secretary to the Treasury (Mr. Stephen Timms): We have been in discussions with business interests and others on the climate change levy since the early planning work by Lord Marshall. We have recently consulted on the draft legislation underpinning the levy, the support for energy efficiency measures that is part of the package, and the definition of good quality combined heat and power plant. Throughout the process, we have received many representations that have helped to finalise the design of the levy.

Mr. Boswell: I thank the Minister for that reply, but is he not a little concerned that such responsible bodies as the Aluminium Federation and the Chemical Industries Association are still far from satisfied with the outcome of those negotiations, and in some respects feel that they are further back than they were last December? Is he aware that even with the concessions that have been achieved to date, the likely burden on different sectors of the important aluminium industry will total £6 million, and that the concessions have still not been cleared by Brussels under the state aid provisions? Does he feel that that is the right way to treat an industry that is typical of heavy manufacturing industry—for which the Government are said to care—and is exemplary in its use of recycling?

Mr. Timms: Both sectors to which the hon. Gentleman has referred welcomed the changes announced in the pre-Budget report last November, and nothing has happened since to undo those. We are making good progress in our discussions with the EU on the state aids issue. The levy package and the negotiated agreements together will save at least 5 million tonnes of carbon dioxide emissions by 2010. The levy will be revenue neutral for the private sector because all proceeds will be recycled back to business through the cut in national insurance contributions. Many manufacturing firms will benefit from the levy package and will want the lower rate of national insurance contributions. The levy is broadly neutral between manufacturing and service sectors, and is the right way forward. Climate change is a huge issue that we need to tackle, and that is what we are doing in the right way with the levy.

Mr. Green: Can I give the Minister another business representation on the levy, which, incidentally, gives the lie to what he has just said about the horticulture industry? Mr. Peter Wensak, who runs a nursery, has written to the climate change levy secretariat to say:

> The CO_2 . . . generated within my glasshouses is consumed by the plants . . . The net effect to the outside atmosphere is nil. Your proposal is that I should pay a charge that will encourage me to discharge less CO_2 . . . to the outside atmosphere. How much lower can I get than nil?

He has an unanswerable case. Does not that show that the levy has nothing to do with reducing carbon dioxide emissions and everything to do with finding new ways to extract taxes from productive industries?

Mr. Timms: No. The levy is revenue neutral, and we have responded to the particular situation of the horticulture sector as I have described. The levy is revenue neutral for the private sector; no revenue is going to the Exchequer. I have referred Opposition Members to the views of the former Secretary of State, and it is sad that those views are not shared by Opposition Members any longer. I am aware that the previous shadow Environment Secretary, the right hon. Member for Wokingham (Mr. Redwood)—who is in his place today—was awarded the booby prize in the green ribbon political awards. The citation said that the judges felt that the right hon. Gentleman had

> amply lived up to his reputation as a man who seems to understand little and care less about the future of life on earth.

I know that the right hon. Gentleman has been sacked since then—but unfortunately, not for his views on the environment; they seem to be shared by most of the Conservative party.

Mr. Tom Clarke (Coatbridge and Chryston): Does my hon. Friend accept that many people feel that, far from making tax reductions for fat cats a priority, we should discourage electricity companies from abusing the

regulator's attempts to reduce prices by their policies of huge job reductions and cutting essential services for consumers?

Mr. Timms: The emphasis that we have placed on promoting consumers' interests means that utility companies are under pressure to increase efficiency. That is a good thing, and it is in the interests of my right hon. Friend's constituents. In some cases, that could mean job losses, but those companies will have to meet all the health, safety and environmental obligations that are placed upon them. Non-regulated companies are facing similar pressures. Many utilities are diversifying into other businesses, thus providing scope to grow the companies and offer improved opportunities for their employees.

Mr. Bill O'Brien (Normanton): I congratulate my hon. Friend the Minister on the way in which he has handled this issue; I was impressed by his appearance before the Select Committee on the Environment, Transport and Regional Affairs. The negotiated agreements are bringing satisfaction to some industries. However, this is a question of industry reaching certain targets and reducing emissions. Will my hon. Friend consider the idea that where those targets have been achieved, there should be negative payment of the climate tax because capital will have been spent to reach those targets? It would be an incentive for an industry if when it met the targets set by the Government, it would not pay the tax.

Mr. Timms: Of course the arrangements that we have made for negotiated agreements—we are making good progress with the negotiations—mean that firms and sectors that sign up to demanding targets will be entitled to a reduced rate of the levy, with an 80 per cent. discount. That is the basis of the approach that my hon. Friend suggests, and it is right. I have said already that about 60 per cent. of manufacturing energy will be covered by those negotiated agreements and by the reduced rates of levy that will apply as a result. Manufacturing, as well as the rest of business, wants the reduced rate of employers' national insurance contributions—the 0.3 percentage point cut that we have introduced—because it will promote jobs and be good for every part of the country.

Mr. Eric Forth (Bromley and Chislehurst): If the Minister justifies the swingeing rates of tax on vehicle fuel on environmental grounds, how does he justify the reduction in tax on domestic fuels, which cause even greater environmental damage?

Mr. Timms: My right hon. Friend the Chancellor has cancelled the escalator on vehicle fuel duty, which was introduced by a Conservative Chancellor. We are adopting a range of measures to improve energy efficiency in the domestic sector: we have increased the incentives for people to cut their energy usage, we have expanded the home energy efficiency scheme, and we have introduced concessionary treatment for home energy insulation services. It is important that every part of the economy makes a contribution to achieving our climate change objectives.

Unemployment

5. **Mr. Phil Sawford** (Kettering): What assessment he has made of the impact of the fall in unemployment and rise in employment during the last 12 months on the national economy. [121374]

The Chancellor of the Exchequer (Mr. Gordon Brown): Cuts of 167,000 in the unemployment claimant count over the past year have freed up savings of £800 million in social security benefits. That has increased the scope to make money available for public services. Unemployment is at its lowest level for 20 years.

Mr. Sawford: I thank my right hon. Friend for that answer. Is he aware that in my Kettering constituency the number of young people on the dole has fallen by 87 per cent., long-term unemployment is down by 78 per cent., and overall unemployment is down by more than 3 per cent.? Does he agree that those figures clearly illustrate the difference between the new deal from this Government and the raw deal that the people of Kettering got from the previous Government?

Mr. Brown: My hon. Friend is right. The Conservative party would abolish the new deal and the working families tax credit, which is making work pay. The Conservatives were responsible for the biggest rise in unemployment that this country has seen since the war. Unemployment in my hon. Friend's constituency is now 2.5 per cent.—and I can understand why the shadow Chancellor keeps congratulating us, because unemployment in his constituency is now 1.5 per cent.

Mr. Matthew Taylor (Truro and St. Austell): With 250,000 jobs lost in manufacturing since the Government was elected, with 100,000 jobs lost in the past year, with farming in crisis, and with the TUC and the CBI united in pointing the finger at the high level of sterling as fundamental to the economic difficulties experienced by our manufacturing exporters, does the Chancellor agree with the Conservative shadow Chancellor that the high level of sterling is a mark of success, which business should simply learn to live with?

Mr. Brown: I understand the difficulties that manufacturers and exporters face, and I said only a few days ago that the exchange rate of the euro to the pound does not reflect the fundamental underlying conditions. However, the measures that the hon. Gentleman's party and others propose to deal with the situation would create the same conditions as the Conservative Government created in the late 1980s, and return the economy to boom and bust. In particular, the reckless attempts by the Liberals to put money into everything without showing how they would pay for all their different programmes would endanger fiscal and monetary stability in this country. Both Opposition parties must face up to the fact that we are creating stability, but their policies would create boom and bust.

Mr. Derek Foster (Bishop Auckland): May I shock my right hon. Friend by congratulating the Government on their supply side labour policies, which are the best that I have seen in 30 years in politics? Nevertheless, I ask him to acknowledge the wide discrepancy in employment rates

between regions, especially for men aged over 50. The employment rate for that group is 53 per cent. in the north-east, but 73 per cent. in the south-east. I urge my right hon. Friend to do even more about that problem than the Government are already doing.

Mr. Brown: It is precisely for the reason that there are men and women over 50 who want to get back to work but who find it difficult to do so that we have introduced the new deal for the over-50s in the past few weeks. That scheme gives special help to enable people who have been unemployed for a year to return to work, by giving them a supplement of between £50 and £60 to their wages for their first year back at work. I hope that my right hon. Friend and others will welcome what the Government are doing in that regard.

I agree entirely with my right hon. Friend that if we were to return to the policies pursued by the previous Government and abolished the new deal, unemployment would be higher. I have been given a copy of the minutes of a meeting of the Conservative party's economic sub-committee. Its members thought that they would be able to look at the new deal but, unfortunately, the minutes state that while the committee is a useful sounding board, it has proved difficult to get the right group together and much work is now having to be undertaken by individuals. The committee's aim was to produce a paper on the failure of the new deal prior to announcing Conservative proposals, to be published in early April. We have yet to see any such paper.

Mr. John Redwood (Wokingham): This is the Chancellor who has presided over the destruction of more than 200,000 manufacturing jobs and of much of British agriculture. He has driven road hauliers out of business or into overseas offices. He has watched as boom and bust have occurred at the same time. Far from getting rid of boom and bust, he is the one who can make sure that some people are driven into unemployment, while spin doctors and others prosper.

In view of the big role played by high taxes in the matter, will the Chancellor answer one simple question? What is the current pump price of a litre of petrol, and how much of that price is tax?

Mr. Brown: If I may say so, the right hon. Gentleman is now more on-message with the Leader of the Opposition than is the shadow Chancellor. Also if I may, I would add that the right hon. Gentleman should welcome the fact that in his constituency, since the general election—[HON. MEMBERS: "Answer the question."] Well, the right hon. Gentleman is asking about jobs and manufacturing industry. Since the general election, unemployment in his constituency has fallen by 34 per cent., and the new deal has meant a fall in youth unemployment of 69 per cent. [HON. MEMBERS: "He does not know the answer."] I should have thought the right hon. Gentleman would have welcomed the fact that we have removed the fuel escalator that he and his colleagues introduced, and that we have created 900,000 jobs.

Mr. Dale Campbell-Savours (Workington): Given the link between unemployment and the value of the euro, and on the assumption that he wants the euro's value to increase over the coming months, will my right hon. Friend say what measures he believes his counterparts in the various other European countries can take to increase the euro's value in the immediate future?

Mr. Brown: The Finance Ministers of the European Union issued their statement after the meeting 10 days ago. They said that they would be reporting that growth in the EU this year would be of the order of 3 per cent. Growth in France is 3.7 per cent.; in Germany it is nearly 3 per cent.; and in most countries it is just under or around 3 per cent. That is a very big improvement on last year and the year before.

The Finance Ministers also said that they would continue to pursue the process of reform in the European Union so that they would be in a position to make their economies create jobs. Unemployment is falling in Germany, France and the other economies. I believe that when EU growth rates catch up with those in the American economy and in economies in other parts of the world, people will understand the truth of my contention that the relationship between the euro and the pound does not reflect a fundamental, long-term aspect of the economy.

Mr. Richard Ottaway (Croydon, South): No matter how good the employment figures are—*[Interruption.]* Unemployment was falling under the previous Government and has continued to fall under this Government. The new deal has made not a shred of difference; in fact the decline in unemployment has slowed down. So far the new deal has cost £1.5 billion—enough to pay for 15 new hospitals or 15,000 policemen on the beat. At £20,000 a job, is not the new deal a huge waste of money?

Mr. Brown: Now we know—not only would the Conservative Opposition abolish the new deal, but they would not have gone ahead with the windfall tax on the utilities that raised the £5 billion to make it possible. They would not provide the public services for the many, but would prefer to give tax cuts to the few large companies which we had to tax with our windfall levy to provide the money for jobs.

The hon. Gentleman may think that the new deal has been a failure, but in that case, why has unemployment among young people fallen from the 200,000 that we inherited to 50,000 today? That is a 70 per cent. fall in youth unemployment under the Labour Government, as a result of the fact that 400,000 young people have managed to get on to the new deal. It is all very well the Conservative party calling the new deal an expensive failure and a colossal waste of money. We now know that they will argue at the election that the new deal should be abolished. That is the dividing line between a Labour Government who support stability, employment and public services for the many, and a Conservative party which is irretrievably identified with boom and bust, unemployment and tax privileges for the few.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that when the pits were closing in the 1960s, 1970s, 1980s and 1990s, they were closing when the pound was high and they were closing when the pound was low? The shipbuilding industry went down the same pan, and the state of the currency did not matter. I suggest that it is not the level of the pound that is the problem.

There is a problem with manufacturing; there is a problem with textiles right across the British Isles, but it has nothing to do with this euro madness that we hear from the Liberal Democrats and one or two others. The very idea that Britain will get allied to the weak, pathetic euro at this time is like asking David Beckham to sign on for Shrewsbury to get it out of the Conference.

Mr. Brown: It is also interesting that the shadow Chancellor has said, contrary to some of the views of his Back Benchers:

> I think we've got to get used to the idea that the strong currency is not a bad thing. It is a reflection of a good economy.

As a result of what we have heard today, it is now very difficult for the Conservative Opposition to criticise us on any aspect of our economic policy.

My hon. Friend will know that in the past few weeks £100 million has gone into the coal industry, because we believe that it is right that the resources that the coal industry can produce for our country are harvested properly, and that the Ministry of Defence has been and will be announcing orders for the shipbuilding industry.

Married Couples Allowance

6. **Mr. Andrew Robathan** (Blaby): How much the abolition of the married couples allowance will cost the average couple of working age in this financial year. [121376]

The Paymaster General (Dawn Primarolo): As a result of the measures that we have taken in this and previous Budgets, from April 2001 households will be on average £460 a year better off, and families with children will be on average £850 a year better off.

Mr. Robathan: I am sure that the House will deprecate the fact that the Minister, like everyone else on the Treasury Front Bench, is unable to answer a simple question. Let me help her out—the abolition of the married couples tax allowance will lead to approximately £200 in extra tax paid by 10 million couples in this country. How does she square that with the statement by the Prime Minister who, when he was Leader of the Opposition, said:

> The programme of the Labour party does not imply any tax increases at all . . . ?

Will the Minister also tell us how this joined-up Government square that with teaching about the importance of marriage, which the Secretary of State for Education and Employment wishes to see?

Dawn Primarolo: I am delighted to help the hon. Gentleman by reminding him that the cost to married couples when the allowance was cut from 40p to 15p under the previous Government was £430 a year. Indeed, the shadow Chancellor, who was then Chief Secretary, described the married couples allowance as having "the least ongoing justification".

The hon. Gentleman misses the point. The purpose of the abolition of the married couples allowance was to focus resources on families with children. As a result of the Conservative Government's policies, there were 3 million children in poverty when this Government were elected. The increases in child benefit, the introduction of the working families tax credit, the rises in income support, the 10p tax rate and the cut in the tax rate to 22p have helped families when they need help most—when their children are small.

Ms Sally Keeble (Northampton, North): Does my hon. Friend agree that the married couples allowance was a hangover from the days when married men were compensated because they took on financially dependent wives? The allowance bears no relation to present circumstances, in which 70 per cent. or more of married women work and are financially independent. Does my hon. Friend agree also that most couples will very much welcome the extra help that will be introduced next year? I refer to the £416 that will be available when couples need it most, which is when children come along.

Dawn Primarolo: My hon. Friend is right. In, I think, 1994 Lord Lamont, the then Chancellor of the Exchequer, said that the married couples allowance gave the most help to those on the highest incomes who needed it least, and the least help to those on the lowest incomes, who needed it most. The introduction of the children's tax credit will give, on average next year, £8.50 a week to lower and middle-income families. That is in addition to the extra resources that we introduced this year for child benefit increases, which are the greatest that have ever been made available. The previous Government were freezing such increases, which this year more than equal the married couples allowance.

Mr. David Ruffley (Bury St. Edmunds): Is the Paymaster General aware of the report produced by the Independent Item Club of economists, which was sponsored by Ernst and Young, which draws attention to an interesting feature of the abolition of tax allowances? The report demonstrates that when new Labour came to power, income tax accounted for 10 per cent. of household pre-tax income. After three years of new Labour Budgets, that has risen to 12.5 per cent. Will the hon. Lady give an undertaking that Treasury Ministers will cease to claim that the tax burden on households is decreasing, when independent evidence shows that it is increasing?

Dawn Primarolo: I am interested to hear what the hon. Gentleman says. I always follow his comments with care. In the Select Committee on the Treasury, when he was studying the tables for the Budget for the year 2000, he said:

> From these tables it will be seen that the 2000 Budget makes successive reductions in tax (compared to the position if thresholds . . .

I wonder how he squares that with what he has just said.

Unemployment

8. **Dr. Stephen Ladyman** (South Thanet): If he will make a statement on the impact of his Department's policies on the levels of employment and unemployment in the south-east. [121378]

The Economic Secretary to the Treasury (Miss Melanie Johnson): In the south-east, as in the rest of the UK, we have created a sound and credible platform of economic stability that will help us attain our objective

of high and stable levels of growth and employment. Since the election, employment in the south-east has risen by 203,000 and unemployment has fallen by 60,000.

Dr. Ladyman: I am grateful for that answer. Certainly business is booming in the south-east. Many Conservative Members who are straining to find bad news in the economy have constituencies with more than full employment. Unfortunately, however, that is not the position everywhere. Although the new deal has made great inroads into unemployment in Thanet, we still have far higher levels of unemployment than the national average. Will my hon. Friend consider the possibility of an employment action zone or action team, as announced in the Budget, for Thanet?

Miss Johnson: I am grateful to my hon. Friend for making those points. We have heard already today that the Tories would scrap the new deal. However, I have the figures for those who are benefiting from it in Canterbury, which includes my hon. Friend's constituency. The new deal for young people there is benefiting 2,100 who started the programme. More than 1,000 of those people have moved into employment, with 750 securing sustained employment. I recognise that there may be further opportunities in Thanet through employment action zones and action taskforces for further work to be done. I know that my hon. Friend will share with me the conviction that it is the Government who are getting people back into work and that the Tories are the party of mass unemployment.

Mr. Nicholas Soames (Mid-Sussex): I warmly endorse the words of the shadow Chancellor, my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo), and acknowledge that in my constituency the economy is doing extremely well. However, that is nothing to do with Labour; it is due to the policies it was bequeathed by a very successful Conservative Government. Does the hon. Lady understand—or does she realise—the punitive effects on companies in the south-east and elsewhere of increased stealth taxes and, above all, of an ever-increasing burden of regulation? Does she believe that those disadvantages are likely to ensure that the economy continues to grow or rather that, as is the case in Mid-Sussex, a number of companies will remain on a knife edge?

Miss Johnson: We are the party that introduced independence for the Bank of England. We introduced the national minimum wage, the new deal and the working families tax credit. Furthermore, we introduced the rules that are leading to a stable economy in which people are able to plan ahead. We have the lowest corporation tax ever. Equally, we are able to invest in public services—with record increases in expenditure in the health service and, for example, on child benefit. We shall take no lessons from the Conservatives, who left us a £28 billion deficit to deal with.

Mr. Geraint Davies (Croydon, Central): My hon. Friend will know that yesterday the pound hit a six-year low against the dollar. Given the benign trading conditions that that creates, does she agree that the Government should encourage our manufacturers and exporters to refocus their sales towards the buoyant US market, and that that will help to lift employment rates higher even than the record historic highs that we already enjoy in the south-east?

Miss Johnson: As my hon. Friend is aware, our management of the economy is leading to growth. Indeed, the volume of manufacturing exports rose by 9.5 per cent. in the year to February 2000, and manufacturing productivity is increasing by about 5 per cent. That shows that our management of the economy is succeeding. If one compares that with the Tory record—under the Tories, manufacturing employment fell by almost 1 million from its peak in 1989 to its trough in 1993 and output fell by 7 per cent. between 1990 and 1991—one can see a sharp contrast with this Government who are able to manage the economy and set the rules in the right way so that we can plan ahead on a stable platform. Employment growth shows that—there are 929,000 extra jobs. The Tory record is one of mass unemployment and mismanagement of the public finances.

Mr. Edward Davey (Kingston and Surbiton): As the Chancellor failed to answer the question put by my hon. Friend the Member for Truro and St. Austell (Mr. Taylor), will the hon. Lady have a go? Does the Treasury agree with the shadow Chancellor and, apparently, the hon. Member for Bolsover (Mr. Skinner), that British business must learn to live with the strong pound? Is the answer yes or no?

Madam Speaker: Order. I called the hon. Gentleman because the substantive question referred to the south-east and he has a constituency there. We will move on.

Manufacturing Industry

9. **Miss Anne McIntosh** (Vale of York): What representations he has received on the impact of his policies on the competitiveness of manufacturing industry; and if he will make a statement. [121379]

The Chief Secretary to the Treasury (Mr. Andrew Smith): Manufacturing industry makes a vital contribution to the economy. We are helping its competitiveness by creating the right economic climate of stability, low inflation and sound public finances, and through policies that help firms to innovate, to develop the skills of their work force and to grow.

Miss McIntosh: Does the Chief Secretary agree that the two most damaging measures for the competitiveness of British manufacturing industry are high interest rates and the high pound? Does he agree that they must be tackled, or does he agree with the Secretary of State for Northern Ireland that we should simply scrap the pound?

Mr. Smith: The hon. Lady is wrong. It is right that business has the confidence and the certainty to plan for the future, and it can do that with the platform of stability that we have created. We took the tough decisions on making the Bank of England independent and on imposing a fiscal and monetary framework that provides stability. We have avoided the penal levels of interest rates from which manufacturing industry suffered under

the Conservatives and that saw manufacturing output down by 18 per cent. in the early 1980s and down by 7 per cent. in the early 1990s—manufacturing output is actually now going up.

We have acknowledged the competitive difficulties that some in manufacturing face. However, when Conservative Members emphasise that point, they are at risk of talking down British manufacturing industry and ignoring the fact that productivity is going up, that profitability has been at near record levels, that manufacturing output is going up, that exports have gone up 9 per cent. year on year—including a 6 per cent. in exports to the eurozone—and that manufacturing investment has been at historically high levels. Manufacturing has a good future with the policies for stability provided by this Government.

Mr. Robert Sheldon (Ashton-under-Lyne): I shall not bore my right hon. Friend with my views on the euro, but will he bear in mind the fact that in addition to the difficulties that some manufacturers face from a decline in exports, there are problems with cheaper imports—up to one third cheaper in some cases? Manufacturers may complain about losses of exports, but importers do not complain because they make the money. Will my right hon. Friend take this aspect of a serious problem into account? The fact that imports come in cheaply has to be paid for by our manufacturers.

Mr. Smith: The best way that we can help our manufacturers compete against imports is through the platform of economic stability that I have described and the extra measures that we have taken. In the Budget, we cut corporate taxes to their lowest-ever level and made permanent the 40 per cent. first-year capital allowances for small and medium-sized businesses. We also introduced the new research and development tax credit, which is worth £150 million a year, and the information technology allowances for small firms. We have provided £100 million to lever private finance into venture capital funds in the regions and £50 million for business clusters. The last thing that manufacturing businesses facing competition from abroad want is a return to the instability, boom and bust and short-termism that resulted from the Conservative party's attempt in government artificially to target a particular value for the pound.

Mr. Christopher Gill (Ludlow): Why do the Government not come clean and admit that Labour's poll tax on jobs will do nothing for the competitive position of British manufacturing industry? What advice would the Chief Secretary give to, for example, the managing director of the Lawson Mardon Star aluminium company in Bridgnorth in my constituency? It employs 600 people and it calculates that the net extra payment that it will have to find for each and every one of those employees as a result of the climate change levy will be £1,000 per annum.

Mr. Smith: As my hon. Friend the Financial Secretary has already explained in answer to several questions, the climate change levy is fiscally neutral. Firms will benefit from the cut in the national insurance contributions that they will make. Moreover, not only is the levy fiscally neutral for the economy as a whole, but it is fiscally neutral within and between manufacturing and services.

National Debt

10. **Mr. Desmond Browne** (Kilmarnock and Loudoun): What his policy is on the management of the national debt. [121380]

The Economic Secretary to the Treasury (Miss Melanie Johnson): Our debt management policy, as set out in the debt management report published on Budget day, is to minimise the long-term cost of the Government's financing needs, taking into account risk. Thanks to the introduction of the new monetary and fiscal framework, the debt interest bill is projected to be £4 billion a year lower than when we took office from the Conservative party.

Mr. Browne: I thank my hon. Friend for that reply. In common with other Labour Members, may I welcome a debt management policy that will in the long term generate more resources every year for spending on our priorities, principally the reduction and elimination of child poverty?

In the absence of a helpful quotation from the shadow Chancellor of the Exchequer to illuminate my question, I draw my hon. Friend's attention to the advice of that other great economic analyst, the hon. Member for Banff and Buchan (Mr. Salmond). On Saturday, at the Scottish National party's conference, he said:

> Scotland should demand £2 billion—

from the £22 billion proceeds of the mobile phone spectrum auction

> for investment in public services and infrastructure now."

Will my hon. Friend explain to the House why the Government have chosen not to do that but have instead chosen to use that money to reduce the national debt?

Miss Johnson: Our policy is to manage the economy in a prudent fashion and gain the benefits of our prudence. The reduction of the national debt will bring benefits to the whole country and our aim is to reduce debt interest over the next few years and beyond. Of course, we inherited a £28 billion deficit from the Tories, under whom the national debt doubled. We have turned public finances around and made a massive investment in public services. I know that my hon. Friend will share my eagerness not to return to the Tory policies of boom and bust.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): Will the Leader of the House give the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 22 MAY—Consideration of a timetable motion relating to the Nuclear Safeguards Bill *[Lords]* and Sea Fishing Grants (Charges) Bill followed by their remaining stages.

Consideration of a timetable motion relating to the Royal Parks (Trading) Bill and Television Licences (Disclosure of Information) Bill followed by their remaining stages.

TUESDAY 23 MAY—Second Reading of the Crown Prosecution Service Inspectorate Bill *[Lords]*.

Second Reading of the Limited Liability Partnership Bill *[Lords]*.

Motion relating to insurance for Members, including defrayment of the cost of defending defamation actions.

Motion relating to legal expenses incurred by the hon. Member for Mid-Worcestershire.

WEDNESDAY 24 MAY—Opposition Day [11th Allotted Day]. Until about 7 o'clock there will be a debate entitled "The Government's Failure to Tackle Crime" followed by a debate on transport spending. Both debates will arise on Opposition motions.

Proceedings on the Powers of Criminal Courts (Sentencing) Bill *[Lords]*, which is a consolidated measure.

THURSDAY 25 MAY—Consideration of any Lords amendments which may be received to the Electronic Communications Bill.

Motion on the Whitsun recess Adjournment debate.

The provisional business for the week after the Whitsun recess will include:

MONDAY 5 JUNE—Consideration of any Lords Amendments which may be received to the Financial Services and Markets Bill.

TUESDAY 6 JUNE—Second Reading of the Police (Northern Ireland) Bill.

FRIDAY 9 JUNE—Private Members' Bills

I should like to take the opportunity to inform the House of business to be taken in Westminster Hall for when the House is sitting during June.

THURSDAY 1 JUNE—The House will not be sitting.

THURSDAY 8 JUNE—Debate on the fourth report from the Foreign Affairs Select Committee, from the session 1998–99, on Gibraltar.

THURSDAY 15 JUNE—Debate on the role of the voluntary sector in our national life—recognising and promoting volunteering.

THURSDAY 22 JUNE—Debate on the first report from the Education and Employment Select Committee, from the session 1999–2000, on school meals.

THURSDAY 29 JUNE—Debate on the second report from the International Development Select Committee, from the session 1999–2000, on the future of sanctions.

Sir George Young: The House is grateful for next week's business and an indication of the business for the week following the Whitsun recess.

This week, the House received a further statement on Sierra Leone, but I must repeat the request that several of us made last week for a full day's debate on Sierra Leone in Government time. Our troops are doing a magnificent job in difficult circumstances and have been exposed to that situation for some time. The commitment is likely to last for many weeks and the position remains highly volatile. Will the Leader of the House review the disappointing response that she gave last week and give serious consideration to a full day's debate on Sierra Leone?

Separate from that request, are we not due for a foreign affairs debate to address some of the many problems in the world, such as those in Zimbabwe and Sri Lanka?

This weekend is a critical one for the Northern Ireland peace process. Might we have a statement from the Secretary of State for Northern Ireland on Monday, if there are important developments over the weekend?

The right hon. Lady has just announced guillotine motions on no fewer than four Government Bills. Is that not a serious overreaction to the detailed discussion yesterday on the Royal Parks (Trading) Bill? Is not the underlying problem the sheer volume of legislation that the Government are trying to push through the House of Commons?

We now have a Government response to the report of the Select Committee on Liaison, "Shifting the Balance". Does that not unlock the opportunity to have a debate on that important report?

Finally, the Leader of the House would be surprised if I did not ask for debates, first, on reform of the House of Lords and, secondly, on the intergovernmental conference.

Mrs. Beckett: I am grateful to the right hon. Gentleman for his support for the superb job that our troops are doing in Sierra Leone. Of course I shall continue to bear in mind his request for a full day's debate on that matter, but I remind him, first, that there will be a debate on Sierra Leone in Westminster Hall next week; and, secondly, that, although there has recently been a steady stream of Opposition days, which is correct and proper, the Opposition have not chosen to debate what he describes as an important subject. I do not often say this to the right hon. Gentleman, but he will recognise that it is open to the Opposition to provide time for such a debate, if they believe that one is required. None the less, I shall pass on his concerns to my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and continue to bear in mind his request for a general debate on foreign affairs.

My right hon. Friend the Secretary of State for Northern Ireland has, as the right hon. Gentleman knows, kept the House informed of developments in Northern Ireland. I note the right hon. Gentleman's request that, if there are important developments, the House should continue to be informed and I shall draw that to my right hon. Friend's attention.

The right hon. Gentleman then asked for debates on Lords reform and the intergovernmental conference, and I have those issues in mind as ones that the House wants to debate. However, before that, he asked about the guillotine motions that I have announced, calling them an overreaction. As I am sure that he is aware, the two matters are not unrelated. The House is taking a great deal of time discussing legislation that is not contentious and that would not normally require much time in the House. Furthermore, there is a pattern whereby Bills go through Second Reading and Committee quite swiftly, and no amendments are tabled in Committee—

Mr. Eric Forth (Bromley and Chislehurst): That is the trouble.

Mrs. Beckett: The right hon. Gentleman might say that, but might I draw to his attention what I consider to be a rather worrying phenomenon? No amendments were tabled in Committee to the Nuclear Safeguards Bill, which is an important and worthwhile measure to discourage the proliferation of nuclear weapons; yet he and others tabled no fewer than 33 amendments, four new clauses and a new schedule for debate on the Floor of the House. A similar pattern can be seen in respect of the Royal Parks (Trading) Bill: the Bill was uncontentious and supported by Opposition Members, and the Standing Committee sat only once; yet no fewer than seven new clauses, 31 amendments and two new schedules were tabled to take up debating time on the Floor of the House. Any place of work can be brought grinding to a halt by people working to rule; then, measures have to be taken.

Mr. Jim Marshall (Leicester, South): I support the call of the right hon. Member for North-West Hampshire (Sir G. Young) for an early debate on the intergovernmental conference. There are important issues for the House to discuss and it is imperative that we have a debate soon.

In that context, may we also have a debate on the developing European security and defence identity within the European Union? I am sure that many hon. Members would like to express their views on that matter before the Government decide what attitude to adopt toward any treaty changes that might be consequential on that development.

Mrs. Beckett: My hon. Friend makes an important point, both about the IGC debate and about other issues, such as defence identity in the European Union. I recognise the perfectly legitimate demand on all sides of the House for discussion of these important matters. That is why the Government are endeavouring to prevent business that should be discussed properly, but not at undue length, from taking excessive time.

Mr. Paul Tyler (North Cornwall): I repeat my weekly request that the Government come off the fence on the reform of the House of Lords. It is now a fortnight since we were scheduled to have that debate. Might the gap in the Government's programme on Wednesday 7 June and Thursday 8 June, be filled with this important and urgent issue?

May we have an early opportunity to discuss transparency and open government? Is the right hon. Lady aware of the great concern felt by hon. Members on both sides of the House, including her own, concern that has been expressed this morning, about the fact that the important news about contamination and seed purity was given last night in a short, inadequate and potentially misleading written answer? Now that the Minister of Agriculture is to make a full statement in the House and be cross-examined, may I ask her to look at the overall question of the way in which information is given to the House? Does she really think that it is adequate to have written answers on such issues, followed by contradictory press statements and interviews on the "Today" programme?

Has the right hon. Lady followed up with her colleagues the important statement by Madam Speaker, after talks with Sir Richard Wilson, on giving information to the House? Finally, does the right hon. Lady recognise that many people outside the House believe that this is all too reminiscent of the former Government and the way in which they handled the issues of genetically modified seeds and contaminated animal feed, under pressure from me and my colleagues? We never received good answers from them. Can we expect better answers from this Administration?

Mrs. Beckett: Of course I am aware of the anxiety for a debate. Indeed, I share that anxiety. The hon. Gentleman will recall that I have made it plain that the Government do not intend to make their own pre-emptive announcement—if I may put it like that—in response to the royal commission, but wish first to hear the views of the House, and I am anxious to hear them. Equally, the hon. Gentleman will appreciate that pressure of business has made that difficult, particularly with much time being taken on the Floor in the way to which I have already alluded.

With regard to transparency and open government, I remind the hon. Gentleman that, in this Parliament, as of 11 April, the date of the latest figures that I have, we had made 219 statements; on average, under this Government, a statement has been made every two sitting days. The hon. Gentleman will also know that Madam Speaker has made it quite plain that a written parliamentary answer is a perfectly legitimate way of giving information, and, as he mentioned, my right hon. Friend the Minister of Agriculture is about to make a statement.

I have indeed followed up Madam Speaker's remarks. The hon. Gentleman may know that, because I believe that the letter leaked.

Mr. Ian Stewart (Eccles): My right hon. Friend will be aware that the Government are carrying out a review of the vaccine damage payment scheme 1979. Can she make time available for an early debate on this important issue, so that the scheme's inadequacy can be fully debated?

Mrs. Beckett: I am grateful to my hon. Friend. I know that he has long campaigned on this issue. I fear that I cannot undertake to find time for such a debate on the Floor in the near future. Perhaps I could recommend to him the offices of Westminster Hall.

Mr. Patrick McLoughlin (West Derbyshire): In the light of early-day motion 678

[*That this House takes note of the recent undertaking of the honourable Member for North Southwark and Bermondsey 'on behalf of my party that we will seek to deal with any matter in our party that other people are concerned about'; accordingly calls upon him and his party leadership to investigate and repudiate the unethical, misleading and on occasions deliberately untruthful campaigning tactics of Liberal Democrat candidates in the Manchester, Gorton constituency in the current local elections; condemns the Liberal Democrats in the Manchester, Gorton constituency for putting about the deliberately untruthful scare story about 'Labour's proposals to force benefits claimants to be paid through their bank accounts' when the Prime Minister has made absolutely clear that all benefits claimants will continue to have the right to collect their benefits from their local post office, to collect their benefits weekly if they so wish and to collect their benefits in cash; further condemns them for seeking to deceive local people about their vote in the Council against the proposal for a new high school on the Spurley Hey site, a proposal supported by both the governors and the staff of the current school and endorsed by the Secretary of State; points out to the people of Gorton that, if the Liberal Democrats had had their way, there would be an empty, derelict site at Spurley Hey; and is tired of the Liberal Democrat policy of seeking to mislead voters into supporting them either by telling outright lies or else by pretending that they are responsible for the achievements of others.*],

early-day motion 679

[*That this House condemns the Liberal Democrats in the Manchester, Gorton constituency for seeking to deceive the people of Gorton about the Liberal Democrats' role in the Friends of Gorton Park organisation, which the Liberal Democrats seek to imply they have some responsibility for, when the excellent work of the voluntary officers and members is in an organisation whose formation was suggested by Right honourable Member for Manchester, Gorton, and of which that Right honourable Member is President; further condemns the Liberal Democrats in the Manchester, Gorton constituency for seeking to deceive local people about the Liberal Democrats' non-existent role in the Gorton Monastery Charitable Trust; notes that the Right honourable Member for Manchester, Gorton sponsored a promotional reception for the trust at the House, that that same Right honourable Member the week before Easter had a meeting at the House with Dr Eric Anderson, Chairman of the National Heritage Lottery Trust, and that in the week after Easter the Lottery offered the Gorton Monastery Trust a £2.7 million grant together with development money and that the Chairman of the trust, Mrs. Elaine Griffiths, in that week wrote to the Right honourable Member offering 'thanks for all you are doing to help us, it is very much appreciated'; and questions why the Liberal Democrat candidate for the Rusholme ward gives his address in his election propaganda as 20 Lowestoft Street, M14, which is inside the ward, when his name is not on the election register for that address but for 263 Barlow Road, Manchester 19, which is in a different ward.*],

and early-day motion 680

[*That this House expresses its contempt for the Liberal Democrats in the Manchester, Gorton constituency for pretending that they have been active in the campaign against North-West Water's disgraceful plan to build a business park called Waterside Park, when the Liberal Democrats have been almost invisible in a campaign which has been organised jointly by the Labour Party and Fairfield Golf and Sailing Club, as a result of which 40,000 signatures were gathered for a petition which helped to persuade the Secretary of State for the Environment, Transport and the Regions to order a public inquiry into this pestilential project when the main opposition at the inquiry was organised by the party and the club and when the Liberal Democrats were scarcely to be seen at the inquiry; points out that there need never have been a privatised North West Water if the Liberals in the House had not voted in support of the former Right honourable Member for Finchley to bring down the previous Labour government; and further condemns the Liberal Democrat candidate for the Rusholme ward for seeking to deceive local people into believing that he has played an active part in the Friends of Platt Fields organisation when he only started attending this organisation's meetings a short while ago and scarcely ever opens his mouth at the meetings, and when the excellent work of the officers and members of Friends of Platt Fields is in an organisation which was suggested by the Right honourable Member for Manchester, Gorton, and of which that Right honourable Member is President.*],

can the Leader of the House ensure a debate to enable us to talk about the co-operation between those on the Liberal Benches and the Government?

Mrs. Beckett: I have had my attention drawn to the wording of those motions. They are not a matter for me, but we are all aware that the electioneering tactics adopted by the Liberal Democrat party sometimes cause concern in the ranks of other parties.

Mr. Andrew Mackinlay (Thurrock): Will my right hon. Friend consider an early full day's debate on the Government's response to the Liaison Committee report, particularly bearing in mind that the Government have rejected the Committee's substantive recommendations? That underscores the need for a debate in order that we may express the collective will of the House and prevail upon the Government to change their mind so that the changes can be enacted before the next General Election. In particular, there are the extremely important questions of the appointment of Chairmen of Select Committees; the Committees' membership, and how members are selected; the timetable for setting them up after the General Election; and their ability to scrutinise and ratify public appointments.

May I tell the Leader of the House something that I was saving for my memoirs? It is ingrained upon my memory. During the Sierra Leone inquiry, a Government Whip—a lovely gentleman—came up to me and said, without a note of sarcasm, but with genuine incredulity, "Mackinlay, I just cannot understand you. We put you on the principal Committee of the House of Commons and you insist on asking all these questions." He concluded, "Why don't you just enjoy it?"

Mrs. Beckett: My hon. Friend will be aware that the Government's response has just been published, only about an hour ago. Although I understand his anxiety for a debate to be held, it is a little early for the House to

have had an opportunity to digest the response. I agree that the matter is important, and I very much hope that the House will carefully examine and weigh both the report of the Liaison Committee and the Government's response.

I share the view, which I know that my hon. Friend holds, that the Liaison Committee's report has enormous implications for all hon. Members, and those implications are perhaps not as straightforward and simple as they may at first sight appear. I hope that hon. Members will not rush to judgment, but will look carefully at what is recommended and what that means for the operations of the House, and weigh the Government's response. I shall bear my hon. Friend's request in mind.

Mr. Peter Brooke (Cities of London and Westminster): If it is true that the remarks of the Secretary of State for Northern Ireland on the euro on Tuesday were not cleared with the Treasury, and if that means that Northern Ireland will get an independent economic policy even before the resumption of devolution, is it possible for that to be announced first to the House, rather than to an engineering conference in Northern Ireland?

Mrs. Beckett: As I am sure that the right hon. Gentleman will be aware, if he has studied the remarks of my right hon. Friend the Secretary of State for Northern Ireland, that they were completely in line with everything that the Government have been saying on the matter. He will know that the policy has not changed, as the Prime Minister made plain at the Confederation of British Industry dinner.

Ms Jenny Jones (Wolverhampton, South-West): My right hon. Friend may have noticed written question No. 3 on the Order Paper today, which is due to be answered today, and which concerns the Home Secretary's decision on Mike Tyson's application for a visitor's visa. In view of the considerable public interest in that decision, can my right hon. Friend say whether she has had an indication from the Home Secretary of when he will give his decision and whether he will make a statement in the House on the matter?

Mrs. Beckett: As my hon. Friend knows, my right hon. Friend the Home Secretary has said that he hopes to make a decision reasonably soon on the application that has been received. I cannot tell her how soon that will be or whether my right hon. Friend will consider it right to make an oral statement to the House, but my hon. Friend knows that the Home Secretary is meticulous in keeping the House informed.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Next week it is Scottish questions again, when we have 25 minutes nominally for the Secretary of State and five minutes for the Advocate-General. The last five minutes usually consist of the hon. and learned Member for Edinburgh, Pentlands (Dr. Clark) saying that she cannot answer the questions asked because all her dealings and advice are confidential. Would it not be better and waste less of hon. Members' time if the two sessions were combined in one session of 30 minutes? If there were any questions for the Advocate-General, they could be answered along with the other questions to the Scotland Office team.

Mrs. Beckett: I understand the hon. Gentleman's point about the organisation of the Question Time. It is an issue for the House as a whole, and I am not sure how widely shared is his view that it would be better to roll the two Question Times into one. When next the Question Time schedule is re-organised, I shall bear his remarks in mind.

Ms Julie Morgan (Cardiff, North): Will my right hon. Friend find time for a debate on the rumoured takeover bid for Hyder, the water company for Wales, and the electricity company for south Wales? The rumoured bidder wants to break up the company, and that is likely to involve the loss of more than 1,000 jobs in Wales. Will my right hon. Friend ensure that the regulators look at the suppliers of water and electricity in Wales, in the best interests of consumers in Wales, the company and the 9,000 people who are employed by Hyder?

Mrs. Beckett: I fear that I cannot undertake to find time for an early debate in the House, although, again, I recommend Westminster Hall.

I understand my hon. Friend's anxiety for the interests of the consumers to take priority. As she will know, that is the thrust of the changes in the utilities regulations that the Government are introducing in the Utilities Bill. Although the rhetoric of the Conservative party suggested that the utilities would have to put the consumer first, that was not actually what the legislation said.

I understand the reason for my hon. Friend's anxiety, but I fear that I cannot find time for an early debate on the Floor of the House. However, Westminster Hall is available.

Mr. Geoffrey Clifton-Brown (Cotswold): May we have a debate on the politicisation of the civil service? That would enable us to draw attention to the scores of extra political advisers who have been appointed under the present Government, to point out that virtually all the departmental press officers have been replaced by those who will produce a line that is closer to that approved by Mr. Campbell, and to draw attention to the fact—freely admitted by the Prime Minister yesterday—that the civil service is now providing killer packs for the Prime Minister to use at Question Time.

Mrs. Beckett: I can only tell the hon. Gentleman this. He has been a Member of Parliament for quite a long time. If he nurtures the illusion that the civil service did not supply facts to previous Prime Ministers, right or wrong—which was part of the concern that he expressed—or that there were no special advisers, I can only say that I do not know where he has been.

The hon. Gentleman's remarks about departmental press officers are absurd. There are hundreds of press officers in Whitehall, just as there are hundreds of civil servants in Whitehall. While I bow to no one in my admiration for the work and skill of those who are employed by the Government as special advisers, the notion that they could run the Civil Service is ridiculous.

Mrs. Anne Campbell (Cambridge): I welcome my right hon. Friend's announcement that some forthcoming legislation will be timetabled. Has not the time come for programming and timetabling of all legislation? That would enable the House to operate more efficiently and effectively.

Mrs. Beckett: My hon. Friend makes an important point. As she knows, the programming of legislation, or

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legislative discussion, has been recommended to the House repeatedly, and has some distinguished authors on the Opposition Benches. From time to time, we have made successful use of programme motions, giving Opposition Members, including Back Benchers, an opportunity to steer the use of the time available. Many Members—I am one—believe that that is to the advantage of members of all parties.

My hon. Friend will know that that view is not shared by everyone. She will also know that if time is used on the Floor of the House in the way it has been used recently, that will raise questions of the kind that she has asked.

Mr. Forth: The right hon. Lady is silent yet again on the subject of House of Lords reform. How can she justify the fact that week after week has passed without the House of Commons being given an opportunity to discuss the matter? Can she give any indication at all to a waiting and anxious nation of where or when the matter will proceed and be resolved—or will we be left with the suspicion that the Government have no intention whatever of resolving the issue?

Mrs. Beckett: That question comes rather rich from the right hon. Gentleman. Yesterday, during the debate on the Royal Parks (Trading) Bill, one of his hon. Friends said:

> I need to know why the House is debating this Bill in the middle of the afternoon when there are so many other matters for which we are told there is no legislative time.—[*Official Report*, 17 May 2000; Vol. 350, c. 369.].

It is not just legislative time; it is time for worthwhile debate.

I entirely share the view that a debate about House of Lords reform would be worth while, enabling Opposition Members to explain how they have proceeded, in one swift movement, from resisting any reform whatever, to wanting a Chamber that will be a rival to this one. I know that the right hon. Gentleman holds that view.

Some Opposition Front Benchers shake their heads. They should be aware that the right hon. Gentleman has now made publicly clear his belief that we should set up an elected Chamber that should be a rival to this Chamber. That is an important issue, which the House should discuss—but, while we are taking up time on the Floor of the House with matters that do not need to take up so much time, there is no time available to discuss matters of that kind.

Mr. Peter L. Pike (Burnley): As the Government can carry over legislation, will my right hon. Friend announce at an early date that certain measures will be carried over, which will ensure better scrutiny and assist the Government timetable? May I make another helpful suggestion? As well as debating the Wakeham report, we should debate the Jenkins report, which would perhaps provide the Government with an opportunity to say that, having looked more closely at how proportional representation works, we shall take no more part in it and ditch it in the wastepaper basket?

Mrs. Beckett: At present, I am unable to make proposals for Bills to be carried over. My hon. Friend will know that such matters have to be discussed and agreed across the House, but I am aware that he proposed the idea to the Modernisation Committee and that it is one of many proposals that he has made that are designed to help the House handle its legislative business more effectively. On the Jenkins report, he will recall that we have debated that matter, but I shall, of course, bear his request in mind.

Mr. Michael Fabricant (Lichfield): The right hon. Lady will be aware that the Government are considering future uses of the dome. Can we have an urgent debate on exactly what the dome will be used for, before the closure of the tacky exhibition that is on in the dome—I guess in the next two or three weeks? Is she aware that there are now only two finalists for those who will run the dome? Is it not a disgrace that one of them is Mr. Robert Bourne, who—surprise, surprise—gave £66,000 to the Labour party over the past two years: another crony?

Mrs. Beckett: I take note of the hon. Gentleman's remarks about the dome, but he will know that many of those who have visited it, including many thousands of children, have taken much pleasure and enjoyment from it. He makes a remark about the process of selection. He should know that that decision-making process was initiated by the millennium commissioners. They made recommendations to the ministerial group at a meeting chaired by Lord Dalkeith, so there is clearly an independent element, as there rightly should be, in that process.

Mr. Paul Flynn (Newport, West): Although the Government are to be congratulated on the substantial sums of new money that they have given to pensioners in innovative ways, my right hon. Friend will be aware of the widespread anger at the 75p a week increase in pensions. The word that is almost universally linked with that increase is "insult". Is she aware that pensioners—many of whom visited the House yesterday to make this point—have contributed to the pension scheme all their working lives and that they would like to be paid their pensions as an entitlement, not given what they regard as handouts?

Mrs. Beckett: I understand the concern, and the irritation, felt by many pensioners. I also understand my hon. Friend's point. I know that many pensioners resent the way in which the heating allowance is paid, but that does mean that it is tax free. Similar sums made available through the weekly payment would not be tax free, so there are arguments for and against the mechanisms that the Government have used. However, it is clear that this Government have cut VAT on fuel and have provided substantial extra resources for pensioners in the Budget and will continue to do so.

Mr. Paul Burstow (Sutton and Cheam): May I draw the attention of the Leader of the House to early-day motion 732?

[That this House notes with concern the growing number of reported cases of inappropriate use of not for resuscitation (NFR) orders; believes that there is a gap between guidelines and practice which leaves patients and family members uninvolved in the decision to mark a patient's records 'NFR'; notes that research reported in the British Medical Journal found that two out of three

patients with NFRs were not involved in the decision and that patients with NFRs were 30 times more likely to die; and calls on the Government to take urgent action to stamp out this immoral practice and issue clear instructions to the NHS on the use of not for resuscitation orders.]

It highlights the growing number of cases of inappropriate use of not-for-resuscitation orders in the NHS. Two out of three patients are not even consulted when those orders are put on their records. It is 30 times more likely that those with an order on their medical records will die during the course of their treatment in the NHS. Given that Age Concern reported only yesterday that almost three quarters of GPs believe that there is an age-based rationing of health care in the NHS, can the Secretary of State for Health make a statement on what the Government are doing to stamp out the immoral and unacceptable practice of using such orders without consulting?

Mrs. Beckett: The Government have made it plain that there should be clear guidelines on resuscitation policy, in hospitals or anywhere else in the health service. The Government are committed to ensuring the development of best practice throughout the NHS. We are aware of the anxiety that is being expressed and will continue to try to deal with it.

Dr. Phyllis Starkey (Milton Keynes, South-West): I express my profound thanks to the Leader of the House for her announcement about timetabling several Bills. I also thank her for making it clear while at least one of the usual suspects from the Opposition Benches was present that a more appropriate way of using parliamentary procedure would be to raise specific issues in Committee instead of on the Floor of the House. Does my right hon. Friend agree that it is in the interests of all parties for the public to retain confidence in the House and that the goings-on this week were guaranteed to convince the general public that the House was not relevant to them? Does she also agree that silly debating games have no place in what should be the prime legislative Chamber of this country?

Mrs. Beckett: I have a great deal of sympathy with my hon. Friend's remarks. Perhaps she knows that there has already been public and press comment on the folly of trying to impede the passage of, for example, Royal Parks (Trading) Bill, which deals with illegal trading that has implications for food safety, public order and several other important issues. The public would want the House to address those issues properly. There is no question of not discussing matters, but it must happen in the right way at a time that the House provides for such discussion. We should not exploit the opportunities of the House to delay business.

Mr. John Hayes (South Holland and The Deepings): The Leader of the House will no doubt be as concerned as me about the letter to the Prime Minister from head teachers in Durham, which complains that schools there are falling to pieces. The state of schools is so bad that it adversely affects the quality of teaching and learning. The Government have given barely a quarter of the money that is needed to repair those schools. Will the Leader of the House provide for a statement that reconciles the comments of those who are at the sharp end, and do the job of educating children, with the increasingly unconvincing bluster and hyperbole of the Prime Minister?

Mrs. Beckett: I am glad that the hon. Gentleman asked me that. I was the Minister responsible for schools in the last Labour Government. We left the Conservative party a backlog of repairs and construction that needed to be tackled—most of it was inherited from the early 1970s, when the Conservative party was in power—of some £100 million when our capital budget was of the order of £10 million. I was seriously worried about that, but recognised with relief that, thanks to the changes that that Labour Government had made, North sea oil would provide substantial resources, which would make it possible to shorten the time scale necessary to tackle that backlog. The money was not used in that way. It was the equivalent in today's terms of £35 million every day for a solid 17 years. Yet when we came to power, we found a backlog of £3 billion to £4 billion. The hon. Gentleman should look to those on the Opposition Benches for the explanation of the poor state of schools.

Mr. David Chaytor (Bury, North): Reports recently published by the royal commission on environmental pollution and the United Kingdom Round Table on Sustainable Development referred to the need to cut greenhouse gas emissions by 60 per cent. in the years ahead. Given Conservative Members' minimal understanding of the issues of climate change, as shown by some of their fatuous questions at Treasury questions, and the Government's publication of our climate change programme, which is perceived as a model for other western countries, does my right hon. Friend agree that it is time for a full debate on the Government's climate change programme and the problems posed by climate change beyond 2010?

Mrs. Beckett: I understand and sympathise with my hon. Friend's concern. I know that he has long taken a great and expert interest in those matters. I fear that I cannot undertake to find time for such a debate in the near future because there is substantial pressure, although the Government's legislative programme is perfectly in line with those of previous Governments, as the statistics in the Liaison Committee report demonstrate. Nevertheless, I fear that, at this moment in the handling of the programme, I cannot undertake to find time for such a debate in the near future, but I will bear his request in mind.

Mr. Andrew Robathan (Blaby): Will the Leader of the House arrange for a statement to be made next week on the ministerial code of conduct as it relates to trade unions? I remind her that paragraph 113 says:

> care must be taken to avoid any actual or perceived conflict of interest . . . Ministers . . . should receive no remuneration from a union.

Can she arrange for the Deputy Prime Minister to make the statement, so that he can explain why he does not think that his flat in Clapham, at a beneficial rate from the RMT—the National Union of Rail, Maritime and Transport Workers—is in breach of the ministerial code?

Mrs. Beckett: I suspect that the hon. Gentleman has not read the report to which he has alluded.

Mr. Robathan: I have.

Mrs. Beckett: If he has, I am astonished that he asked that question because he will be well aware that the

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Committee's report points out that my right hon. Friend the Deputy Prime Minister lives in accommodation where the rent is set by an independent rent officer. The evidence is clear that he was not treated any differently or any more favourably than anyone else and that there is no complaint to answer.

Mr. David Taylor (North-West Leicestershire): As a reader of *The Guardian* for over 30 years, I have total confidence in the accuracy and insight of that esteemed organ. Today's paper tells us that the Government are likely to postpone the publication of their waste strategy, which was due to be published last month. Can my right hon. Friend find time for a major debate on the issues that are raised by a delayed waste strategy? Throughout the UK, 160 communities face the problems of incineration plants. In constituencies such as mine, thousands of acres are at risk from landfill operators. We must do more. We must waste less. We must recycle more. We need a guideline from the Government. Can we have a debate?

Mrs. Beckett: I understand my hon. Friend's concern, and I saw the report to which he alludes. Sadly, I fear that even *The Guardian* is not always totally accurate. I understand the underlying concern behind his question on discussions about waste management. The Government recognise its importance. We continue to consult. No doubt the Secretary of State for the Environment, Transport and the Regions will come forward with proposals in due course. I fear that I cannot undertake to find time on the Floor of the House for a debate soon, but, again, my hon. Friend might bear in mind Westminster Hall.

Mr. Graham Brady (Altrincham and Sale, West): During Treasury questions this morning, it became apparent that many Ministers were rather confused about the performance of the Government's new deal. After two years and the spending of £1.5 billion, can we have a debate in Government time that would allow Ministers to come up to speed on some of the facts of the matter, notably that youth unemployment has fallen more slowly since the introduction of the new deal; that 60 per cent. of entrants to the new deal go straight back on to benefits; that, of those who do go into work, 50 per cent.—according to the Government—would have got jobs anyway; and that 40 per cent. of those who go into work are out of work again within three months? It is not an impressive record for 1.5 billion worth of public money.

Mrs. Beckett: All that I can say to the hon. Gentleman is that it is rather depressing to see how desperate the Conservative party is to claim that the new deal is unsuccessful. It is the most substantial programme to assist people out of unemployment and into work that any Government have put in place. It is a success.

Mr. Brady *indicated dissent.*

Mrs. Beckett: The hon. Gentleman shakes his head. I find it hard to believe that Conservative Members do not share my experience when I visit places and organisations. People come up and voluntarily tell me how excellent the new deal is, how much they have benefited from it and how they are grateful for something that has transformed their lives. If they do not say it to Tory Members, perhaps it is because they think that they would not listen.

Shona McIsaac (Cleethorpes): Having terrorised my right hon. Friend in recent weeks about compensation for distant-water trawler men, I shall give her a week off because I understand from Ministers that the issue is moving forward, but may I ask her to find time for an urgent debate on standards in public life, following the revelations on the "Today" programme today by the Tory Member of the European Parliament Robert Goodwill that he buys air tickets from Leeds-Bradford to Brussels at a cost of £160 and then claims £500 back? Does that not show that real sleaze is alive and well in the Tory party?

Mrs. Beckett: I did hear those remarks this morning. My hon. Friend will know that there has long been concern in the House, and in our party, that the rules that apply within the European Parliament should be tightened. Those discussions are continuing, and they will be supported from the Labour Benches. Unfortunately, however, we do not have responsibility for the matter. I certainly have no responsibility for the actions of Members of the European Parliament.

Although I understand my hon. Friend's concern about standards in public life—which certainly we share, on both sides of the House—it is important that we tackle problems and abuses when they arise, and that we ensure that we ourselves handle with care all of those discussions. My concern is that not only the European Parliament, but political life as a whole could be brought into disrepute if we continue to mishandle these matters.

Several hon. Members *rose—*

Madam Speaker: Order. I shall try to call the remaining Members who are standing, but I tell the House that I have had to limit Back Benchers' speeches in the main debate to 15 minutes. I am therefore asking the hon. Members who are standing—who, as I know very well, are regular attenders of business questions—to put their questions briskly to the Leader of the House. I have a statement, and we have a good deal of business today. I do not want any rambling, long statements or comments. I want direct questions to the Leader of the House.

Mr. Stephen O'Brien (Eddisbury): In the light of the Leader of the House's response to the hon. Member for North-West Leicestershire (Mr. Taylor), may I tell her that, in my constituency, there is an application to deposit toxic waste in a deep rock-salt mine? May I ask her to make time urgently—now—for a waste strategy debate on the Floor of the House before the Minosus application is determined? It is causing real fear to the residents in Moulton, Davenham and North Winsford in my constituency.

Mrs. Beckett: I understand the concern that the hon. Gentleman expresses and any hon. Member who would wish to have such issues aired. May I remind him, however, that the Government have provided twice as much time as used to exist for the airing of such issues, in Westminster Hall?

Mr. Desmond Swayne (New Forest, West): Will the right hon. Lady eschew the siren voices of Labour

Members who are strangers to the legislative process? Will she acknowledge that the Royal Parks (Trading) Bill passed its Second Reading and Committee stages in a matter of minutes, and that it was proper that it should be subjected to proper scrutiny—especially given that those who support the Bill claimed that it was vital for the control of the Mafia? Substantial progress on the Bill was being made yesterday. Will she recruit a small team of Labour Members who are prepared to work after midnight on the legislative process?

Mrs. Beckett: I am afraid that the hon. Gentleman has picked a particularly bad example. Not only has the Royal Parks (Trading) Bill had examination, but this is the second time that such a Bill has been considered by the House. The same legislation—as a private Member's Bill, which, incidentally, was promoted by a Conservative Member—was blocked in the previous Parliament. The notion that it has not had scrutiny does not stand up to scrutiny.

Dr. Julian Lewis (New Forest, East): Given the abject failure today of Treasury Ministers to give direct answers to questions on the Government's policy on scrapping the pound and joining the euro, will the Leader of the House find Government time both for a statement from the Chancellor on the Government's official policy, and a statement from the Secretary of State for Northern Ireland on what the policy really is? If neither of them is available, perhaps the Minister with responsibility for Europe, the hon. Member for Leicester, East (Mr. Vaz), could come forward and say what the policy is. In so doing, perhaps he could explain his strange comment—in a letter to the hon. Member for Great Grimsby (Mr. Mitchell)—that, "We know who you Euro-sceptics are, and we are coming to get you in your constituencies." That was from a Labour Minister to a Labour Member.

Mrs. Beckett: I am advised that that is not what the letter said. I simply say to the hon. Gentleman that I fear that I cannot find time for yet more statements to remind the House that the Government's policy on the euro remains what it was when it was announced by the Chancellor and that it has not changed.

Mr. Owen Paterson (North Shropshire): I deplore the statement on the timetable motions. I was here at 10 o'clock last night, when the debate was arbitrarily cut off by the Government Whip moving the Adjournment. Instead of going for timetable motions, will the Leader of the House consider suspending the 10 o'clock rule so that we can use the hours after 10 o'clock to hold the Executive to account, because that is what the taxpayer sends us here to do?

Mrs. Beckett: Yes, taxpayers send Members here to make good and sensible use of their time and to scrutinise legislation properly. We are not sent us here to waste the time of the House and taxpayers' money.

Mr. Nigel Evans (Ribble Valley): Last week, I spoke to a business man from Preston who employs almost 500 people. He said that the weakness of the euro makes it difficult for him to compete with all the cheaper imports coming in. In the light of the Prime Minister's statement yesterday that there are three positions on the euro—his position, that of the Chancellor of the Exchequer and that of the Secretary of State for Northern Ireland—will the Leader of the House arrange for an early debate on the single currency so that we can at least clarify which one of those three speaks for Her Majesty's Government?

Mrs. Beckett: I notice that it has finally dawned on the Conservatives that if they keep talking about a strong pound, they might be acknowledging that there is a strong economy, so they have started talking about a weak euro instead. I am sure that even the hon. Gentleman must have spotted that the Prime Minister said yesterday that the three positions on the euro were the Conservative position, the Liberal Democrat position and the Government's position, which has not changed.

Mr. John Bercow (Buckingham): Further to the pertinent inquiries from my right hon. and hon. Friends and the Chancellor's failure this morning to defend or disown the Secretary of State for Northern Ireland, may we have an urgent full-day debate on the Government's policy on the euro? Would that not show that bogus economic tests, contradictory ministerial statements, perplexing front organisations, misleading Government advertising and diversionary attacks on alleged xenophobes are all part of the concealment technique designed to hide the Government's bid to hand over the running of the British economy to the European Central bank, which we do not elect, cannot remove and would find it illegal to seek to persuade of the British point of view?

Mrs. Beckett: I am afraid that I cannot find time for a debate that we have already had so often in the House. I remind the hon. Gentleman that any decision on the issue would be made by the British people, not by the Government.

Mrs. Maria Fyfe (Glasgow, Maryhill) *rose—*

Madam Speaker: I did not see the hon. Lady in the Chamber during the statement. Was she in to hear the Leader of the House's statement?

Mrs. Fyfe: No, I am sorry, but I was unable to be in earlier.

Madam Speaker: I am sure that the hon. Lady knows that we have a long-standing convention that it is a courtesy to the Minister concerned to hear the statement before asking questions about it. I am sure that she will forgive me for not calling her on this occasion.

GMOs (Conventional Crops)

1.17 pm

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): With permission, Madam Speaker, further to the written answer given yesterday by the Minister of State, Ministry of Agriculture, Fisheries and Food, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), I should like to make a statement.

I stress at the outset that no threat to public health or the environment has occurred.

The Government were advised on 17 April by Advanta Seeds UK that some of its supplies of conventional rapeseed, sold and sown in 1999 and 2000 in several European Union member states, possibly including the UK, contained a small proportion—about 1 per cent.—of genetically modified rapeseed. At that time the full facts were not known. We immediately sought to establish the details and to check the status of the particular genetic modification involved.

It appears that a non-GM seed crop being produced in Canada in 1998 had come into contact with a GM crop being commercially produced in the area, resulting in a small amount of GM seed in the conventional seed. The company has advised us that production of seed in 1999 was unaffected. In the UK, about 9,000 hectares were sown with affected stocks last year and about 4,700 hectares were sown this spring.

The genetic modification involved—known as RT73—is one that had previously been approved in the UK under our strict regulatory regime for food use and field trials in 1995 and 1997.

The genetic modification in question had previously been examined by the UK's expert committees—the Advisory Committee on Releases to the Environment in respect of environmental safety and the Advisory Committee on Novel Foods and Processes in respect of food safety. Both had cleared it.

We believe that there is no threat to the environment because the GM variety is sterile. It is difficult to see how it could cross-pollinate with other plants. It should be remembered also that oil produced from the crop is indistinguishable from conventional rape oil; no modified DNA will be present. ACRE and the Food Standards Agency have looked at this specific incident and concluded that there is no risk.

It remains the Government's policy that commercial planting of GM crops will not be permitted in the UK until the results of the farm-scale evaluation have been considered. These trials still have two years to run. I regret these developments, but I repeat that there has been no threat to health or the environment. We moved quickly to establish the facts and officials have been in continuous contact with the company.

These events have made it clear that there are gaps in the arrangements relating to seed purity at international level. My right hon. Friend the Minister of State accordingly announced yesterday that we would press for concerted international action to seek new legal standards for seed purity, so that, in particular, the standards take into account the presence of GM material in conventional seed stocks.

Further, My right hon. Friend the Secretary of State for the Environment, Transport and the Regions has been setting up a system for spot-checking of seed imports for GM material. That system will be in place from 1 June. Work with the industry on a code of practice about production and sowing of conventional seed, including separation distances, and monitoring of GM content continues.

Mr. Tim Yeo (South Suffolk): I welcome the Minister's assurances about human health and the environment, now that we know that 13,000 hectares of GM-affected oilseed rape have been commercially planted in Britain in the last two years. Nevertheless, I regret that the Minister did not come to Parliament yesterday to make the statement, instead of sneaking out some of the information by way of a written answer.

People will wonder why it has taken the Labour Government a whole month to publish information given to the Department of the Environment, Transport and the Regions on 17 April. Did the Ministry of Agriculture, Fisheries and Food receive any warning about this before 17 April? Does the Minister recognise that, in the month since 17 April, more of the GM-affected seed may have been planted by farmers who had been storing it?

I welcome the steps that the Minister announced to deal with the grave anxieties about seed purity. These are especially urgent, since the presence of GM-affected crops in Britain came to light only as a result of tests carried out in Germany. What action will the Government now take to monitor the environmental impact of the GM-affected crops being grown commercially? Does the Minister agree that all these crops should now be subject to the same procedures and controls as the current field-scale crop trials? Does he realise that any failure to do that will intensify public pressure for the destruction of those crops?

Will the Minister confirm that the affected seed came from Canada, where cross-contamination of seeds occurred over distances of more than 800 m? Does he agree that this means that distances in Britain by which GM crops are separated from conventional and organic crops must be increased immediately? Will he explain the difference between his unequivocal statement just now that the GM variety is sterile with the Advanta statement yesterday that only "a high proportion" is sterile?

What steps will the Government take to ensure that innocent farmers whose crops may now be worth less because they can no longer be certified as GM-free are properly compensated? Does not the Government's handling, yet again, of the continuing sorry saga of GM crop issues typify Labour's culture of confusion, complacency and cover-up?

Mr. Brown: I completely reject the attack on the Government's handling of the issue, and the attack on the Government's candour. We established the facts and put them in the public domain. The hon. Gentleman asks why we did not seek to make a formal statement yesterday: it was an Opposition day and it is a convention that the Government do not make statements on such occasions. In any event, Madam Speaker, you have said that the use of written answers is a proper way to put information before Parliament. The charge that the Government have acted with less than candour is one that I completely

reject. Furthermore, I assure the House that I am more than willing to put in the Library any technical information that Members wish to seek so that everyone can see the advice on the technical points that is available to the Government.

Officials were first informed by the company on 17 April and I am not aware of any earlier information being available to the Department. The hon. Gentleman also asked about testing. As I said in my statement, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions is introducing testing techniques for conventional seeds to test for GM content, and those arrangements will be in place by 1 June.

The hon. Gentleman is on to a good point in inquiring about separation distances, and the regulatory authorities are keeping that matter closely under review. That is also why we are conducting the trials. I am advised by the Government's professional advisers—just as the previous Government were when they were in office—that there is no danger to human health, and I am grateful to the hon. Gentleman for accepting that point. Because of the nature of the GM product, which is present only in small quantities, there is no danger to the environment either.

Ms Joan Walley (Stoke-on-Trent, North): I thank my right hon. Friend for making such a frank statement. In view of what he has just said about making technical information available in the Library, will he be more specific so as to clear up some of the confusion that exists about the RT73 strain of Monsanto seed? Is there only a genetic trace for glyphosate herbicide tolerance? If it is possible that the plants are not sterile and could cross-pollinate and spread GM pollution, will he be prepared to trace where the seed has been used and order the crops to be pulled up?

Mr. Brown: The advice that the Government collectively have received is that it is not necessary to trace and destroy the crops. On the question of the sterility of the GM modification, I am happy to put a technical note in the Library, because that will be helpful to the House. In this whole matter, the Government are proceeding on the basis of professional advice provided to my right hon. Friend the Secretary of State for Health on food safety and to my right hon. Friend the Secretary of State for the Environment, Transport and the Regions on the environmental issues.

Mr. David Heath (Somerton and Frome): I welcome the statement and the additional information that will be made available. I accept the Minister's assurances that no harm will be caused to the environment, but considerable harm has been done to the reputation of the Ministry for openness, especially because of the partial nature of the information available yesterday. There was a statement from the Home Office yesterday, so the Minister could have made a statement. Will he accept that the matter has destroyed the credibility of the import controls, such as they are; has made a nonsense of the so-called safe separation distances; and has caused potential economic damage to farmers who have planted non-GM seed in good faith?

Will the Minister confirm that on 18 June 1999, in *The Times*, Dr. Phil Dale of the John Innes centre in Norwich drew attention to the specific problem of a 1 per cent. contamination of seed from north America? Will the Minister account for the dilatory and ineffective way in which the Ministry has treated that information since? Will he accept that it is hard to discern a difference between the way in which Government Departments now work and the way in which they worked when the Conservatives were in charge during the BSE crisis? Will the Minister give an assurance that he will re-examine the safety zones; ensure that the import checks are effective and subject to external audit; and consider compensation for the farmers who have been affected through no fault of their own and may be locked into GM-free contracts that they now cannot complete?

Mr. Brown: The hon. Gentleman is overstating his case. There is no reason why this GM product cannot be used for food purposes, as was agreed under the previous Conservative Government. There is no risk to human health, and no one so far this afternoon has alleged that there is. I am grateful for that, as it does the cause of those opposed to genetic modification in principle no good to exaggerate the problems or to pretend that there are risks where there are none.

Clearly, there is a real problem with seed purity. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions is introducing testing from 1 June for environmental purposes. The aim is to check that field trials are not being affected by inadvertent contamination by commercial seed product. That must be taken forward as a matter of urgency at international level, but it is to do with seed purity, not with environmental contamination or public health.

I completely reject what the hon. Gentleman said about the Ministry of Agriculture, Fisheries and Food. We established the facts and put them in the public domain. In addition, I have given the House an assurance today that the technical information that supports the advice to Ministers will also be placed in the House of Commons Library.

Joan Ruddock (Lewisham, Deptford): I also thank my right hon. Friend for the statement that he has made today. Given what he said about sterility, and what Advanta has said about the cross-pollination which it believes was the cause of the contamination, may I press him on separation distances? Many hon. Members have supported the experiments being carried out on GM crops but, for useful comparisons to be made, proper separation between GM crops and conventionally grown and organic crops is crucial. Will he allow SCIMAC—the supply chain initiative on modified agricultural crops—to make its annual review in the normal way, and will he and his colleagues in the Department of the Environment, Transport and the Regions instruct it to undertake an immediate review of the matter? Most of us who support the experiments and the precautionary principle are worried about what has happened, and believe that the separation distances must be enlarged.

Mr. Brown: My right hon. Friend the Minister for the Environment, Transport and the Regions, who takes the ministerial lead on these matters, tells me that the re-examination sought by my hon. Friend is already under way in his Department. I think that she is on to a strong point.

Mr. Edward Leigh (Gainsborough): Genetically modified crops are grown experimentally on three farms

[Mr. Edward Leigh]

in my constituency. Will the Minister acknowledge that the overwhelming majority of rural folk are prepared to adopt a moderate and sensible attitude with regard to this matter? They realise that agriculture is under pressure and they are prepared to have GM crops grown experimentally in their localities. However, I hope that the Minister will accept that there must be no more cock-ups such as the one that has attracted so much bad publicity over the past 24 hours. Otherwise, there will be a real danger that his allies in public opinion will start turning against him and that sensible people in rural areas—not of the rent-a-mob variety—will start getting increasingly worried.

Will the Minister take this opportunity to reassure the public on matters such as cross-pollination, sterility, separation distances and so on? Will he also acknowledge that there is a rather casual attitude towards GM crops in north America? Will he reassure his friends in rural areas that he is taking the matter very seriously?

Mr. Brown: I take very seriously the issues of seed purity, protection of the public, and protection of the environment. That approach is the one adopted right across Government. The hon. Gentleman is right that what happened should not have happened: the question for the Government is what to do about it. I believe that the response that I have announced today, and that was announced yesterday in my right hon. Friend's written answer, is the right one. It will provide reassurance to farmers, just as it provides more general reassurance to the public.

Mr. David Drew (Stroud): I welcome the statement made by my right hon. Friend, but the incident is clearly disappointing. The Government need take no lessons from the official Opposition, whose only contribution to the debate was to license GM foods in the first place.

The third report from the Select Committee on Agriculture examined the question of the segregation of GM crops, and determined that that segregation was very difficult to achieve. Given the comments from the hon. Member for Gainsborough (Mr. Leigh), should we not tell the north Americans that, until and unless they sign up to the Montreal bio-safety protocol, we will have to consider our own actions in relation to GM crops? That would mirror the unilateral action that they have taken in continuing to evaluate the risk analysis on BSE.

Mr. Brown: I understand that we either have agreement on the protocol or are close to it. My hon. Friend is on to the right point. The United Kingdom Government have taken the lead in trying to get the international agreements on seed purity that are at the heart of this issue. The work of the Agriculture Committee is a useful contribution to those discussions.

Mr. Paul Keetch (Hereford): Is the Minister aware that Herefordshire reportedly has more organic farms per hectare than any other county in England, and that many organic farmers are concerned that they will lose their business if they lose Soil Association accreditation if they are infected by genetically modified crops? Is the right hon. Gentleman further aware that on 27 March the Minister for the Environment told me in a written answer that there were no GM farms in Herefordshire? However, in another written answer on 15 May, the right hon. Gentleman told me that there was one GM site in Herefordshire, at Preston Wynne, and that the Department of the Environment, Transport and the Regions had only discovered that fact on 26 April.

Can the Minister assure me that there are no other GM sites in Herefordshire? Can he tell me what compensation organic farmers will receive from the Government if they lose Soil Association accreditation? Can he assure me that the Ministry of Agriculture, Fisheries and Food will hold a public meeting in Herefordshire? It has held such meetings in Worcestershire, Warwickshire and other parts of the midlands, but has so far refused to hold one in Herefordshire.

Mr. Brown: Essentially, the question is for the Department of the Environment, Transport and the Regions rather than for me, because it is about accreditation and separation distances. However, all the issues are under review, and no one would want to do anything to damage the prospects for organic farmers. The Government are putting more money into supporting conversion to organic farming. The organic farm movement has won an important place in the retail marketplace. I want to sustain that, not see it undermined.

Mr. Alan Simpson (Nottingham, South): I congratulate the Minister on the work that the Ministry of Agriculture, Fisheries and Food has done in promoting organic farming. Will he come back to the House with a statement giving specific details of liability and compensation that relate to GM crop contamination?

Farmers across the country will be discovering that they have inadvertently fallen for the wiles of the food biotech industry. These GM gigolos have been touring the country, and farmers are waking up to the fact that the industry has rogered their fields and run off in the morning without accepting any responsibility for the contamination that follows.

At a time when consumers and supermarkets are queueing up to demand GM-free products, does my right hon. Friend accept that there are widespread implications for farm incomes if farmers can no longer offer that guarantee? Will he consider the arguments in favour not of a Child Support Agency but of a Farm Support Agency that will pursue the seed corporations which have demanded patents and royalties, and remind them that they will have to accept long-term, lifetime responsibility for GM paternity, and environmental responsibility?

Mr. Brown: I hope that my hon. Friend will take it from me that the advice to the Government is that there is no risk to human health in what has happened, and no risk to the environment. Environmental liability is currently under examination in the Department of the Environment, Transport and the Regions, with a view to a future parliamentary debate.

Mr. Simon Thomas (Ceredigion): The Minister will know that Wales has declared itself a GM-free zone, and many people in Wales will be very disappointed at the recent incident. May I ask him—I accept his assurances about public health—whether 1 per cent. contamination would in itself make these crops non-GM-free? There is also a very real threat to organic farming arising from these incidents, as has already been mentioned.

Whether by default or design, the Government seem to have engineered a number of crises of confidence around their GM policies. Will the Minister accept from me that farmers in Wales and Ceredigion want to produce food, whether organic or conventional, that people trust. Incidents such as this do not help. Will the right hon. Gentleman review the procedures and look in particular at the North American Free Trade Area, where it seems that the gene identification process is totally inadequate to stop these things happening?

Mr. Brown: My Department and the Department of the Environment, Transport and the Regions are focusing on the important issue of conventional seed purity. As I have said, my right hon. Friend the Secretary of State for the Environment, Transport and the Regions is introducing random checks from 1 June. There is no reason why the particular strain should endanger organic farm production, for example, because of the nature of the product.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Can we be certain about the cause of the contamination? Was it a case of inadvertent mixing of GM and non-GM seeds, or was it pollination from a distance of 800 m? If it was such pollination, there are serious questions about what are safe distances. There is a fundamental biological question. If the cause of the contamination was pollination, how could a sterile crop pollinate at 800 m?

Mr. Brown: The issue is slightly more complex than that. We believe that it is pollination in Canada, but three-way pollination. In other words, it is not a question of the product that is present here and sterile having been shown not really to be sterile. I shall put a technical note in the Library that sets out the production process and how three-way cross-pollination occurred in Canada.

Mr. Desmond Swayne (New Forest, West): The Minister, who is a former Government Chief Whip, has not been reading his Whip. Yesterday was not an Opposition day. The Opposition day was on Tuesday. Notwithstanding that, we had a statement. Does the right hon. Gentleman agree that while it is a matter of relief that the seeds in this instance will be sterile and do not in his estimate provide a threat to public health, he must give a reassurance on the issue that such a thing could happen? That is the real question.

Mr. Brown: On the hon. Gentleman's second point, that is why we are examining the important question of seed purity. On his first point, he is absolutely right. I read an earlier version of the Whip and I was wrong in what I said to the House. The hon. Gentleman has won one, but I do not resile from the underpinning point, which is that putting the facts into the public domain is the right thing for Ministers to do. The use of a written answer to do that, and putting additional information into the public domain, should be a perfectly acceptable way forward.

Ms Julia Drown (South Swindon): My constituents will be pleased to hear the Government's assurances that the contamination poses no threat to human health or to the environment. However, it raises real concerns for consumers who want to exercise their choice to avoid GM technology. It seriously undermines confidence in the companies that have been responsible for the contamination. What steps will my right hon. Friend take to talk to the companies and ensure that they take consumer choice seriously, so that our constituents can have assurances that if they want to avoid GM technology, they can?

Mr. Brown: I agree with what my hon. Friend says. The Food Standards Agency is pressing ahead with a labelling regime to ensure that consumers can exercise their choice. Discussions with the company have been going on at official level between my Department and others on an almost daily basis. My right hon. Friend the Minister of State will be seeing representatives of the company very soon.

BILLS PRESENTED

Police

Mr. Mackinlay presented a Bill to make provision to regulate the use of the term 'police' and related terms; to amend the law relating to the powers of certain constables; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 9 June, and to be printed [Bill 128].

Pardon for Soldiers of the Great War

Mr. Mackinlay, supported by Mr. Syd Rapson, Mr. Lindsay Hoyle, Dr. Norman A. Godman, Mr. Phil Sawford, Mr. Tony Benn, Mr. Kelvin Hopkins, Mr. Dennis Skinner, Mr. Ronnie Campbell, Mr. John Cryer and Mrs. Llin Golding presented a Bill to provide for the granting of pardons to soldiers of the British Empire Forces executed during the Great War of 1914 to 1919 following conviction for offences of cowardice, desertion or attempted desertion, disobedience, quitting post, violence, sleeping at post, throwing away arms or striking a superior officer; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 9 June, and to be printed [Bill 129].

Orders of the Day

Care Standards Bill *[Lords]*

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Lord): Before we begin the debate on the Bill, I advise the House that Madam Speaker has selected the amendment in the name of the Leader of the Opposition. There will be a 15-minute limit on all Back-Bench speeches.

1.44 pm

The Secretary of State for Health (Mr. Alan Milburn): I beg to move, That the Bill be now read a Second time.

Nearly 2 million people in our country rely on social services—more than a million older people, 400,000 children and 300,000 disabled people. They—above all other citizens in our society—have a right to expect that care is available for them when they need it and that, wherever that care is provided, it is of the highest possible standard. That is as true for social care services as for health care services. For too long, social care has been the poor relation. It is time to change that; this Bill does just that.

Changes in society, growing public expectations, an ageing population and shifts in family structures make social care ever more central to the Government's ambition of a fair and decent society. Social services enhance the quality of life for some of the most vulnerable people in our society. Our task is to modernise those services so that they can provide our country with the best possible care.

Dedicated and caring staff try to do just that. Thanks to their efforts, standards of care are often good, but sometimes—too often—they are not. Countless reports and inquiries have highlighted the weaknesses and failings of the safeguards that are supposed to protect vulnerable people, especially children. The most recent and devastating example is the Waterhouse report, presented to the House by my right hon. Friend the Secretary of State for Wales a few weeks ago.

At the heart of the Bill lies the concern to drive up standards of care, not only for the almost 2 million people who rely on social services, but for the 900,000 children reliant on early years services and for the 800,000 patients using private hospital services. In this day and age, the public should know that those who provide crucial services are competent and well trained, that clear quality standards will be set and enforced and that those most in need of protection are properly safeguarded. The Bill will enable us to make real progress on each of those matters. It is based on the philosophy that what counts in service provision is the quality of care that the public receive.

The Government have already set up a major programme of reform to raise standards in both health and education. The Bill applies that same approach to those other vital services for the public. The fundamental reforms that it sets in place are long overdue. The regulatory system that we inherited was a mess. It failed to provide adequate protection from abuse; it was characterised by a lack of consistency, independence and coverage.

First, there were no national standards and no consistency of approach. The regulatory system was fragmented, with 250 separate local inspection or registration bodies, all operating according to their own rules. That helped to produce a lottery in care. The new system will mean less rather than more bureaucracy.

Secondly, the essential ingredient for successful regulation—independence—was severely compromised under the old arrangements. Local authorities inspected independent care homes at the same time as purchasing most of their services. Worse still, council-run care homes were exempt from statutory regulation and subject to inspection only by their own staff. Such a system could never guarantee residents either the peace of mind or the quality of care that they deserve.

Thirdly, some services—most notably, home care services for elderly and disabled people—were subject to no regulation whatever, with all the potential for abuse that that allowed. Where there was regulation, it was often ineffective, because, more often than not, it was inappropriate, especially in the way that high-tech private hospitals were regulated as though they were low-tech nursing homes.

Fourthly, there was no professional regulatory body dedicated to overseeing standards and practice in the social care sector. There was no organisation, such as those in other fields, to take a lead on driving up training and standards of care throughout the work force. Despite the overwhelming consensus on the need for such a body, the previous Government set their face against it; they refused to listen and refused to act.

In my view and that of many other people, those were shameful failings in the previous system of regulation. The record of the previous Government was one of neglect and complacency. They were so mesmerised by the market that they became careless over standards.

I should have expected the Opposition to have learned their lesson—not least because of the all-too-glaring failings in the regulatory system. Their amendment shows that, sadly, they have not. They remain as blinkered as ever. When asked to choose between safeguarding the public or protecting the providers, they made the wrong choice. They are reinventing their history and not learning from it. Theirs is a record that this Government are determined to put right.

Alongside the other measures that we have already introduced—the new flexibilities for health and social care to work together, the best value programme to drive up standards and the quality protects programme to protect the most vulnerable children in the care system—this Bill will put in place new arrangements for ensuring excellence in vital care services. For no one are these guarantees more needed than for elderly people. Older people are entitled to be treated with dignity and respect wherever they use health or social care services.

I take very seriously the criticisms that have been made of the current system of care. Age discrimination has no part in a modern care system. That is why—alongside the measures that we have already introduced to raise standards in the national health service through the Health Act 1999 and the measures contained in this Bill to raise standards in other care services—later this year, we will publish our national service framework, which will set new tough enforceable standards for the treatment and

care of older people wherever it takes place. I expect all parts of the care system to rise to the challenge of meeting these standards of care not just sometimes but always.

These twin pieces of legislation—the Health Act 1999 and this Bill—will revolutionise the standards of care provided for older people and for others who use the care system. Our ambition is this: whatever health or social care service people receive wherever they receive it—and whether it is public or private—they should be assured that the care will be safe, will meet proper quality standards and will be delivered by skilled and competent staff.

Mr. Desmond Swayne (New Forest, West): Will the Secretary of State acknowledge that the draft standards that have been issued for care homes have not been reassuring? They have filled care home providers with horror at the thought of the burden of regulation that may fall on them, and they are the only examples that the providers have seen. Will he acknowledge that it will do little for elderly people if their providers are driven out of business?

Mr. Milburn: Good providers have absolutely nothing to fear from the standards that we set out in "Fit for the Future?". As he knows, there has been detailed consultation. We received well over 1,000 responses, and we shall respond to them in due course. As the Minister of State, Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton) has said to the independent care home sector, we shall be sensitive about the way in which we phase in the changes to ensure that the standards can be met. However, the hon. Gentleman would expect, as I would, the highest possible standards of care for our elderly relatives. There should be no compromise on standards of care. However, he and those on the Opposition Front Bench are making the same mistake that they made for 18 years—they are more worried about the providers than the users. It is the users of services who count.

Mr. Paul Burstow (Sutton and Cheam): On the point about demanding higher care standards, will the Secretary of State tell us when the care assistants who work in care homes and in domiciliary services will come under the registration scheme for the General Social Care Council? Until they do, the policing of the standards will not be absolute and will therefore not give confidence to many people.

Mr. Milburn: The hon. Gentleman asks a good question. I shall discuss the General Social Care Council shortly, but he knows that there has been no such system of registration in the past. We shall have to phase in the scheme for a very simple reason. Some 80 per cent. of the staff who provide social care services have precisely no qualifications whatever. That is appalling. There is an enormous training deficit and a skills deficit that will have to be tackled if we are to ratchet up the standards of care in the way that we want. We will begin the registration process with those—the social workers—who have recognised qualifications, but we want to move as quickly as we can to register others who are professionals in their own right, but who have not had the training input that they require.

We shall do that as soon as we can, but that depends on our being able to implement our training strategy for social services. We have the right approach, we are making the right investment and we have the means to register staff in a way that they should have long since been registered.

Mr. Geraint Davies (Croydon, Central): Does my right hon. Friend agree that the new initiative offers the private sector new opportunities to provide a range of services for elderly people, particularly for short-term rehabilitative care, as well as to carry out the traditional role that it has now established? There is a growth in demand for such services and in places such as Croydon where there is a lot of provision, the private sector will welcome the opportunity to provide a range of service and the fresh demands and higher standards that that opportunity will bring.

Mr. Milburn: My hon. Friend is absolutely right. As he knows, one of the biggest problems in the health care system is that, all too often, the wrong patient is in the wrong place at the wrong time. Twenty per cent. of acute beds in hospitals are often inappropriately occupied by older people who want nothing more than to get out of hospital. Frankly, who can blame them for that? They want to be back on their own two feet and live an independent life, as we all do. However, the lack of active rehabilitation services stands in their way.

We are committed to building up those services. Indeed, when I recently allocated £600 million of additional revenue to the national health service, I said that one of its priorities was to work with NHS providers, and, when it makes sense, with private sector providers to build up intermediate care services. There is a challenge for the private sector, which is to prove that the services that it might offer the NHS and its patients are good value for money, do not create perverse incentives and, most importantly, offer patients the highest standards of care. The Bill covers precisely that and aims to enshrine quality in all parts of the care system.

Mr. David Hinchliffe (Wakefield): On the possibility of using private care homes and private nursing homes, I am concerned that the majority are simply not geared up to the process described by my right hon. Friend. However, whether they will be in future is a different matter.

Will my right hon. Friend reflect on comments made by Dr. Chai Patel of Westminster Health Care on "The World at One" on, I believe, the May day bank holiday? Responding to concern expressed by one or two people, including me, that private care home staff were not trained to do the job, Dr. Patel said that that was wrong and that the majority of those staff were NHS-trained. If my right hon. Friend intends to push people into the private sector, who will staff it? Given what the private sector itself is saying, it appears that the staff will come from the NHS.

Mr. Milburn: My hon. Friend makes an important point which relates to what I said about the challenge that the private sector must prove that it can meet. It must offer good value for money and high standards of care, and—if services are going to be located there—must prove that no perverse incentives are created.

I shall attempt to reassure my hon. Friend by saying that he is quite right to state, as he has done before, that all too often nursing homes and residential care homes

[Mr. Milburn]

encourage a form of dependency. Many older people require that, so I cannot say that it is either right or wrong. If people have an acute condition and require active management, it is right and proper that they should be located in such homes. However, there should be choice in the care system. The incentives in the system often result in people being placed in care homes when they could be in their own homes. We must get that right.

The nursing home sector must re-attune its services if it is to provide a range of intermediate care services that encourage independence, not dependency, and enable people to stand on their own two feet. I ask my hon. Friend not to close his mind to that possibility as we must ensure that, whenever care is provided, it is appropriate and of the highest standard. Right now, we do not have the range of rehabilitation services that we need in the NHS.

Mr. Andrew Rowe (Faversham and Mid-Kent): The Secretary of State is in danger of allowing his interest in the private sector to detract from the reality that many local authority homes have not been inspected to the same standards. Indeed, by his own admission, 80 per cent. of staff in those homes are untrained. Will he give us an estimate of what it will cost local authorities to bring their provision up to the standard that he is seeking to impose?

Mr. Milburn: Local authorities will have to grapple with that. I do not have such an estimate, and local authorities must prove that they are capable of offering the highest standards of care. What I am not prepared to sanction, whether the care is provided in the private or the public sector, is lower standards of care. Let me state, straightforwardly and with all candour, that if it were an elderly relative of mine, I would want to be assured that the care provided was of the highest possible standard. That must be the right approach. Of course, some care homes in both the private and the public sector will have to grapple with difficult issues, but so be it. If we are to get the right standards of care, that is the right thing to do.

Dr. Jenny Tonge (Richmond Park): Does the right hon. Gentleman think that it would be better to give health authorities more money to prevent the closure of smaller hospitals—I have in mind the old cottage hospitals—and so enable the health authorities to commission low-tech rehabilitation care within their own area, without having to resort to the private sector?

Mr. Milburn: Of course—if they can do that, there is no reason why they should not do it. When, in the Budget, we pumped into the NHS an extra £600 million of resources, we told health authorities and primary care groups that one of the stipulations—other than using the money to get waiting lists down and pay for new drugs and treatments—was that they had to build up intermediate care services. They have to decide where such services are best located, although I perceive a potential future for cottage hospitals in that respect.

However, rather like the nursing homes mentioned by my hon. Friend the Member for Wakefield (Mr. Hinchliffe), cottage hospitals have to prove that they are capable of fulfilling the function. No institution has a God-given right to provide any sort of service—that right has to be earned. It must be proved to the public that the right sort of service is being provided to the right standard. Of course there is huge potential for community and cottage hospitals to provide services, but they will probably have to retune the functions they carry out and change the nature of the work force they employ, so as to be able to provide a level of service that is markedly different from anything found in the NHS today.

Mr. John Cryer (Hornchurch): I agree with my right hon. Friend's comments about regulation and I regard the Bill as a welcome measure. However, my local authority is attempting to use the new standards as a reason to close care homes in my constituency and the local borough, and that strikes me as a rather dubious rationale. Will he give some idea of the timetable for the introduction of the new standards, so that local authorities can find investment or other means to adjust to them?

Mr. Milburn: I, too, think that my hon. Friend's local authority has adopted a rather disingenuous position—after all, the standards are draft standards. People sometimes think that the Government do not undertake genuine consultation, but this happens to be one of occasions on which it was. We received a huge number of responses and we have to reflect on them, so that, when we introduce the new standards, they are enforceable. In addition, their introduction must be phased in such a way as to enable those who want to change their services to ratchet up standards to do so.

The Minister of State, my hon. Friend the Member for Barrow and Furness, has been dealing with the matter, but I can tell the House that we shall start to introduce the new standards when the National Care Standards Commission comes into being, in approximately two years' time. The process will be phased, so that care homes in the public or private sector that want to change to meet the tougher national standards will be able to do so.

The Bill establishes two new powerful regulatory bodies: first, the General Social Care Council, to regulate individuals providing social services; and, secondly and most important, the National Care Standards Commission, to regulate the organisations providing care services. The commission will be an independent national body overseeing the regulation of private and voluntary hospitals and clinics, care homes for elderly or disabled people, home care agencies and nurses agencies, children's homes, residential family centres, fostering agencies and adoption agencies. It will also carry out welfare inspections of boarding schools and colleges that accommodate children. As recommended by the royal commission on long-term care chaired by Sir Stewart Sutherland, the National Care Standards Commission will also monitor and report on trends in the provision of long-term care and take a national overview of quality in that sector.

It might be for the benefit of the House if I dealt in a little more detail with the three major services that the commission will be responsible for regulating.

Mr. John Bercow (Buckingham): I am grateful to the Secretary of State for giving way so that I may ask a

straightforward question: will the regulations flowing from the Bill be subject to the negative or the affirmative procedure?

Mr. Milburn: That is a good question. We think that it will be the negative procedure, but perhaps I may return to the matter, because I am sure that I shall receive further and perhaps better advice.

Mr. Philip Hammond (Runnymede and Weybridge): Further to that question, will the Secretary of State confirm that the standards for care homes to be issued by Ministers in the form of a statement will not be subject to any parliamentary scrutiny?

Mr. Milburn: That is true. It is the Secretary of State's function. We have had a consultation. We are considering carefully what the care home sector and others—those representing residents in care homes—have had to say, and then we shall make our decisions.

The National Care Standards Commission will be responsible first of all for regulating the full range of social care services. The commission will regulate the 30,000 care homes in this country, accommodating nearly half a million people. That will include, for the first time, care homes run by local authorities, which have until now been exempt. In providing for a national, independent regulation system, as promised in our election manifesto, we will remove the inconsistency and inefficiencies of the current system. Instead of the 250 different authorities responsible for regulating care homes, there will be one national body, providing a much more coherent and consistent service, to the benefit of both care home owners and their residents. For the first time, too, care provided to people in their own homes will be subject to statutory regulation.

Until now there has never been a regulatory system to ensure that as the care home sector grows, it provides proper standards of care and does not put vulnerable people at risk. I believe that this measure will command widespread support.

The Bill also breaks new ground by providing that private and voluntary hospitals will, for the first time ever in this country, be subject to a proper, tough and effective system of regulation. Until now, private hospitals have escaped proper scrutiny of their standards, and patients have had precious little redress when things went wrong. That is wrong, and this Bill will put it right.

People, wherever they receive their health care services, deserve to have the highest standards of care. That is why, following consultation, we will set out new requirements and standards that every private hospital will have to meet. For the first time, there will be a statutory independent complaints system for those using private health facilities. Inspection, and, where necessary, enforcement action will be carried out by expert inspectors dedicated within the commission to regulating health care, including private hospitals and other private health care facilities.

Concerns were expressed in the other place that private health care would not receive its due attention from the National Care Standards Commission because of the commission's broad range of regulatory responsibilities. That is wrong. Private hospitals will be under the spotlight as never before. They will get more than their fair share of attention from the commission. We will therefore be seeking to remove the amendment made in the other place that would hamstring the National Care Standards Commission's powers over private hospitals. Instead, we will table amendments to enable joint working, where that is appropriate, between the National Care Standards Commission and the Commission for Health Improvement.

Such joint working is important. As I said earlier, if it is in the interests of the NHS, and to the benefit of NHS patients, to use private health care facilities to carry out NHS treatment, one thing is absolutely essential: that quality of care, expertise of staff and standards of clinical facilities are up to scratch. The Bill will make sure that they are.

Mr. Paul Flynn (Newport, West): Will the National Care Standards Commission guarantee that the suspected widespread over-prescription in care homes for the elderly of medicinal drugs, particularly neuroleptics, will be placed under proper control, with independent scrutiny from outside homes and from outside those prescribing to the homes?

Mr. Milburn: I am aware of my hon. Friend's concern about those issues, which he has raised with me on several occasions. The commission will certainly be able to look at some of these areas. In particular, it will need to look—I am sure that the Committee dealing with the Bill will want to explore this in detail—at processes for administering drugs in care homes. That might partially address some of my hon. Friend's broader concerns about neuroleptics.

I referred earlier to the shocking cases in which children were abused by the very people who were supposed to care for them. The National Care Standards Commission will also have significant responsibilities for safeguarding children. All types of children's homes will be regulated and subjected to rigorous inspections. This, again, will include local authority homes which are currently exempt. It will also include small private children's homes for fewer than four children.

That loophole in the law has long been considered a scandal, and rightly so. We are determined to fix it at the earliest opportunity, so the Bill includes a provision amending the Children Act 1989 to remove the exemption for small children's homes, which we intend to bring into force as soon as possible after Royal Assent. That will mean that even before the other provisions of the Bill are brought into force, and before the National Care Standards Commission is fully up and running, the existing regulatory system will apply to small children's homes for the first time and for as long as local authorities continue to have regulatory responsibilities.

Ms Debra Shipley (Stourbridge): I thank my right hon. Friend for giving way, and welcome his comments about children. He hinted at a time scale, but can he be more specific? The Protection of Children Bill, which I had the honour to take through the House last year, became an Act last July but is still not operable. That is upsetting to me. I was told at the time that it was likely to be operable this summer. I have received a variety of answers to questions put by me and others in the Chamber, which suggest that the date of implementation is late

[Ms Debra Shipley]

summer, autumn, early winter, or some time next year perhaps. The issue is serious, and I would value urgent action.

Mr. Milburn: I pay tribute to my hon. Friend for her work in taking the Protection of Children Bill—now an Act—through the House. I know that it commanded a great deal of support. She will be pleased to know that the Care Standards Bill will establish an equivalent measure applying to people who are unsuitable to work with vulnerable adults.

I know that my hon. Friend remains concerned about the timetable for the implementation of her own Bill, or Act, as it is now. Discussions are taking place between my Department and other Departments, and we intend to enact it as quickly as we can. I do not have a firm date for her, but I shall write to her as soon as possible and let her know the time scale that we have in mind.

In recognition of its role in safeguarding children, the National Care Standards Commission will appoint a children's rights director, whose job it will be to ensure that children's rights and welfare are at the heart of all its responsibilities for regulating children's services. The director will fulfil a crucial function by always being available for people to turn to when they have concerns or suspicions about what may be happening in a children's home or other service.

Mr. Hilton Dawson (Lancaster and Wyre): Over the past three years, under his predecessor and my right hon. Friend, the Department of Health has set high standards for the participation and involvement of young people in care in policy making and in monitoring services. Can my right hon. Friend assure me that that will continue under the new system?

Mr. Milburn: Yes, of course. The most important contrast that my hon. Friend could have drawn is the difference between the present regime and the previous one. So many of the scandals that are only now coming to light and being properly scrutinised occurred when the regulatory system in force was inherently and structurally flawed.

The measures that we are introducing are long overdue. By and large, they are not matters of party political contention, so the issue for the Opposition is why, if they had 18 years in government to start taking action, they did not get on and do it. It is easy to sit on the Opposition Benches and say that everything is fine and the Government's proposals are fantastic. It is a damn sight harder to find the legislative time and to commit the resources to make the change, which is what the Government are doing. I pay tribute to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) for his work to enhance safeguards for children.

As my right hon. Friend the Secretary of State for Wales announced recently, there will be a parallel post in Wales: the children's commissioner. We will amend the Bill to effect that.

I know that there are many in the country and in the House who would call for the commissioner to have a remit for all children, not just those in children's homes or receiving other care services. The provisions in the Bill for a children's rights director in England, and a children's commissioner in Wales, will set up powerful new posts whose holders will champion the interests of children who are most in need of someone to speak up for them. It is those children who most need a voice, and for that reason I believe that, for the purposes of the Bill, those provisions are the right ones.

Mr. Geraint Davies: Will my right hon. Friend give way?

Mr. Milburn: I have given way once already, but very well.

Mr. Davies: I thank my right hon. Friend for graciously giving way. First, can he give an assurance that inspections of children's homes and homes for the elderly will be carried out without warning, so that preparations cannot be made for imminent inspections? Secondly, can assure us that funding to the private, voluntary and public sectors for the implementation of the provisions will be even-handed, and that extra incentives will not be given to local authorities to push everything towards the private sector?

Mr. Milburn: I can give my hon. Friend both assurances. There will be at least one unannounced inspection a year. That is right, so that residents of care homes can be assured that the standards of care that they receive have been properly, independently accredited. On the second issue, I can give him the assurance that he seeks.

There is a more general point to make. Sometimes we hear—I suspect that we are about to hear quite a lot in a moment—about the regulatory burdens and the cost of regulation that the measures impose on the care home sector. It is worth reminding the House that the current cost of the fees for regulation amounts to 88p per care home bed. It costs £46 a year. It is also worth reminding the House that the average income stream for one of those beds is £13,500 a year. The cost of regulation amounts to 0.3 per cent. of income. That is a pretty small price to pay to assure vulnerable people that the care that they receive is of the highest quality.

I turn finally to the Government's proposals for the regulation of child care, which are dealt with in part V.

Dr. Peter Brand (Isle of Wight): With reference to the children's commissioner for Wales and the corresponding post for England, is that a difference of terminology only, or will the remit of the commissioner in Wales extend beyond children in residential establishments? There is danger not only for children who are known about in residential establishments, but for those out in the community who need help.

Mr. Milburn: In the context of the Bill, the differences are largely differences of job title, rather than of function. There is one slight difference, with which I shall deal in a moment. We propose to give some early years regulatory functions to Ofsted, which in Wales will be the responsibility of the commission. However, I understand that the Welsh Assembly has a broader proposal on which it wishes to legislate at some point. That is a matter for the Welsh Assembly, not for me or the House.

On the regulation of child care, our intention is to transfer responsibility for regulation from local authorities to a new, distinct arm of Ofsted—the early years directorate. We will also introduce greater quality into the regulatory system through the introduction of more consistent standards for providers.

Bringing together the regulatory systems for child care and nursery education will not only help create greater coherence and integration, but lead to improvements in the quality of early years services. Establishing national standards for Ofsted to operate will ensure that child safety will no longer be a matter of geography, but consistent across the entire country.

The Bill—it is the first legislation to do this—allows new duties to be placed on those involved in looking after children aged between eight and 14, or 16 in the case of disabled children. Providers will be required to demonstrate that they and their employees are suitable to look after children. Those measures will radically reform the regulation of child care. This is a crucial step towards the creation of a level playing field between public, private and voluntary providers. Parents will have more peace of mind in the knowledge that their children are being cared for properly, wherever they are cared for.

Mr. Julian Brazier (Canterbury): Will the Secretary of State give way?

Mr. Milburn: I have given way a number of times, and I want to finish my speech.

I want to mention one further aspect of care services that the Bill will include. In Committee, we shall table an amendment allowing the Government to issue statutory guidance under section 7 of the Local Authority Social Services Act 1970, relating to discretionary charges for home care. In future, local authorities will be required to set their charges in accordance with the new guidelines. At present, we do not have powers to issue such guidance.

If home care is to play its full part in helping people to lead independent lives, charging policies that are manifestly unfair and deter people from taking advantage of access to care need to be tackled. Our proposal for a new power should enable us to do just that. We shall consult later on the content of the guidance.

The care services covered by the Bill provide a lifeline for millions of people. They support and strengthen families, give children the start in life that they need, empower disabled people to live, work and enjoy life to the full, and support dignity and independence in old age. The Bill will help to ensure that those services live up to the ambitions that I have identified. It will provide modern, reliable arrangements to protect the welfare of vulnerable people. It will establish rigorous and coherent regulatory arrangements which, as well as safeguarding people against abuse, will promote high standards. It will introduce effective quality checks for private health care—this is the first time that that has happened—and it will revitalise the social care work force, and give it the recognition that it deserves.

The Bill will benefit staff. It will benefit those who run care services. Most important, it will benefit the millions who depend on those services. It is a radical measure, and it will promote radical change. I commend it to the House.

2.22 pm

Dr. Liam Fox (Woodspring): I beg to move,

That this House, whilst supporting the principles of improved quality of delivery of social care, and in particular greater protection to the most vulnerable, declines to give a Second Reading to the Care Standards Bill *[Lords]* because its approach is unnecessarily bureaucratic and intrusive, it fails to extend proper regulatory protection to all patients in acute hospitals, it makes insufficient progress towards improving adoption procedures, it will impose substantial additional cost burdens on social care providers at a time when the quality of care provision is being eroded by inadequate funding, without putting in place mechanisms to balance the obligations of higher quality with a guarantee of proper levels of payment, and it depends excessively on regulations which renders proper scrutiny of the Bill impossible.

I am in the same position as the Secretary of State in the last debate: owing to prior engagements, I cannot be present for the winding-up speeches. I have already informed the Secretary of State and Madam Speaker of that, and I hope the House will forgive me for any perceived discourtesy.

We support much in the Bill, although we have reservations about some measures, frankly cannot support others, and believe that some need to be taken further. However, it was disappointing that the Secretary of State constantly differentiated between providers and users. We should be concerned with overall provision, and the making of such a sterile differentiation shows how difficult the Government find it to stop being suspicious of any form of independent provision. Without providers, there is no service to regulate.

Let me begin by identifying the parts of the Bill that we support. One important issue is that of high standards in nursing and residential homes. The Secretary of State is right to say that quality should be our watchword in health and social care. I doubt that a single Member would disagree with that. The elderly deserve security, dignity and a quality of care that is appropriate to their clinical needs. That will be an issue when the Government present their programme of intermediate care, as they have said they will do later in the year. Care must be tailored to individual needs; it must not be for the convenience of hospital managers, especially bed managers or those who wish to avoid unpleasant headlines in the run-up to an election.

Although we support the proposal in principle, we shall all have to pay close attention in order to ensure that it applies to the appropriate patients, with appropriate selection. In terms of quality—I hope that the Secretary of State will pay particular attention to this—many of the places where intermediate care will be given are managed largely, in terms of medical care, by general practitioners who do not have full access to the range of medical services that would be available in the hospitals from which patients will be discharged. I hope that we will ensure that patients do not move to areas where they cannot have access to the full range of medical support, and other support that they need.

I welcome measures to protect vulnerable adults from abuse, in the way in which children are protected. Many Members on both sides of the House, including my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) and the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), argued that such measures should be included in the Protection of Children Act 1999.

[Dr. Liam Fox]

Perhaps the Minister who will be winding-up the debate, the hon. Member for Barrow and Furness (Mr. Hutton), will have had more time to consider than the Secretary of State had following an intervention, and will be able to give us some idea of when the Bill will be brought into effect. There is no point in putting legislation on the statute book if we do not bring it into effect to protect those whom it is intended to protect.

Anyone who has worked with vulnerable adults will know how important it is for those who, for one reason or another, cannot stand up for themselves to be given adequate protection in law. We therefore welcome the proposals. I shall deal with the concept of a children's commissioner later, but I deal now with the parts of the Bill that we support with reservations.

I welcome a more uniform approach to public and private sector providers in nursing and residential care. We strongly welcome clause 91, which makes new arrangements for the regulation of nursing agencies by removing their exemption from the Employment Agencies Act 1973 and repealing the Nurses Agencies Act 1957. It will bring nursing agencies into line with other employment agencies that supply health care professionals, such as locum doctors, dentists and those in professions allied to medicine in the national health service.

The measure removes an illegal loophole, and we welcome it. However, we have reservations about the logic of the position in relation to acute care; I shall return to that shortly.

The acknowledgement of the need to provide safe and effective delivery of private health care is also a welcome development, but an effective, relevant and resourced body must do that. Their Lordships wanted the Commission for Health Improvement to perform the task. The Government's intention, which the Secretary of State says they will seek to reimpose in Committee, is that the National Care Standards Commission alone should perform it. I think that in Committee the Minister will have to make a better case for reversing the change than the Secretary of State made today. We need to know more about the Government's intentions, and about precisely how the partnership that the Secretary of State mentioned will work. The delivery of the Government's plans will depend on the vehicles that they choose.

There are three other causes for concern. The first relates to Wales and was raised by the hon. Member for Isle of Wight (Dr. Brand). Ministers can give as many assurances as they like about implementation and regulation under the Bill in relation to England, but they cannot possibly give binding assurances on behalf of the Welsh Executive; nor can the House hold them to account, as a result of the devolution legislation. That allows the potential for unevenness, even discrimination, in provision.

Secondly, what does all this tell us about the Government's attitude to local government? Obviously, as the Bill was designed before the Government's poor showing in the local elections, it was designed for the general rather than the specific. The removal of the right of inspection, and the combination of best value and the Bill are likely to remove huge sections of local authority places in residential and nursing care. I wonder whether that was the Government's intention.

Thirdly, I was staggered by the Secretary of State's inability to give us even an estimate of how much it would cost local government to bring current provision up to the standards that the Government wanted to obtain throughout the United Kingdom. That does not bode well for the relationship between central and local government. Will the Minister give us a better estimate?

While we are on the issue of money, may I ask who will pay for all this? Will the money come out of the current local authority settlement, or will the Government make more money available? Neither the Bill nor the Secretary of State have much to say about that.

I deal now with the provisions that we find difficult to support. We cannot support the uncertainty over the Government's regulatory intentions or the heavy-handed imposition of minimum standards in a way that does not optimise the quality of the care delivered. The lack of a firm timetable is completely unacceptable; it has blighted the sector and resulted in capital starvation because lenders to the sector are uncertain. I warn Ministers that the result of that ham-fisted approach to the problem could be the closure of many independent care homes and a huge loss of overall capacity in the system. The consequences would be not only a human tragedy, with the care of frail, elderly patients disrupted, but an increased burden on local authorities, which carry the statutory burden of care. They may face simultaneous disruption and loss of their own capacity.

Mr. Hinchliffe: The hon. Gentleman paints a bleak picture of the wholesale closure of care homes and private nursing homes. Will he consider the fact that the private sector says that it has 25,000 empty beds? Does he accept that the previous Government used a £10 billion public investment programme and changes in income support and supplementary benefit hugely to expand a sector that most people do not want to use? People want to retain their independence in their own homes, as my right hon. Friend the Secretary of State said.

Dr. Fox: Would that things were as simple as the hon. Gentleman suggests. Not only total capacity but its geographical distribution are important. The provisions, if implemented as the Government intend, could result in a loss of private sector capacity and reduced local authority provision in some areas. That would create major problems for the patients involved. We must not deal with that matter lightheartedly or in the hon. Gentleman's typically party political way.

Mr. Bercow: Does my hon. Friend accept that I asked the Secretary of State about the regulatory procedure precisely because, whatever the intrinsic merits or demerits of particular regulations, they should not be allowed to go through the House on the nod? Does my hon. Friend agree that the regulations should be fully debated in the House, that the sector should be consulted on them and that it should be granted the courtesy of adequate notice of the requirements for their implementation?

Dr. Fox: As my hon. Friend knows, there is scarcely a word that he utters in the House with which I do not fully agree—he will notice that I chose the word "scarcely".

The national minimum standards, which are among the most important matters, will be decided by Ministers. They will not be subject to scrutiny in the House. In other

words, the potentially most damaging economic changes for a huge number of care providers will not be debated by those who represent them or those in their care. Our general concern is that the Bill is largely an empty box; it is hugely dependent on regulations that have not even been published in draft.

The Minister of State, Department of Health (Mr. John Hutton): It might help us to make progress if the hon. Gentleman would take another look at the Bill. If he were to read it carefully, he would understand that the national minimum required standards will take effect not on their own but only through the implementation of the regulations. We have made it clear that consultation on the regulations will take place under the procedures normally applied in the House and that the regulations will be developed only after the fullest public consultation.

Dr. Fox: The standards may be implemented as a result of the regulations, but the decisions will be left entirely to Ministers, which is what we find difficult to swallow.

Mr. Simon Thomas (Ceredigion): Will the hon. Gentleman give way?

Dr. Fox: No, I will not.

It is bad enough that proceedings on the Bill began in the other place before consultation was finished, but there is now every chance that it will complete all its parliamentary stages before we know how the regulations will be implemented. That is typical—a contempt for Parliament that is dangerous, and that is destabilising for providers and patients.

The Secretary of State referred to child minders. I have reservations about the excessively heavy-handed intrusiveness and the bureaucracy involved in allowing inspectors from the Office for Standards in Education to inspect the private homes of all child minders. Before we can accept the Government's proposals, we need to know whether any evidence exists to show that there is a problem in that sector and, if so, what is its magnitude. We simply seek information. Many decent people will feel threatened by the proposals, so we would need to hear a good justification for them before we could agree to them.

As those proposals are a new distraction for Ofsted, will the Minister tell us what new funds will be made available to it for that function? What staff increases will be required? What discussions has he has had with the Secretary of State for Education and Employment on that matter?

Caroline Flint (Don Valley) *rose—*

Mr. Dawson *rose—*

Dr. Fox: I give way to the hon. Lady.

Caroline Flint: Is the hon. Gentleman aware that, under the current system of registering child minders, a visit to the home is an important part of the inspection process? The Government have listened and included the best of the current process in the new one.

Dr. Fox: If the Government can tell us why Ofsted is a better choice than the local authority, we shall be willing to listen to their arguments. If they can also tell us why it is entirely legitimate to be able to seize computer records and so on, we shall listen. I want to ensure that there is a good justification for such powers and the changes that the Government propose before they are introduced.

I turn now to the proposals that we support but would like to take further. The Secretary of State did not mention adoption; there are too few measures in this connection and the proposals should be extended. We should like several principles to be included in any adoption measures. A national register for those who wish to adopt children should be drawn up according to objective criteria so that those who meet the criteria can adopt children from any part of country. We should not have the petty bureaucratic restrictions that are, sadly, put in place by too many local authorities, with far too much emphasis being placed on their own political bigotry and political correctness and too little on what decent people can offer children in the adoption process.

An adoption plan should be drawn up for all children in care so that the best and most specific type of prospective adoptive or foster parents can be found. All children in care should be allowed by law to have contact with outside groups—whether charities, Churches or families—to give them a full range of cultural experiences, not only those offered by social services.

Mr. Steve McCabe (Birmingham, Hall Green) *rose—*

Mr. Hinchliffe *rose—*

Dr. Fox: I will not give way on that point.

The hon. Member for Isle of Wight anticipated a point that I want to make. We should go further than the Government and consider establishing a children's commissioner for England, if the post is confined to certain criteria. The commissioner must be independent and not answerable to the Secretary of State, although an annual report to Parliament could be made. There should be oversight of the statutory provision of services to children and the effectiveness of legislative safeguards and regulations relating to education, children's services or health services. However, there should be no remit to take up individual cases or to act as the champion for individuals. The commissioner should be mandated to identify weaknesses in policy or delivery. There should be no remit to interfere in the relationship of children with non-statutory providers, especially their parents.

There should be such a commissioner solely for children because children do not have a voice through the ballot box and cannot enact change for themselves. Those in care and those whose parents do not care do not even have a natural adult sponsor. There are differences in the regimes that might be suggested for England and for Wales. I believe that we have to give children in England the same protection as children elsewhere receive.

The Government are committed to providing a children's rights director only for looked-after children. We believe that the provision should go further. Almost all children's charities and professionals support the idea of a children's commissioner. The model that I suggest would allow protection and advocacy without interfering in the rights of parents.

Mr. Brazier: All the independent bodies—including, most recently, the Prince's Trust—support allowing

[Mr. Brazier]

mentors to have access to people, yet the Bill provides for one set of professionals to check up on another set of professionals.

Dr. Fox: My hon. Friend makes not only an important point but the best attempt by an hon. Member to get on to the Committee that will consider the Bill. I congratulate my hon. Friend on his successful attempt to gain a place on that Committee.

Mr. Hinchliffe: Will the hon. Gentleman give way?

Dr. Fox: No, I must make progress.

I want to consider equal regulation for all acute health care, in both the national health service and the private sector. We need to move from a managed to a regulated service in our general health care system. It is not possible—and even less desirable—to try to micro-manage a system in the NHS, which employs 1 million people. We need a single regulatory body, which operates in the interests of patients and not providers, for the acute health care sector.

The Government have accepted the logic of unified inspection for care homes. Why do they not accept it for the whole acute sector? Why cannot a single body guarantee the same standards for patients, irrespective of whether they are treated in the private sector or by the NHS? We should legislate for the benefit of patients and our fellow citizens; we should not take account of whether different providers are involved.

The Government have increasingly used the private sector to reduce NHS waiting lists. It is unacceptable to have one regulatory body for one sector and a different regulatory body for another when patients are increasingly interchanged between them. Single uniform regulation is logical. The Bill gives us an opportunity to provide for that. If it receives a Second Reading—I imagine it just might—such regulation can be considered in Committee.

The Bill has much to commend it, but there is also much to be regretted. It provides much more protection for some, but more uncertainty for many. I hope that hon. Members will consider all those points and support the amendment. Good intentions do not make good law; we are in the House of Commons to ensure good law.

2.43 pm

Mr. Frank Dobson (Holborn and St. Pancras): I strongly support the Bill. For the first time in 20 years, decisive action is being taken to improve the quality of services for vulnerable people. It is worth bearing in mind that we are considering services for people who are old or ill or infirm or handicapped, or children who have special needs. Our society is supposed to provide care for those groups. We have a special duty of care for vulnerable people because they are least able to look after themselves.

We must ensure that the approach in the new regulatory framework is based on the question: will the service be good enough for me, my children, parents, relatives or the people whom I love or hold dear? If the answer is no, the service is not good enough. We must start from there. The record for the provision of some of the services has been at best patchy and at worst shameful and deplorable. That is to everyone's shame. I do not blame only the staff. In cases of molestation of children that has gone on for years, everyone has been at fault, including hon. Members on both sides of the House, for failing to take the necessary action.

For many services, no standards have been set. That is bad for the people who are being cared for and their relatives because they do not know what they are entitled to expect. Sometimes, when relatives have pressed for higher standards in the private sector, the person in care has been threatened with being thrown out on the grounds that the relatives are troublemakers. That cannot be allowed to happen. It is also bad for staff and managers because they do not know what is expected of them. It is hard for people to do a proper job when they do not know what their job is.

Even when standards have been set, the regulatory and inspection system has clearly been grossly inadequate. Some caring services, such as small children's homes—to which my right hon. Friend the Secretary of State referred—or services for people in their own homes, have been left to inspect themselves. We all know what happens then. Local authorities have been responsible for inspecting themselves.

After a long series of reports and inquiries into scandalous failures, the previous Government did next to nothing. Almost the only change that took place was that child molesters managed to con the media into referring to them as paedophiles. That was the biggest change in the past decade. We must resolve that. The Government inherited a mess and we need decisive action, which is now being taken.

The Bill covers a wide range of services, from meals on wheels and home helps to children in care and old people in residential homes or people in day centres. I pay tribute to large numbers of hard-working staff who do their best in difficult circumstances. However, across the board, services are not good enough. The public are entitled to know that the meals on wheels will be okay, that home helps will not steal from, for example, people who are blind, and that residential homes will be safe and staffed by proper professionals. They need to know that there will be high-quality day care for elderly people, that children in care will not be molested but will be educated and that fostering agencies will be above board.

The proposal for the National Care Standards Commission places regulation of all the services that I have mentioned under one umbrella. That must be right. Standards must be set and the commission must ensure that they are fulfilled. Small children's homes will no longer be left unregulated. Councils will no longer be responsible for inspecting themselves. We shall have an independent, professional watchdog. It has been needed for years. The previous Government, in the face of mounting evidence and reports, did nothing about it. They made no changes. The Bill makes decisive changes, which are likely to lead to substantial improvement in services for vulnerable people.

The Bill covers the public sector, the voluntary sector and the private, profit-seeking sector. Proper complaints machinery will exist for the first time in the history of most of the services, even those in the public sector. We need to ensure that the complaints machinery does not deal simply with individual complaints. We need to analyse the pattern of complaints and ensure that we can

identify systematic problems as they are exposed by the pattern of complaints. We must then make use of that. Any sensible business or public sector organisation wants to do that.

I commend the proposal for establishment of a register for people who are unsuitable for working with vulnerable adults. I pay tribute to the enormous amount of hard work by my hon. Friend the Member for Stourbridge (Ms Shipley) on the Protection of Children Act 1999. I urge my right hon. Friend the Secretary of State to go back to the Department, to say, "Stuff the lawyers in all the Departments," and to get on with implementing that Bill because children's safety is more important than a lot of nit-picking by Government Department lawyers—a minor aside.

Mr. Hammond: Given the right hon. Gentleman's intimate knowledge of the evolution of the Bill in the Department of Health, can he tell the House what he expects to be the impact on local authority provision of the proposals with regard to unified registration and regulation of care homes?

Mr. Dobson: I did not understand the question. I shall sit down again. If the hon. Gentleman asks it in plain English, I will try to answer it.

Mr. Hammond: In plain English, what will happen to the local authority care homes? Will there be a massive contraction in the number of local authority care homes after the Bill becomes law?

Mr. Dobson: It depends on the quality. I hope that the object is that quality will rise and be uniformly high, whether the home is in the private, voluntary or profit-seeking sector. Frankly, if the local authorities cannot do their job properly, they should not be doing it. That is the test: can they do the job properly? If they cannot, they should get out of the business. That applies to quite a few people in the private sector, too. There will be changes in all directions in different parts of the country.

There is the separate issue of the regulation of private hospitals that were greatly encouraged by the Conservative party during its 18 years in office. During that time, it did absolutely nothing to offer any protection to any people who resorted to the private sector, and was happy to continue to have such places treated as nursing homes.

That was ludicrous because there was a massive change over time. There was a development and extension of the activities of private hospitals. The regulation became increasingly inadequate. That has been recognised even by the people in the private sector itself.

Those people know that there are hospitals that carry out treatment for which they are not properly equipped. They know that operations are carried out in hospitals that do not have decent resuscitation equipment. They know that really difficult operations are carried out in hospitals that do not have the capacity to provide intensive care if anything goes wrong. They know that there are private hospitals where there is no 24-doctor on duty and, in some cases, scarcely a 24-hour nurse on duty. They know, as the public know, that there are private hospitals where doctors who have been suspended by the national health service have been allowed to carry out operations on patients in those hospitals. They know that the regulation—to the extent that there has been any—has been concerned largely with the physical aspects, rather than the state of care and the attention that people have been getting. We have a basic duty to protect the public. The new regulatory body will do that. It will regulate, register and inspect.

There was a plea from the Conservative Benches. After all these years of doing nothing, it appears that Tory policy is still to do very little in case it upsets owners of a few private homes. Decisive action is needed, but the only bit of decisive action that was proposed in that sphere was that, being so successful, the Commission for Health Improvement, which was developed basically as an NHS body and designed to even up and to improve the performance in NHS hospitals—as far as I can recall, unless my memory is playing tricks with me, the Tory Front-Bench team was totally opposed to it and voted against its establishment—should cover the private sector, too.

My view, for what it is worth, is that the National Care Standards Commission is there to provide minimum safety for people who have private treatment, but it is not the job of a public body to help the apparently competing and competitive private sector to raise its standards further. Why cannot such hospitals raise their standards, if they have the merits of the competitive private sector, with all their American connections and such like? They should be able, generally speaking, to raise their standards themselves.

The regulatory body, the National Care Standards Commission, may want to ask CHIMP to provide it with some regulatory or inspection services from time to time, but it should be left like that. Much improvement is needed in the NHS. The commission has its work cut out doing what people want it to do in the NHS. That, surely, must be the first priority, providing we have the minimum standards in place.

I do not want to detain the House any longer. I believe that the Bill is a substantial, major step forward. It will be difficult for the commission to establish itself, to get itself working and to do the job as well as we would like it to do. It is right that the bulk of the circumstances in which it will operate will have to be laid down by regulation. We in Parliament know, if we have any sense, that we are bound to get things wrong at the start. It would be better to recognise that, and not to be vain and proud and to say, "Oh we have got it right. We cannot change it." If it is laid out through regulation, we can change it more promptly and more effectively, and make it work.

I strongly support the main thrust of the Bill. I congratulate my colleagues on the Front Bench on what they have done in bringing it forward. It carries out exactly what we promised to do at the general election. It is another Labour promise being kept.

2.56 pm

Mr. John MacGregor (South Norfolk): In the time available to me, I want to concentrate on only one issue: that relating to national required standards for residential and nursing homes for older people, as proposed in "Fit for the Future?".

I want to do so because I have had many reasonable and responsible representations from my constituents on the matter. It seems that we may not be able to debate it

[Mr. John MacGregor]

in detail in the House, despite what the Minister of State said, because, as I understand it, the measure will be introduced by negative resolution. It would be helpful for him to make a further announcement on that today.

Of course I support high and ever higher standards—as high standards as the community can afford—with higher living standards all round. I take the same test as the Secretary of State. I look for the standards that I would expect for my relatives. Indeed, I have been through that closely recently and so speak with some feeling on the subject.

There is huge concern among the providers of both local authority and private homes about the possible impact of the implementation of the proposals. I thought that it was offensive and unworthy of the Secretary of State—I am sorry that he has gone—to say that we were concerned only about the providers and not the provided—that is totally untrue. I thought that it was offensive to the many highly dedicated people who provide services as providers. It is clear that we should be concerned that the providers are able to provide. It is in that context that I make my remarks.

I want to make three points, which have been put to me by proprietors and representatives of the local authority, in relation to the standards. The first is—I make the point quickly—the fear about the volume of regulation and over-prescription that will flow, if one reads some of the points in "Fit for the Future?" report.

It is not just a question of the fees, which the Secretary of State referred to. The real cost is the administrative burden on the providers. Therefore, I hope that, in drawing up the regulations, the Government will not be unnecessarily prescriptive, will look at the implications for, and impact on, the providers, and will go through what the Lord Haskins committee said, so that we can be sure that the regulations are not overburdensome.

The second point is in relation to staffing. There has already been a big increase in staffing costs for private residential homes, partly because of the impact of the national minimum wage and the working time directives, which in some cases have pushed up staffing costs by 16 per cent. in one year alone. I am told that holiday pay for part-time staff is having a particularly heavy effect on a number of those homes.

The point, which the Secretary of State evaded, is that, at a time when fee increases are not properly reflecting cost increases—as we all know, a large part of the fees must come from local authorities—and margins in those homes are being seriously eroded to dangerously low levels, the issue of cost must be taken into account.

The Secretary of State side-stepped that issue, as did the former Secretary of State—when the first said that local authorities were having to prove their case, and the second said that the test would be whether they do their job properly in local authority homes. That was not really the point. The point was that, if extra burdens and costs are being imposed by the Government on both types of homes, and much of the funding comes from the public sector, we would need to know how the costs will be met and where the funding will come from. The Secretary of State carefully avoided answering that question, but it is important that the Minster of State should do so. It is a great, and legitimate, concern to providers.

The third point that I should like particularly to raise is that of physical accommodation standards. I need not go into great detail on the issue, as it was debated in Westminster Hall, on 15 February 2000, in a debate initiated by my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), in which she explained some of the points that particularly concern those of us in Norfolk. The Minister of State was present at that debate and replied to it.

I visited all types of homes in my constituency—local authority homes; the large new purpose-built homes that have been provided in the private sector, and one in particular; and the small homes that have been developed out of old country houses and that type of building. There are approximately 415 private homes in Norfolk, with an average size of 20 beds. I shall concentrate on the smaller homes, as that is the where the bulk of the provision is currently coming from.

I rather get the impression that "Fit for the Future?" recommendations were designed for, and concentrate on, the large, newly built homes. The problem is that it will be many years before that type of home can replace all the existing ones. The interim period is going to be a worrying one. I understand that, in its current survey, the National Care Homes Association has estimated that 52 per cent. of homes have fewer than 20 beds and do not meet the standards for communal space, and that 10 per cent. of homes do not meet the standards for single and double rooms.

The problem is that if the regulations are implemented as they have been proposed in "Fit for the Future?", many of those homes will be forced to close. Therefore, my main plea to the Minister is that the regulations must be developed and implemented sensitively.

Mr. Tom Clarke (Coatbridge and Chryston): Will the right hon. Gentleman give way?

Mr. MacGregor: I shall give way just once, as I am anxious not to exceed my time.

Mr. Clarke: I am grateful, and I take the point that the right hon. Gentleman is making—that some of the standards that will be required are not being met. However, does he not look at the other side of the coin—does it not worry him that vulnerable, elderly people are living in such conditions, and that, until the Bill was introduced, that issue was not being addressed?

Mr. MacGregor: I shall come to that point in a moment, as I have talked to residents in the types of home that I am talking about, including local authority ones, and I want to say something about that. I shall come back also to the issue of cost. There is not much point in simply saying that standards must be much higher, in over-regulating and in over-prescribing requirements if the result is that the homes on which we depend have to close. That is the point that I am trying to make. I also want to make the point that the homes that I am talking about and have visited do provide a high standard of care that is much appreciated by the residents themselves.

I was speaking about closures. I understand that *Caring Times*, which undertook a survey recently, came to the conclusion that, if the full "Fit for the Future?" standards were imposed, 54 per cent. of beds in the surveys that it

undertook would be lost, and that more than 50 per cent. of the homes would close, because they would be bankrupt. We really do have to address that issue. My particular concern is that the smaller homes, which that same survey highlighted, were the most vulnerable.

The proprietors of those homes have sunk a lot of capital in them to improve standards. They are dedicated, and they have done a good job in recent years. Many of them are approaching retirement age, but they may not be able to sell. Their homes—for a reason that I shall give in a moment—may not be viable, and they will simply close. It would be self-defeating for the vulnerable—for those for whom the Bill is intended—if the outcome were that there were many closures.

"Fit for the Future?" had paragraphs on compliance costs, and seemed to suggest that, because there is over-capacity—which one or two Labour Members have mentioned—in the country as a whole, the effect of closures would not be that great. That suggestion is flawed, for three reasons. The first is a decline in capacity, which the Laing and Buisson Consultancy has already predicted will—in the near future, because of current trends—be up to 10 per cent.

Secondly, as has been graphically brought home to me, if one or two rooms in a small home of 20 or fewer rooms have to close, in current circumstances, in which margins are extremely tight, that home would cease to be viable. If the home has to shut down one or two rooms, it will close. Therefore, "Fit for the Future?" has ignored a big gearing effect.

The third reason has already been dealt with by my hon. Friend the Member for Woodspring (Dr. Fox)—the geographical effect. In my constituency particularly, many small homes are scattered round the constituency, serving local communities. If some of those homes are forced to close, residents will have to go elsewhere, a long way from where their relatives reside. Those residents, and their relatives, say that they want to stay in those homes. They are quite happy to stay in a home which may have one or two rooms that are rather smaller than the proposed regulations would suggest. The benefit to them of being in the home that they have been in and of being close to their relatives is much greater than having a slightly larger room.

On 15 February, the Minister said that the standards must be "realistic and affordable", and that they must give providers a sensible time scale in which to make the necessary changes. I very much welcomed that comment, which suggested that he was taking some of these points on board. I ask him to spell that out rather more. All I am asking for is the application of common sense in examining some of the proposals in "Fit for the Future?"

The National Care Homes Association had a point when it said:

> Those things which can be measured with a tape measure do not generally impinge on the quality of care afforded.

I think that I would have put it slightly differently and said that one does not measure the quality of care by a tape measure alone, as so many other qualities are required.

In the homes that I have seen, some of the rooms would have to be shut under the proposals—they cannot be physically enlarged—but are only a little smaller than would be required in the regulations. They are smaller because the previous local authority specifications were lower, or, sometimes, for the simple reason that they were measured in feet rather than metres. It seems that common sense is very much required.

I ask the Minister to reassure the many proprietors in my constituency and elsewhere, first, that the regulations will not be applied retrospectively to homes in which some rooms may miss the target by only a little and the residents—some of whom I have talked to—are perfectly content with their rooms and do not want to move elsewhere; secondly, that costs will be taken into account, and that, if extra costs are imposed, assistance will be given to both private and local authority homes to help them to meet those costs; and, thirdly, that, for existing homes, especially the small ones, there should be a long transitional period.

Those proprietors are deeply anxious. They have sunk much capital, often after heavy borrowing, into their homes, and their capital is at stake. They are dedicated to providing a service, and it is not enough for the Government to say to them that nothing will happen until April 2002. They need more specific reassurance now, and I hope that the Minister will be able to give it today.

3.8 pm

Mr. David Hinchliffe (Wakefield): It is perhaps worth making one point in reply to the speech by the right hon. Member for South Norfolk (Mr. MacGregor), who mentioned private owners' capital. I remind him that much public-sector capital—£10 billion, at least—was provided.

Mr. MacGregor *indicated assent.*

Mr. Hinchliffe: I think that the right hon. Gentleman accepts that point.

I welcome the Bill, which has been a long time coming. What is particularly exciting is that, today, in a debate on community care, we have a time-limit on speeches—usually, I am able to speak in these debates for half an hour and no one grumbles. We now have interest in the subject that we have not had before, and I commend the Government for generating that interest. They tackled an issue that has long needed to be tackled.

Many hon. Members in the Chamber deserve commendation for their contribution to the Bill, not least the ministerial team. However, many hon. Members—Back Benchers and former Ministers—have contributed quite remarkably to bringing the Bill together, and I commend them. It is a great honour to follow my very good and right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), who is still held in the greatest affection in God's own county. To me, London has always been a strange place, full of—with apologies to my hon. Friends from London—odd people.

Mr. John Austin (Erith and Thamesmead): My right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) is also held in high regard in London. This may be the first time in 20 years that the issue has been addressed, but Bills do not come out of nowhere. My right hon. Friend's period in office is coming to fruition in the Bill. Nobody has done more than him to drive up standards in health and social services.

Mr. Hinchliffe: I entirely agree. My right hon. Friend deserves the greatest credit.

[Mr. Hinchliffe]

Some of my comments on the Bill will be critical of it. I hope that my hon. Friend the Minister understands that they are intended to be constructive, and that I make them in the hope that in Committee the Government will look at some of the detailed points that need further examination. My comments are made in the context of my delight at the overall thrust and principles behind the Bill, which is long overdue.

I welcome the National Care Standards Commission. I think that I wrote the policy document that first proposed removing the function of regulation from local authorities. I was shot at by some of my local authority colleagues at the time for that suggestion. I felt that it was important that regulation was independent from provision. I welcome the establishment of that principle.

However, I have a slight proviso. One of the strengths of the previous system was local knowledge and accountability. I hope that we build local knowledge into the National Care Standards Commission, because it is fundamental to pick up intelligence about where things may be going wrong.

I welcome the mechanisms for independent health care and, in particular, the proposals for domiciliary care. I introduced two Bills on the issue in the previous Parliament, which were opposed by the then Government. It is wrong that we have not regulated the domiciliary care that is given to some vulnerable people.

I also welcome the General Social Care Council. The social work profession has long campaigned for such a body. I pay tribute to the parliamentary panel on personal social services and its secretary, Mr. Dick Clough. The hon. Member for Faversham and Mid-Kent (Mr. Rowe) has done a lot of hard work on that panel over many years. It is a cross-party issue on which there has been consensus.

It would be wrong not to pay tribute to the successful campaigning of my hon. Friend the Member for Stockport (Ms Coffey) on small children's homes. Those provisions will be called the Coffey section. I also welcome the attention that has been given to fostering and adoption services. I would welcome clarification on whether the Bill will impinge on the accountability of guardians ad litem. I have some concerns about the lack of accountability of those professionals, who have a key role.

I listened carefully to the hon. Member for Woodspring (Dr. Fox), who made the astonishing comment that the Conservatives wanted an adoption plan for every child in care. He obviously does not know that the majority of children who come into care are there only temporarily. It might be for only a couple of days. They are fostered while there are problems at home and then they go straight back. The Tories want adoption for every child who comes into care. The hon. Gentleman has clearly not thought that through, because he would not give way on it and left in a hurry. It is a bizarre idea, but we are used to that from the Conservatives.

My concerns must be seen in the context of my strong overall welcome for the Bill. My first concern relates to children's rights directors. My right hon. Friend the Secretary of State has left the Chamber, but he inherited from his predecessor a policy document—which I know well—containing a commitment to appoint a children's rights commissioner. There is a distinction between what the Government are proposing and what most people involved with child care want, including the Health Committee and other Committees and all-party groups that have pushed strongly for a rights commissioner.

The role envisaged is too limited. Let me give an example of where a rights commissioner is desperately needed. Nobody has considered the fundamental principle of the welfare of the individual child in relation to the Child Support Agency. Like most hon. Members, I deal with any number of cases of disputes between parents when things have gone badly wrong—they are not talking to each other and access is wrongly being denied to parents as a result of CSA policies. A rights commissioner could penetrate an area that needs to be examined in the interests of vast numbers of children in this country who are suffering. I hope that the Committee will look at that.

I find it embarrassing to agree with the hon. Member for Woodspring on one issue, but I do not fully understand why the Government are moving the inspection of child minding and day care to Ofsted. I used to be involved in registering child minders and day care when I worked in local government. I hope that further thought will be given to the proposal, because they are essentially care services and should be dealt with by people who understand the care issues involved. Ofsted is unsuitable for the role. Given its reputation, we could end up with league tables, performance-related pay or targets for tots. I have a serious worry that we are turning our young children into robots. They are under pressure to achieve academically and league tables also put teachers under pressure. I do not want those inappropriate pressures brought into child minding for the under-fives.

Mr. Austin: I have some concerns on that. I am sure that my hon. Friend also agrees with the comments of Lord Laming in another place, to the effect that child minding is about social care and good child care practice rather than education. The Minister in another place responded by saying that he hoped that those involved in the inspection procedures in social services would move over to Ofsted, bringing their skills and knowledge. From his experience of social services and child care in local government, does my hon. Friend share my concern that many of those involved in child minding registration do not work exclusively in that area? If they moved to Ofsted, they would be divorced from their other child care functions and from their professional colleagues involved in social care. Would my hon. Friend care to comment on that?

Mr. Hinchliffe: My hon. Friend makes an important point, which reinforces the need to look at the issue again. I hope that the Minister will take his comments in the spirit in which they were intended and that we can look at the issue in Committee.

I should also like to query the regulation of adult day care. Having read the Bill and the guidance, I am not clear about that. If it is not to be regulated by the commission, it is a huge worry. I can envisage private care or nursing homes being closed on the grounds of poor standards and reopened the following day for day care, giving the same personal care with no regulation. Can we look at that again? We need to consider the way in which the commission can deal with proposals to close care and nursing homes. I had a debate about a home called Garden

House in Wakefield, which closed suddenly—its standards were rather poor—and was transformed, under the same ownership, into a day nursery. We need to understand how the separation of the regulatory system would deal with such a situation. The commission would deal with the care side and Ofsted would deal with the day nursery. We need to address the practicalities.

My most serious concern is that the Bill looks at where we are now. I do not want to use the word "reactive", but it is not aspirational, as I should like it to be. We have heard the expected defence of private care home owners from the Tories. They did pretty well under the Tories and made a lot of money. We now have a huge empire full of empty places that nobody wants, funded largely by our taxpayers' money.

The key question is how we would want to be cared for. Some of us are older than others—some are even older than me. I do not want to be in geriatrica, wall to wall, facing other people with similar problems. I want to remain in my own home in my own community. That is what we should aspire to. The Bill reacts to the current situation rather than looking forward 10, 15 or 20 years, when people will want something fundamentally different to what is deemed the norm now—the "oh, stick them in a care home" attitude. We can do better than that. In 1988, Denmark passed legislation prohibiting the institutional care of old people. If it is illegal in Denmark, a country not dissimilar to ours, why are we anxious to prop up an declining private care sector? Why are the Government considering filling some of the 25,000 empty places with people who ought to be cared for in some form of intermediate care setting within the NHS?

We must consider life in non-institutional settings and home-based care, and we must look at what communications technology can offer in sustaining independence. We must anticipate where we will be in 10 or 20 years' time, because there will be a fundamentally different picture. This is an excellent measure which, with a bit of work, could become a landmark reform. I want to see that happen, and I think it will.

3.20 pm

Mr. Paul Burstow (Sutton and Cheam): The Bill comes to us from the Lords much improved from its First Reading incarnation. The establishment of a comprehensive system of inspection and regulation of social and health care providers is long overdue. It is essential if we are to build public confidence in services for children and vulnerable adults that this Bill secures Second Reading and Royal Assent, and that the tools that are given to regulators are put in their hands as soon as possible.

Their lordships have done much to strengthen the Bill and to ensure that the protection afforded to vulnerable people covers the widest possible range of care settings. However, there is still a question of timing to be considered. How soon will the National Care Standards Commission begin to exercise its registration and inspection powers? When will home-based care be covered by national minimum standards—2003, 2004 or later?

Day care—a late addition to the Bill—is another area on which we must establish clarity of timing. The Minister has offered a guarantee that, within one year of the National Care Standards Commission being established, the Government will carry out a review as to how and when the regulatory regime for day care will come into force. It was not clear from the debates in the Lords what that meant in practice. When will the review be concluded? When will the regulations be in place to give comfort to those receiving domiciliary care that those providing it are doing so appropriately?

When will that take place; 2002, 2003 or, as seems more likely, a much longer time scale? We have only to look at the process for producing the standard for "Fit for the Future?" for care homes to see how long that process has taken. It is something like two and a half years since the initial commission of that work, and we now await the results of the consultation exercises. If the same pattern holds true today for day care, we will lack national standards until 2004 at the earliest. I hope that the Minister can give reassurance on this point.

The commission will be registering and inspecting against national minimum standards. Care home standards have been set out in "Fit for the Future?" and we have heard concerns about that. The Minister will know of the concerns felt by many in the independent homes sector about the burden that these standards represent. Lord Hunt stated that the Minister of State had

> indicated that the staffing ratios set out in "Fit for the Future?" will not be adopted. He has also given assurances that reasonable time scales will be set for homes to meet the final standards that will be required through the new regulatory pattern.—[*Official Report, House of Lords*, 28 March 2000; Vol. 611, c. 714.]

Mr. Hammond: Does the hon. Gentleman agree that expressions such as "reasonable time scales" do not help bankers and home owners who are trying to deal with the blight that has descended on the industry? Does the hon. Gentleman have any idea of what a reasonable time scale is for compliance with the new physical standards for accommodation?

Mr. Burstow: I look forward to exploring in some detail in Committee what the time scales will be. That is undoubtedly a legitimate cause for concern. It can be overstated, but it is nevertheless a legitimate concern about which we should be seeking clarification.

Much emphasis has been placed on physical standards such as room size. I am not convinced that room sizes or the number of power points in a room are a satisfactory proxy for quality care. I hope that the commission will be able to focus its work on quality, and not just on things that it can easily measure, such as room sizes. By quality, I do not just mean the quality of care provided but, more important, the quality of life of the residents. That means that service users and care home residents must be treated not as passive recipients of care, but as active participants in promoting and regulating quality.

However, I do not believe that the National Care Standards Commission can be an independent voice for elders because most older people never come within the ambit of formal social care. For that reason, I believe that there is a case for establishing a commissioner for the rights of older people. Such a commissioner would lend an independent ear and a powerful voice to promoting the rights and interests of older people. Such a commissioner would work closely with many aspects of central and local government, looking at the impact of those services on the lives of older people. The work would include the

[Mr. Burstow]

Commission for Health Improvement and the National Care Standards Commission. The commissioner would report to Parliament.

Such a focus is needed, as I believe that there is in our society a lack of recognition of elder abuse. It is still a taboo topic. We have broken the taboo when it comes to child abuse. There is still much to be done in the area of child protection, but the framework is in place. I pay tribute to the Government for what they have done, and we are beginning to see a real step change in the provision of services for children. I do not believe that the same can be said of elder abuse. Cases such as those highlighted in *The Express*'s "Respect" campaign show why action is needed to stamp out elder abuse and age discrimination. *The Express* found evidence that residents in one care home were

> put to bed against their will and woken as early as 4.30 am to get ready for breakfast; not properly cleaned even though they regularly soiled themselves; left to sit for hours without activities and woken at two hour intervals during the night to be taken to the toilet because they are not given incontinence pads.

The Minister will say that that case can be dealt with by the commission, but work by organisations such as Action on Elder Abuse has found that abuse extends beyond formal care settings. In their report "Listening is not Enough", Action on Elder Abuse highlights serious cause for concern about financial abuse by family members, physical abuse and neglect in care settings and psychological abuse wherever the older person lives.

An independent commissioner for older people would send a powerful signal that the dignity and rights of older people matter and will be upheld. There is still a serious question mark over the role of the commission and its relationship with the Commission for Health Improvement. Where does clinical governance end and the national care standards begin?

Given the talk of using nursing homes to provide step-down or convalescence beds and rehabilitation paid for by the NHS, surely the clinical responsibility—and hence the inspection responsibility—will rest with the Commission for Health Improvement. However, nursing homes will be registered and inspected by the National Care Standards Commission. Who leads? Who follows? Who decides what needs to be inspected? This is not clear in the Bill, and those providing the care will need that spelled out. I hope that the Minister will say more about that in Committee.

My noble Friend Lord Clement-Jones successfully amended the Bill in respect of the commission's powers to contract with the CHI, and that was an important step in the right direction. We were disappointed, if not surprised, to hear today that the Government intend to reverse that amendment.

While the commission will be doing this work in terms of inspecting and regulating private hospitals, it remains our view—as we stated during the passage of the Health Act 1999—that these matters should be regulated across the health service and not parcelled up into pieces. That principle has been accepted in respect of the registration and inspection of care homes, whether they are public or private, and we believe that the CHI should be charged with the responsibility to inspect public and private health care providers without fear or favour. It was a mistake by the Government not to have embraced that, and we will continue to press the point as the Bill goes through the House.

While the commission will regulate places and institutions, the General Social Care Council will regulate employers and employees alike. The council is very welcome. But how rapidly will it be allowed to cover the work force? Ministers have decided that those registered with the council in England must be qualified. But only one in five of the 1.25 million social care work force hold a relevant qualification. The largest part of the work force is made up of residential and domiciliary care staff where the level of qualification is very low indeed. Yet it is those people who have the greatest access to vulnerable people. Those staff are the very people who should be covered by the council to restore public confidence in our care system.

The Training Organisation for the Personal Social Services training strategy sets out targets for boosting the number of qualified residential staff to between 40 and 50 per cent. over the next five years, but that is dependent on substantial increases in training resources and a much improved staff retention record. TOPSS is still to set targets for the training of domiciliary care staff. Where will the money come from to enable that to be realised? The Minister will no doubt tell us that the Government already provide funds to local authorities to train their staff, but what about private and voluntary sector providers?

The Bill is intended to improve protection for the public, but by restricting registration to the minority of staff in the work force who hold formal qualifications the Government are leaving the door open to neglect and abuse. Studies in the US have found that there is a much higher incidence of abuse by care workers who have received no training. The level of untrained and unqualified staff in social care is unacceptably high. The Government must ensure that the front-line staff, whom we trust with the most intimate care of vulnerable people, are registered with the council as soon as possible. When stacking shelves at Safeways pays better than caring for frail elderly people, how does the Minister expect to attract the right people to join and stay in the care work force?

The danger is that the fine words that the Bill contains will be realised not in five years' but in 10 years' time, and that cannot be right. Wales has decided to go for a big-bang approach and will register all social care staff, qualified or unqualified, from the outset. It has a smaller work force so that will be easier to manage. What is the Government's timetable for registering all staff in social care in England? The Secretary of State, in answer to my earlier question, said that it would be done as soon as possible, but some clarity on the timetable would be welcome.

It had been widely trailed by Ministers that the Government planned to bring forward amendments to establish a children's commissioner for Wales who would be a champion for all children in Wales, whether in care or not. That is not quite what we heard today, and that will prove a disappointment to many on both sides of the House and to people outside.

Ms Julie Morgan (Cardiff, North): I can assure the hon. Gentleman that the National Assembly for Wales is well aware of the scope of the Bill and intends to extend its scope as soon as it is passed.

Mr. Burstow: I am delighted that the scope will be expanded, but why wait until the Bill is passed? Why not establish the commissioner in the Bill?

Dr. Brand: It is possible for the National Assembly for Wales to expand the role of the newly named commissioner which, according to the Bill, will be exactly the same as the English equivalent. However, I can think of no legal ways in which this House will be able to expand the role of the English commissioner without further legislation.

Mr. Burstow: That is right. The Welsh Assembly does not have its own legislative powers so it will rely on this House to give it the additional powers needed to widen the scope. The Bill provides an opportunity now to put in place the necessary powers to enable the Assembly in due course to widen the scope, and that matter needs to be considered further. The hon. Member for Lancaster and Wyre (Mr. Dawson) recently introduced a ten-minute Bill which would have provided for a children's rights commissioner for England, and I understood that the same provisions would be made for Wales in this Bill. It now appears that that is not what is intended, and I hope that the Minister will explain what the differences will be in practice. It now appears that one will be called a commissioner and the other will be called a director, but they will exercise the same jurisdiction, functions and responsibilities.

Ms Julie Morgan: The National Assembly for Wales will add on advisory powers to the role of the commissioner, in addition to the powers given by the Bill, but will await additional legislation from this House to create the full commissioner role. The National Assembly sees the Bill as the first step in creating a full-blown children's commissioner in Wales.

Mr. Burstow: I am encouraging the Government to take several more steps to achieve the full intentions of the ten-minute Bill, which hon. Members on both sides supported. I hope that we can achieve that end, because many right hon. and hon. Members have campaigned for it for many years and felt that we were much closer to achieving it than we in fact appear to be.

When it comes to "Fit for the Future?" and the other national standards that will follow, I know that many care home owners and providers feel that the Government have failed to recognise that higher standards, better regulation and more training come with a price tag. Unless fee income can be increased, the numbers of providers leaving domiciliary care and residential care will continue to rise. Reducing choice and competition will result in lower standards. Providers will seek to pass on the costs of the extra obligations that are rightly being placed upon them in the form of higher fees and, in turn, social services departments will pass them on in higher charges or tighter eligibility criteria. Our aim has to be to protect vulnerable people from neglect and abuse and it cannot be right that we then present those very people with the bill for that service.

Only last week the Audit Commission published a damning report on unacceptable variations in the level of charges for non-residential services. The range is staggering. Nine out of 10 councils now charge, but it cannot be fair that two people with the same assessed need for care and the same financial means can pay widely differing amounts for their care package—anything from no charge to £120 per week. What the Audit Commission found is yet another postcode lottery. I am not opposed to charging, but it must be based on ability to pay. It must also be fair and consistent, and personal care should be free on the basis of assessed need. The Audit Commission found that one in three councils are operating charging policies that leave pensioners with less to live on than income support. Far too many councils fail to take account of the costs of disability in their charging policies and, as a result, the most disabled service users face the highest charges.

I have already asked my own council to benchmark its charging policies against the Audit Commission's report, pending the guidance from the Government that the Secretary of State said was imminent, but many local authorities feel that they have been left to stew when it comes to developing charging policies. Since publishing a White Paper in 1998, the Government have maintained a Trappist silence on the subject of charging policy. Local authorities have had to develop their charging arrangements in a policy vacuum. We were expecting an announcement in July, so I was heartened to hear the Secretary of State say that the Government will take the necessary powers in the Bill to give the necessary instructions to local authorities to stamp out the practices that the Audit Commission criticised. I am delighted that the dialogue that a delegation and I had with the Minister seems to have encouraged that change. We will work hard to support any such amendment as best we can, because it is wrong that pensioners can be driven into poverty by local authority charging policies.

Mr. Hammond: As the hon. Gentleman seems to have such a close understanding of the Government's intentions, does he understand that the Secretary of State intends to cap fees chargeable at a maximum or to introduce some standardisation? The latter would mean an increase in fees in those areas in which they are at present low or non-existent.

Mr. Burstow: At a delegation organised by the all-party disablement group last week, I raised with the Minister the need for the power to be included in the Bill. As the hon. Member for Woodspring (Dr. Fox) recognised in his speech, we now have a framework for progress, but it is mostly an empty box and we have to wait to see the regulations. Will we have to wait until July, or beyond that? Will we see change before the general election or will change have to await the outcome of that election?

As there has been a vacuum in non-residential charging policies, so has there been a vacuum in long-term care charges. The British Medical Association, in its briefing on the Bill, said:

> The organisation and funding of long term care needs to be established before confident regulation of care homes can be developed.

That must be right. The royal commission majority offers a humane and practical formula for addressing the funding of long-term care and, indeed, its conceptual framework was adopted by the Audit Commission in its examination of charging policies.

It is a disgrace that, in this country, debt collectors should still be chasing after dementia sufferers for money to pay for their care. Liberal Democrats support the royal

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commission's main recommendation. Personal care should be free on the basis of assessed need. Location should not matter when people need intimate care such as bathing, dressing or feeding: that care should be free.

The Bill deserves a Second Reading. It has been improved in the Lords, but serious questions remain. I hope that the spirit of co-operation that characterised deliberations in the other place will inform our examination of the Bill in Committee.

Mr. Hutton: I am grateful to the hon. Gentleman for giving way, and for sharing with the House that information about his party's policy on care issues.

The hon. Gentleman said that he supports the principle of free personal care for people receiving residential care, but he has confirmed his party's view that it is acceptable to charge for domiciliary care. He also said that he understood that there was a justification for charging in that respect.

Mr. Burstow: When the Minister reads *Hansard*, he will see that I also made it clear that the personal care element of non-residential care should be free. As the Minister is interested in our policy, I will ensure that a copy of the policy statement from our last conference is sent to him so that he can inform himself more about the matter. It is appropriate for Liberal Democrats to set out where we stand on this issue. Too often, we are criticised—unfairly—for not stating what our policies are.

As I said, the Bill deserves a Second Reading. The public require a system that promotes dignity and independence by providing the support and help that people need, when they need it and in the way that suits them best.

3.41 pm

Mr. Tom Clarke (Coatbridge and Chryston): I have listened to the debate with mixed feelings. I am truly delighted that the Government have introduced this Bill. It demands our support, and it enjoys the overwhelming support of the organisations working in the sector. However, I must admit that until my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) and my hon. Friend the Member for Wakefield (Mr. Hinchliffe) made their contributions, I had a feeling of deja vu. We know that there are problems, but the House seemed determined to stick at the detail of the proposals.

I have been a Member of Parliament since 1982. I must tell the right hon. Member for South Norfolk (Mr. MacGregor), with great respect, that he did not ask a single question that has not been answered in report after report. The reports compiled by Sir Roy Griffiths and Lady Wagner are especially relevant in that respect. Given the problems that remain, and the fact that demography is making them worse, it is intolerable that we are not prepared to make progress until every detail of cost has been spelled out. It is as if the House were filled with accountants who are unaware of the vision needed to make progress and meet the day-to-day challenge of improving the lives of the vulnerable people whom this Bill seeks to help.

My right hon. Friend the Member for Holborn and St. Pancras was right to say that many people give the impression that we should do nothing, despite the evidence to the contrary. More than a decade ago, Sir Roy Griffiths said that the status quo was simply not an option with issues such as this. If that was true then, it is even more so today.

I realise that cost is important and, if I have time, I hope to deal with the question of resources, but there is a danger that those who know the price of everything and the value of nothing will prevail. I welcome the Bill because it will allow progress to be made in such sectors as community care and child care, and in the provision of protection for vulnerable adults. That progress will not come a minute too soon.

It is said that the public despair of Parliament, but they do not do so because of our power, influence and democratic role in society. People despair at the way in which we go on and on, nitpicking and debating questions to which they know the answers. For example, Mencap gave a wonderful briefing today, at which it described the problems faced by young people with learning difficulties, and set out the need for proper regulation and inspection of their institutional care. However, many of the points that it made are ones that it has made for years.

We must move on and implement the proposals contained in the Bill. I welcome the proposals for long-term nursing and social care for older people and for disabled people. I welcome the Bill's approach to services for children in special care. I welcome the proposals regarding care provided for people in their homes, as a result of which an extremely important component of modern community care will be subject to statutory regulations.

The proposed National Care Standards Commission is profoundly welcome, and long overdue. It will ensure that local circumstances are seen as part of a bigger picture. It is absolutely right and perfectly reasonable for the Bill to encourage the commission in the establishment of minimum standards. I am more and more convinced that what matters is our response to the needs of individuals, especially the most vulnerable. In all candour, I can tell the House that, if asked to choose between the views of service providers and those who need the services, I am on the side of the latter.

It is entirely unacceptable that four in 10 councils do not carry out their inspection duties with regard to adult care. That is an argument for minimum standards in itself, and there are other examples of where improvements must be made. Do needs vary that much? I respect the rights of every individual, and acknowledge that every individual is unique, but what does the Bill seek to achieve?

The aim behind the Bill is to provide a clean and healthy environment for people, to offer comfort, acceptable standards of hygiene, a sensitive response to the problems caused by double incontinence, and a social environment in which people can feel wanted, and loved. That is not too much to ask. If the House can support those aims through legislation and regulation, that is what it should do.

It is absolutely right for hon. Members to criticise the work that is going on, but the House must remember that examples of best practice in all the matters that I have set out can be found in many parts of Britain. I am sure that all hon. Members want that best practice to become the norm.

I unreservedly welcome the Bill's proposals on training for care workers and social workers, and the proposal for general social care councils. The point has been made more than once in this debate—as it was in another place—that 80 per cent. of care workers have no recognised qualifications. That is an important point, but I invite the House to consider the other side of the coin: this country has depended for many years on people such as auxiliaries, cleaners and home care workers to deliver those vital services. In many cases, they make a sterling contribution to the life style and quality of life of the people with whom they work.

I hope that we can put right problems to do with training, but also that we can do so with a sense of appreciation of those people who are so committed to helping others in so many ways, often without much in the way of financial reward. Moreover, what I have just said about that 80 per cent. of people and their dedication applies to many social workers as well. I hope that that does not make me sound too much of a populist.

Let me turn to the provisions on the very important issue of child care. I had the privilege of leading for the Opposition during the passage of the Children Act 1989. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) made an outstanding contribution. The Minister at the time was David Mellor who, in my opinion, was excellent, not least because he was prepared to listen. I know that Ministers will listen to the points made by the hon. Member for Sutton and Cheam (Mr. Burstow) and others who support the principles of what we are seeking to achieve but who, quite rightly, will question the detail and put forward better ideas if the opportunity is there. I hope that we will continue in a spirit of optimism and progress.

My overwhelming recollection of the passage of the 1989 Act was the dreadful evidence of the inquiries into Cleveland, the Orkneys and elsewhere. I listened to the social workers and took the view that for many it was a case of "damned if you don't and damned if you do". That does not excuse the House from its responsibilities, which are addressed in the Bill.

I welcome the proposals for introducing a children's rights director, for protecting vulnerable children, for introducing the National Care Standards Commission and for the regulation and inspection of children's homes. Such proposals are extremely welcome and long overdue. The same is true of plans for fostering agencies, voluntary adoption agencies and, above all, for removing the exemptions on children's homes. My hon. Friend the Member for Wakefield sought to do that, and was in some measure successful, when the 1989 Act was before the House.

I could not welcome more warmly the new duties to be placed on those involved in looking after children aged between eight and 14, or 16 in the case of disabled children and, as Mencap points out, children with learning difficulties. Providers should be obliged to demonstrate that they and their employees are suitable to deal with such serious responsibilities in child care. Few occupations could be more important. I am glad that the issue is being addressed in the Bill. I have no doubt that, as it goes through its various stages, the provisions, acceptable as they are in principle, can be improved still further. That can do Parliament nothing but good.

I recall my days in local government and my work on a social work committee for children. I end this part of my speech by reflecting on a conference on children that I attended many years ago. It was addressed by a lady who, happily, lived a long life and was active in another place, Lady Elliot, who gave so much to the National Society for the Prevention of Cruelty to Children. What she said then is just as profound and relevant today. She said:

> without affection, life has little meaning for most people, and none at all for children.

If the Bill takes a step forward in that respect, we will all welcome that.

Finally, I turn to the provisions on home care. Because care in the community is so dependent, and rightly so, given that so many people continue to exercise their right to stay at home, we must ensure that services are available, that they are properly scrutinised, and that the people who benefit from home care have a say in service delivery.

In the past few days, I visited Mr. Muldoon in my constituency. Until Christmas, he was a perfectly able man. He became disabled within a matter of weeks. He is now trapped in his bedroom; he is not able to use a chair lift—there are none—and there is no ramp at the door. He wants to get out and meet the bowlers and the people with whom he shares his life. I accept that when it comes to resources, even in my constituency, my local council has difficulty in delivering.

We are talking about carers and about some people who will not understand what we are seeking to do in the Bill unless it really impacts on their quality of life. Mrs. Walker, who runs a carers' organisation in my constituency, drew to my attention the case of a person who suffers from schizophrenia who, because the nurse was on holiday, did not receive medication for five days. I hope that if these policies are pursued by the Scottish Parliament—because I realise the Bill's limitations—such problems will no longer occur.

I end my speech by welcoming the Bill.

3.56 pm

Mr. Simon Burns (West Chelmsford): I, too, broadly welcome much of what is in the Bill. However, a number of areas cause me concern. I believe that the Government could have improved the drafting, but that can be considered in Committee.

I also welcomed a great deal of what the Secretary of State said. One could not disagree with much of it. That also applies to the remarks of the right hon. Member for Holborn and St. Pancras (Mr. Dobson) and others. Clearly, any sane individual wants the very best care for their parents or the elderly.

I thought that the Secretary of State slightly spoiled an otherwise balanced and reasonable speech by claiming that nothing had been done in this area between 1979 and 1997. I believe that the Bill is yet another stage in a rolling programme of community care, and it is to the community care aspects of the Bill that I wish to devote my comments.

In the late 1970s and early 1980s, there was a fundamental shift in the way in which we sought to look after our elderly population, and rightly so. The old philosophy for the frail and the elderly, as opposed to the

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elderly who needed medical nursing care, was to shut them away in hospitals—much as happened to those suffering from mental illness—where their quality of life was negligible. All they had was a dormitory-style bedroom with a bedside table and a lamp. That is not dignified for anyone. We were absolutely right to adopt a more enlightened policy on caring for these people.

The main emphasis was to provide all the support possible where it was feasible for the elderly to remain within the security of their own homes, with support through social services and other agencies. Where elderly people were not ill but were too frail realistically to be supported or support themselves at home, they lived in residential homes.

As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) said, we saw the development of many independent, privately owned residential homes as well as a local authority sector providing this form of care and help for the elderly. Many of these homes are of the highest quality. In many instances, the children of elderly people are looking in their localities to find a home that fits the requirements and needs of their parents or their elderly relatives. Like us all, they want the best quality care and home for their parents. They are not prepared to take second best.

However, it would be naive to say that every home in the private and local authority sectors is of the highest quality. Clearly that is not so. That is why it is probably right that we have a legislative framework to raise quality of care standards. However, that must be done sensitively and realistically.

To suggest that nothing has been done since 2 May 1997 is patent nonsense. With the change in philosophy of the community care programme, we saw a great deal done. The moneys given to local authorities to assist the policy have frequently been mentioned. Since then, as part of the developing programme, we have seen changes introduced where they have been needed. The Registered Homes Act 1984 was an important piece of legislation. Contrary to what the Secretary of State said, there was the important Burgner report of 1995. There was also the landmark speech of my right hon. Friend the Member for Charnwood (Mr. Dorrell) in October 1996, in response to the Burgner report, which set out what the previous Government proposed to do. That was followed by the publication of White Papers early in 1997.

If we had won the 1997 general election, we intended to introduce what was known to us as the great social security reform Bill. Fundamental changes were to be made. Many of them foreshadowed the contents of the Bill. In some instances they have been slightly changed and arguably improved upon with time and more consultation.

For example, we were going to remove local authority responsibility for inspecting private homes, when their homes were not subjected to the same regime. The Bill will rightly stop that practice because it is patently nonsense. All homes for the elderly should be inspected on a consistent basis. Similarly, we intended to introduce a national benchmark system. The Government have moved slightly further with their commission. Perhaps that is an improvement with hindsight, but it represents the same principle of seeking to raise standards.

We intended to enshrine in legislation the regulating of domiciliary care. That important issue must be addressed, and the Bill does that. That is why I broadly welcome many of the provisions set out in it. However, I am slightly concerned with some of the details. The issue uppermost in my mind concerns minimum standards and requirements for homes. The approach must be sensitive, responsive and flexible. Having read "Fit for the Future?", I have grave concerns about some of the suggested benchmarks, especially those relating to room requirements.

The Government could jeopardise a good intention and lose a good policy overall by becoming too bogged down in stipulating minutiae, which will place a significant burden on many homes without necessarily improving standards. I would argue that some of the requirements are patently ridiculous and that it would be absurd to introduce them.

As my right hon. Friend the Member for South Norfolk said, it would be ludicrous if, by being over-prescriptive, we were to put out of business many excellent residential homes because they could not afford to fulfil the requirements, or because they did not have necessary space to enable them to do so. That would cause an even greater problem than that raised by requiring them to raise standards. If they were put out of business, there would be no homes available for many people.

A suggested basic room requirement is that there should be

> at least 4.1 sq m for each resident (communal space must include a social room and a dining room).

Depending on the number of residents, is that feasible? Is it necessary to use cast-iron terms? Another requirement states:

> Single rooms, in current use, must have at least 10 sq m of usable floor space (12 for wheelchair users).

Do we need to have that detail?

I assume that "single rooms" means bedrooms, and 10 or 12 sq m would be quite a lot of space in those rooms. Is it absolutely necessary?

I am concerned that, as has been mentioned by several hon. Members, these minimum standards will emerge as a result of the Government's consultations. Then, as the Secretary of State said, ministerial decisions will be made. However, as I understand it, they will not be enshrined in regulations that come before the House. Unless the Minister can correct or reassure me—

Mr. Hutton: The hon. Gentleman is wrong. Standards will be reflected in regulations, so the House will have the opportunity to debate them in the normal way.

Mr. Burns: I am extremely grateful to the hon. Gentleman. Is he saying that if minimum standard room requirements are to be prescriptive, including specific room measurements, they will be set out in regulations that come before the House to be debated?

Mr. Hutton: I do not want to take the hon. Gentleman's time. However, we shall have to await the detail of the regulations. To reassure him and the House, let me say that minimum standards cannot take effect unless they are reflected in the regulations. Standards will not have any independent, free-standing effect. They will

take effect only through regulations. If there is to be a 10 sq m requirement, that will have to be reflected in the regulations.

Mr. Burns: I am grateful to the Minister but I am still unhappy. Even if the regulations were to include minimum room space standards, they would almost certainly be subject to the negative resolution of the House. That means that they would not be amendable. If the House debates regulations and raises problems with them, a Minister will not say from the Dispatch Box or in Committee, "We accept what you say. We shall withdraw the regulations and bring in new ones." From my experience in the House, I know that Governments do not do that. I am surprised that the Minister is relatively laid back on this issue. Governments do not withdraw regulations and reintroduce them. They believe that when they publish regulations, they are the best on offer and should be implemented. I am worried because I think that grave hardship will be caused to many extremely good residential homes, which we do not want to put out of business.

There are problems with local authority homes. Local authorities have said over the years that they have not had the financial resources to improve and enhance their residential stock. If they have to upgrade their properties to meet minimum standards—in reality, probably for the first time—either they will have to close them because they do not have the necessary resources, or their budgets will be strained even more unless the Government are content to provide additional funding.

Much of the Bill is broadly welcome in principle. I have raised some issues on which the Government must listen carefully. They must listen to the responses to their consultations; they must listen at the Committee stage and take account of further comments—notwithstanding the fact that the measure will have already gone through that process in another place. We all want to make sure that the measure is right; we do not want to score political points. We are united in our belief that standards for the care of the elderly are of paramount importance.

Parallel to that, and of more immediate concern to many elderly people, is the Government's response, later this summer, to the problem of long-term care. Many elderly people and their families confront that problem not in relation to the home in which they live—where many will be content—but in relation to paying for it. They want to know what the Government will do to improve the present situation, because, over a period of time, it has become a mishmash.

4.11 pm

Ms Ann Coffey (Stockport): I very much welcome the setting up of the National Care Standards Commission for the regulation and inspection of adult and children's services in the independent and public sectors. My brief remarks are on standards.

The current standards for the registration and inspection of children's homes cover several important matters, such as the physical environment, staffing, staff training and health and safety. I hope that during future consideration of standards for children's homes, careful thought will be given to establishing standards for the care and control of young people placed in such homes.

I do not underestimate the challenging and difficult behaviour presented by some of those young people, nor the problems experienced by staff in maintaining control and providing care. Children's homes take some of the most difficult and disturbed young people, some of whom went into care for the first time because their problems were unmanageable in their own homes. Local authorities choose placements with those problems in mind.

The progress of those young people is subject to regular review by social workers. Too many children leave the care system with poor skills; they have low educational achievements and are often extremely angry. The care system should not be merely a holding operation; it should give added value to children's lives. Sadly, that does not happen for a majority of children. In essence, that is the problem we face.

The commission should examine the care and control that is provided by those homes. It could consider how the homes deal with such matters as absconding, incidents involving the police, exclusions from school, truanting or problems with neighbours—all of which are problems of control. It could also examine the activities and structures in the homes, as they not only cope with problems but give added value to young people by providing a high standard of care and support.

Standards for the physical environment and for staffing are designed to provide care and control. However, unfortunately, that objective has often been lost. To ask the commission to consider care standards in relation to outcomes for the young people in those homes would firmly re-establish that relationship.

I welcome the requirement for children's homes of fewer than four children to register. I thank my hon. Friend the Member for Wakefield (Mr. Hinchliffe) for his kind remarks. At worst, the loophole was open to unscrupulous providers; at best, it failed to provide proper safeguards for children and young people, who were often placed many miles away from their local authority. It is good news that, after the Bill receives Royal Assent, the Children Acts will be amended to require such homes to register immediately with a local authority. That shows the Government's determination to improve care standards in children's homes.

The requirement for the regulation of independent fostering and adoption agencies is welcome. For a long time, their position has been unclear; they have operated in a legal grey area, because fostering regulations allowed local authorities to delegate some of their responsibilities to such agencies. The relationship between local authorities and agencies has varied. Some agencies have suffered because of local authorities with attitude.

The recognition of such agencies will give foster parents a choice of agencies. I hope that will encourage all agencies to improve their support to foster parents, who have a difficult and challenging occupation.

I welcome the fact that local authority fostering and adoption services will be subject to inspection. There has been widespread concern about children waiting in the system for a decision on their future and about the length of time it takes to find permanent families, including adoptive families. Figures show wide variation between local authorities in the percentage of children placed for adoption; in the length of time that children wait in care; and in the number of breakdowns in the care system experienced by children.

[Ms Ann Coffey]

The organisation of services varies widely. In some local authorities, dedicated, specialist teams deal with adoption, while in others, social workers provide such services among their other responsibilities. I do not know whether those different forms of organisation affect the figures—it would be interesting to find out.

As well as the introduction of standards for fostering and adoption agencies, I hope that other factors will be considered—for example, the length of time that children have been in foster homes waiting for a decision on their future; the length of time that children wait before adoption; the number of multiple placements; the number of breakdowns; and the number of complaints from foster parents. Such matters reflect the service that is provided. An improvement in fostering and adoption services, as part of better overall planning for children, is fundamental to the provision of permanent homes for children.

It is important that the system gives the best possible care to the young person or child who enters it. Children should feel cared for. To feel that nobody cares is a lonely experience for an adult; for a child, it is devastating. In setting standards, the Bill will ensure that care is a positive experience for children. That is long overdue. The Bill is much to be welcomed.

4.18 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): The Bill brings together many of the interests that I have pursued during my time as a Member of this place. The hon. Member for Wakefield (Mr. Hinchliffe) was kind enough to recall my campaign for a variety of improvements in personal social care, including a campaign for a general social work council. When we were in government, I had many an argument with Ministers about the importance of such a council.

It is a pity that for so long proposals excluded workers in that field. I always argued that a social work council should be something like the Michelin guide, so that people's skills could be noted as they acquired them, rather than waiting for some unspecified period when people would be deemed to have sufficient qualifications to be allowed to register. That was a shame.

The Bill demonstrates that the quality of care is absolutely vital. One of the distressing features of public care—whether for the elderly or, more important, for children—is the fact that the care providers change so fast. The vulnerable people who most need stability are frequently confronted by a change of carer. Most young people in care are subjected to more changes in the person who is supposed to look after them than I would have been able to cope with at that age.

In parenthesis, I suggest that it would be a better investment of public money sometimes to provide security and affection to the young people who are in long-term care than to provide the same sum later for the police, prisons and young offenders institutions. I feel strongly that we sometimes consider the problem the wrong way round. We should invest in the relatively small number of young people in long-term care so that we can compensate them for the instabilities and miseries that they have endured. Community Service Volunteers, of which I am a trustee, and the Prince's Trust, which commented yesterday, both have evidence to suggest that such investment brings stability to those young people and enables them to play a full role in society.

I am very pleased by the proposal for a children's rights director even though I would have preferred a children's rights commissioner. I have always believed that a commissioner was the right way forward, as does the NSPCC of which I am a trustee.

I hope that as the United Kingdom Youth Parliament—I have the honour to be the chairman of its steering committee—emerges from its birth pangs, it will grow into a serious representative voice for young people. If we can make it as inclusive as we are desperately trying to do, it will become a sounding board on which Ministers and Government organisations will be able to test their ideas. We should make the Youth Parliament as information technology sensitive as we can, so that Government proposals can be put into a language that young people are able to understand. We will then be able to float our ideas by them. At present, most of our provision for young people is made in complete ignorance of what they themselves would choose.

It is vital that we improve the training and recruitment of care staff. One of the paradoxes of public provision—especially low-paid public provision—is that as the employment figures improve and unemployment falls, the difficulty of recruiting and retaining good-quality staff in the caring professions becomes much more acute. The Bill provides a remarkable opportunity for the Government flamboyantly to turn their back on age discrimination.

Many people—mostly, but by no means exclusively, women—have long experience of caring for a relative. When that relative dies or is taken into long-term permanent care, those people often want to use their caring skills in return for a part-time or full-time wage. Many of them will have an instinctive sympathy, as well as age parity, with the people for whom they care. Many of the problems of respect that the Secretary of State mentioned in his speech will solve themselves because such carers will deal with their near contemporaries. We do not do nearly enough to make caring attractive to those of our older citizens who would like to do it.

Another element of training has been extraordinarily mishandled. I used to get extremely angry with Conservative Ministers—I am happy to get equally angry with Labour Ministers—about the way in which we have mishandled the national vocational qualification. The whole point of the NVQ, as I saw it, was to authenticate skills that people had acquired in practice. For example, if they had learned to turn someone so that he would not get bed sores, to feed someone who could not feed himself or to wash someone with a disability, those skills could be accredited through the NVQ.

However, in the traditional British way that has lasted for at least 100 years, academics have tried to get hold of the system and turn the qualification into the equivalent of an O-level or something similar. They have tried to make the qualification more academic, which is nonsense. In an occupation in which 80 per cent of people have no recognised qualification, we need to recognise the practical skills that they have and on which they can build in part-time, day-release or other studies. We would then have more people with qualifications.

I am also interested in the costs that will result from the Bill. It will be expensive if it is to work, and all of us want it to work well. However, the idea that changing names and changing structures will enable us to find the money to make it work well is pie in the sky. If 60 per cent. of agencies already do not carry out their inspection responsibilities because they do not have the resources to do so, can we be certain that the new agency will carry out all its inspections and that it will have the money to do so?

If we are to have much better and more effective training for a higher percentage of caring staff, they will expect an enhancement in their pay. If they receive that, it will increase costs enormously. Therefore, it is essential that the purchasers of residential care and domiciliary services pitch what they are prepared to pay at a rate that will bring providers into the market. Whether they are local authority providers or private providers, purchasers of domiciliary and residential care increasingly squeeze the sums of money that they are willing to offer. That is a dangerous game.

I was sorry to hear in some exchanges a continued suspicion of the private sector. That is a shame, because in this area, above all others, the record of the public authorities has not been very good. The many scandals in children's homes, in particular, and in many local authority and publicly provided residential homes for elderly people clearly demonstrate that the nature of the provider is by no means a guarantee of good service.

In the private sector, many small homes have typically been set up by couples who felt stultified by the constraints of the public sector. They worked for public authorities or for the national health service and felt that they were not able to do many of the things that they would have liked to do for their patients or clients. Therefore, they left and set up a home with the firm intention of providing better care than they would have been allowed to provide in the public sector. To belittle what they do or to imply that they are in it only for the money is a shame.

The Bill should provide a real breadth of vision. I wish to provide an example that is continually forgotten but that arises from one of the campaigns with which I have been associated. Many problems would be greatly reduced by a serious programme of building lifetime homes. A great new welter of houses is to be spread across the south-east, built by private developers. They must not be allowed to claim exemption from new building regulations that have, at last, been passed and state that there must level entry at front doors, that one must be able to turn in the hall and so on.

If one allows houses to be built with steps up to the front door, narrow doors and windows too high to see out of when one is in bed, the demand for residential care will again be exaggerated. When estates are being modernised, lifetime houses should be built. There is a lamentable lack of imagination and drive when it comes to making sure that homes meet minimal requirements and are accessible for people with disabilities and those with growing frailties.

The new system suggests that we could make much more use of volunteers. I remember Peter Smallridge, a former director of social services in Kent, saying that one need only put up a notice outside a home saying "KCC residential home" for the entire community to walk past and, indeed, never go near it. We need a much better programme to involve volunteers in homes. They go in and out unexpectedly, so can notice whether there is a smell of urine in passageways and whether people are frightened of the staff. They are as good at observing such things as anyone.

However, we want more than that. We want better links with the education service, whether formal education, such as further education and adult education, or informal education, such as the university of the third age. One of the worst things that happens to people when they go into residential homes is that they switch off. It suits the stretched staff for them to watch "Neighbours"—not taking it in, but just sitting there—rather than being stimulated by new interests. I hope that the new dispensation will lead to such stimulation.

I have some minor queries. Who will be responsible for the accuracy and timetabling of checks on staff? At the moment, checking to find out whether a member of staff is fit to look after children, boy scouts and so on takes so many weeks that an employer loses that person in the process. That is terribly important, as is the fact that nursing agencies that are to be regulated should take care to ensure that nurses are working for an appropriate period. At the moment, nurses with a mortgage to pay sign up with a nursing agency; they become exhausted on NHS wards and exhaust themselves even more until they provide an inadequate service to patients and staff.

I conclude with the point made by my right hon. Friend the Member for South Norfolk (Mr. MacGregor). It is important that the inspections relate to the quality of care, not the size of the bedside table.

4.33 pm

Ms Julie Morgan (Cardiff, North): I am delighted to speak in our debate. I strongly welcome the Bill, and believe that the Government are showing their commitment to children, young people and adults in vulnerable positions. We all hope that the Bill will help to prevent scandals, such as those in children's homes in Wales, which have shamed this country.

The Bill covers England and Wales. My right hon. Friend the Secretary of State did not have time to cover in his introduction those provisions that are specific to Wales. The principles are the same in both countries, but there is a specific difference relating to the children's commissioner. In Wales, we are all waiting eagerly for the Secretary of State for Wales to table an amendment that will pave the way for establishing the post of a children's commissioner for Wales.

I want to concentrate on the children's commissioner, as there has been some interest this afternoon in Wales going a different way from England and introducing a children's commissioner, not a children's rights director. We must accept that that is a consequence of devolution. In Wales, we are doing what the National Assembly for Wales wants to do, although legislation on the matter is still to be passed in Westminster. We must consider how the two are to be tied together.

I shall talk about how the concept of a children's commissioner has developed in Wales. Welsh voluntary bodies have led the way in lobbying for a children's commissioner. Children in Wales, the umbrella body, has been in the forefront, along with Barnados, the NSPCC

[Ms Julie Morgan]

and other voluntary agencies. Before I came to the House, I was a social worker with Barnados and was involved in the campaign to establish a children's commissioner for Wales. In the National Assembly election campaign, Labour's manifesto stated that we would establish such a commissioner to look after the rights of all children in the community including those in care and those who are looked after. I believe that that now has all-party support in the Assembly.

The Welsh aspect of the Bill also gives rise to an interesting and historic occasion. Introducing the post of children's commissioner will be one of the first pieces of primary legislation to be passed in Westminster in response to a direct request from the National Assembly. It will not be easy for the Assembly to get exactly what it wants and it will not get it all at once in the Bill. The amendment to the Bill that I mentioned must be as wide-ranging as possible to cover as many children in different situations as possible. I wonder whether there are situations to which the Bill could apply—for example, adolescent units in hospitals, such as that in my constituency which admits adolescents for five days a week. I do not believe that that will be covered by the Bill in its present form, but it would be useful for such settings to be covered in regulations.

The Assembly seeks to establish a role for the commissioner that will cover all children in all settings, along with every aspect of their lives. It seeks a commissioner who would speak for children's rights and who would have the role of implementing the United Nations convention on the rights of the child in Wales. The commissioner would be a champion of children's rights and would raise the profile of children's issues in Wales. The commissioner would play a leading role in ensuring that the 70,000 children and young people in Wales would have some say in planning services. We in Wales envisage that that will be a key aspect of what he does.

Throughout the world, there are commissioners who perform a role similar to that which we want in Wales. In Sweden, children and young people under the age of 18 have an ombudsman of their own, established by parliamentary legislation in 1993. In principle, the ombudsman covers all issues relating to children and young people. Children in Sweden are consulted on current issues by questionnaires, letters and telephone. They communicate their views via the internet and there is an information line. The commissioner goes out of her way to try to get young people's views on legislation or other measures going through the Swedish Parliament.

In Norway, the ombudsman succeeded in increasing the period of paid maternity leave and worked to introduce legislation prohibiting physical punishment. Commissioners and ombudsmen act as advocates for children's rights.

In the UK and Wales, children do not have a voice. They are especially vulnerable because their position is weak and there is no explicit recognition of children's civil and political rights. In Wales, responsibility for children is split between the Assembly and Westminster bodies such as the Home Office. There is often no consideration of children's needs in areas that do not directly affect them, such as transport, housing and health. The Assembly intends to extend the commissioner's remit in relation to his advisory capacity after the Bill has been passed to cover all devolved matters. The commissioner will not deal with Home Office matters, as they are not devolved, but will cover all devolved matters. In that respect, the commissioner would operate in an advisory capacity until further primary legislation is introduced in Westminster to establish what the National Assembly wants,

The Welsh commissioner can be a voice for all children and the Bill enables a start to be made. Although the commissioner should protect the rights of all children, emphasis must be placed on the rights of children in difficult circumstances, some of whom do not live in settings covered by the Bill: I have in mind disabled children, refugee children, traveller children, homeless children, children living in acute poverty and children living with domestic violence. We want the commissioner to be able to speak up for all such children.

Through the amendment, we in Wales have a unique opportunity to lead the way in the United Kingdom. The post of the children's commissioner must be established as a matter of urgency, especially in the light of the Waterhouse report on the terrible scandals in care homes in north Wales, and of the current investigation into care homes in south Wales. We urgently need the post. The north Wales and south Wales inquiries demonstrate the need for a voice for children in care, and the amendment will be a first step toward establishing a more complete role at a later stage.

The Assembly has available the money needed to establish the post of commissioner during this financial year, and the commissioner should have the statutory power to support all children in Wales, many of whom experience social exclusion outside the settings encompassed by the Bill. After the Bill is passed, there will be a need for further legislation to broaden the remit of the commissioner.

We welcome the Bill and the amendment that is to be tabled. Let me end by saying that it is most important that children are involved as the legislation proceeds, that the regulations are drafted, and that the Act eventually operates.

4.42 pm

Mr. Simon Thomas (Ceredigion): It is a pleasure to follow the hon. Member for Cardiff, North (Ms Morgan), whose advocacy of children's rights in Wales is well known. Judging by the thunder that we heard, her forceful and passionate speech in favour of the children's commissioner moved even the heavens. As her voice appeared to be failing toward the end of her speech, I am glad to be able to save it from further stress; I hope that mine will also last the course.

I, too, shall concentrate on role of the children's commissioner in Wales and the way in which the Bill can be strengthened in Committee to develop that role. I start by paying tribute to the many right hon. and hon. Members—some of whom might well be present today, unbeknownst to me, as I do not yet know all their faces—who have, over the years, advocated that such a post be created. I pay special tribute to my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd), whose face I do know, who in 1993 introduced a private Member's Bill that would have established a children's commissioner in Wales.

The creation of the post was a Plaid Cymru manifesto commitment that was mirrored in some shape or form in all of the parties' manifestos for the National Assembly elections. That is why I was disappointed by the speech of the hon. Member for Woodspring (Dr. Fox), whose approach to Welsh matters showed no understanding of events in Wales. Considering that he was once the Conservative spokesman on constitutional matters, including Wales, it would appear that we have been spared. However, other hon. Members seated on what I still think of as "the Benches opposite", even though they are, in fact, situated to my right, made far more cogent speeches.

Mrs. Caroline Spelman (Meriden): My hon. Friend the Member for Woodspring (Dr. Fox) has apologised for no longer being here. I suspect that the hon. Member for Ceredigion (Mr. Thomas) did not hear my hon. Friend say that he understood the importance of the initiative in Wales, but regretted the disparity that will now arise out of devolution. Perhaps the hon. Gentleman should not put words in the mouth of my hon. Friend.

Mr. Thomas: A measure that delivers in Wales what Welsh people want must be counted one of the successes of devolution.

Mr. Swayne: We want it as well—that is the point.

Mr. Thomas: Then it is for English Members of Parliament to make that case for England.

In his worst mistake, the hon. Member for Woodspring revealed his confusion about the new commission. The standards commission in Wales is to be the National Assembly—there will be no separate body. Therefore, his arguments about the lack of democratic control do not apply, at least in Wales, because there the commission and the Assembly will be one.

A children's commissioner has been a long time coming, although no particular blame attaches to the current Government or even to the previous Government. The fact is that society as a whole has taken a long time to catch up with the concept of children's rights and the need to enshrine children's rights in legislation. No doubt, before long, similar arguments will be heard in debates on corporal punishment; we shall see how that issue develops. The House will be aware that the establishment of a children's commissioner for Wales was a key recommendation of the Waterhouse inquiry into abuse in north Wales children's homes and foster care.

I welcome the central tenet of the Bill and the way in which it sets out national standards—Welsh national standards in Wales and English national standards in England. Events in north Wales were not only about the deliberate abuse of children; they involved poor management, poor standards and a lack of listening to children. The lessons of north Wales are now being felt in my constituency. The current director of social services in Ceredigion was named in the Waterhouse report as an individual who had let children down in his previous post in the old county of Gwynnedd. He is now on sick leave while his management role in Ceredigion is externally appraised.

When the events became public, I was still a member of Ceredigion county council. We noticed straight away that we could not immediately check out county staff and learn what qualifications they had and what standards they had reached. Therefore, I welcome the Bill's provisions relating to standards. I raise that case to highlight the crucial importance of clear management roles and national minimum standards to the protection of vulnerable children and adults in care.

I also welcome the proposed role of the National Assembly to oversee and monitor national care standards in Wales, and the establishment of Cyngor Gofal Cymru—the Welsh name of the Care Council for Wales, which is responsible for training. I hope that one of the council's priorities will be to deliver training in both languages—I understand that it is to replace the Council for Education and Training in Social Work, which was a pioneer of Welsh-language social work training—especially at local level. Those in my constituency who want to pursue social care training have to go outside my rural constituency and travel 40 or 50 miles to get the NVQ training that will bring them up to the right standard.

National Assembly Members have made it clear that they want the commissioner to have a strong and powerful role that will allow his or her office to take a view of the quality of life of, and the range of services delivered to, children in Wales. It is true that the Bill, even with the amendment, does not achieve all that we want. The hon. Member for Cardiff, North made the reasonable suggestion that the Assembly should add an advisory role to the work of the commissioner, then seek other legislative opportunities to develop the commissioner's role further. Jane Hutt, the Assembly Secretary for Health said on 1 July 1999:

> we are absolutely committed to establishing an independence Children's Commissioner for Wales who can advise the Assembly on the delivery of services for children.

That much is within the remit of the Bill. However, she added that the commission, in the role that she envisaged,

> would be able to promote the rights and interests of all children.

The Bill needs to be strengthened before those aims can be achieved. I would like to think that Ministers will heed the concerns expressed by several hon. Members and look for ways to insert new provisions in the Bill, so that the Assembly can exploit to the full the role of the children's commissioner in Wales. If Wales is pioneering in this regard, I very much hope that other areas of the United Kingdom will see what we can do and follow us in time.

There is real concern in the National Assembly that the Bill may not be the complete vehicle for the independent commissioner—one who will have the interests of all children in Wales at heart—that so many people want to see. As I understand the Government's intentions, those services covered by the Bill will come under the commissioner's remit, but the wider remit is a matter for debate. We are in danger of having a care standards commissioner, and not a fully fledged children's commissioner. That is one of the matters that we need to address.

We need to move towards a more obvious ombudsman role for the commissioner, a sort of Ofchild or Offspring, able to take up individual cases if necessary, as test cases, to see how Government policies within Wales affect the whole remit of children's care. I should like to mention one aspect of particular concern to me: the provision of play, which has slipped back over the years from the time in the early 1990s when things seemed to be moving forward very well. We have now slipped back on play facilities for children, an essential part of their natural upbringing.

[Mr. Thomas]

There is also a danger of the commissioner's becoming too bureaucratic. We need flexibility. We need a commissioner who does not just report annually to the National Assembly, where the report is debated for a week or so and then forgotten, but a commissioner who is actively involved in children's issues and reports to the Assembly fairly regularly.

I should like to take an example from elsewhere, one that I saw last week in Canada—the commissioner of the environment in the province of Ontario, who was looking at the environmental bill of rights and the response of Government Departments to it. It struck me that it had taken five years for that commissioner to grow out of the bureaucratic restrictions on him and start to look at the overarching issues that link together all environmental questions. In other words, he had been concentrating on individual environmental issues, and only after five years or so had grown enough wings to look at the overarching issues, which in that case happened to concern land use planning. I should not like to see that happen in Wales; I should like the commissioner to be looking at those overarching issues from the start.

There may be some concern that that means that the commissioner will start interfering in many Government Departments, but that is the whole point. If children are to be better served than they have been in the past, a truly independent commissioner must have that ability to go into various Government Departments and see what they are doing for children and how everything links together.

That is why my party, Plaid Cymru—the party of Wales, has been advocating in the Assembly, particularly in the debate there yesterday, a similar power to that of the Commissioner for Racial Equality and the Equal Opportunities Commission to issue a non-discrimination notice and go in and try to move towards change within Government offices.

We need to combine the natural influence, which will grow, of the office of a commissioner in Wales with sufficient statutory powers to ensure that children's rights move on in Wales and that the sort of disastrous behaviour to which the hon. Member for Cardiff, North (Ms Morgan) referred is put firmly in the past.

An additional and important power is enforcement, where there are questions in relation to cross-boundary issues. This can best be illustrated by talking briefly about the Welsh language. Many hon. Members will know that it is one of the two official languages in Wales, and there is an obligation on all Government Departments to deliver services in the Welsh language, which by implication, with the Children Act 1989 and the need to take into account children's cultural background, means delivery of services in Welsh to Welsh-speaking children. There are young people who leave Wales for care. Young offenders are an obvious example. I am concerned about how their needs may be met within the context of the Bill.

This raises a question about the children's commissioner's remit for non-devolved and cross-border matters. These are no doubt matters for debate and discussion in Committee. The Welsh Language Act 1993 is a useful model.

I should like briefly to mention private sector care homes. I agree with many of the points made during the debate by Labour Members. However, I would point out that in rural areas private sector care homes play a very real role where the local authority cannot deliver the small-scale homes that allow people to stay in their villages. We have many small homes in Ceredigion of just four or five units, which allow people to stay in their own community, where their family live. I should not like to see standards introduced in such a way as to force those homes out of business.

My final point concerns the role and participation of children and young people themselves. The National Assembly has a unique partnership with the voluntary sector, a scheme that is unique within the framework of the United Kingdom. This could be a very useful base for expanding the advocacy role of children. The National Assembly can use its burgeoning relationship with the voluntary sector and advocacy and children's organisations, such as Children in Wales, to listen to the views of children and involve them in the appointment and progress of the office within Wales. I hope that on this and other matters the Government will listen not only to what the National Assembly says, but to what its Committees are saying. There are some interesting debates going on there. I hope that we can deliver to Wales the sort of children's commissioner that the children and young people of Wales deserve.

4.56 pm

Mrs. Joan Humble (Blackpool, North and Fleetwood): I should like first to say how pleased I am at the interest that so many hon. Members have shown in this debate, many of them drawing on their own experience to take part in it in a constructive manner. The interest shown in the debate perhaps also reflects the fact that now is the time for a new legislative framework.

The hon. Member for West Chelmsford (Mr. Burns) referred to the Registered Homes Act. That legislation was passed in 1984, and much has changed since then. It is now time to look at a new framework, and especially a new national framework, with national standards, so that individuals do not suffer from a lottery of care depending on where they live.

Perhaps that is why the Bill has been so warmly welcomed by so many bodies—local authorities, the independent sector, the voluntary sector; indeed, all agencies concerned with caring for vulnerable people. It is the culmination of a great deal of pressure from many people over a long period of time. It is important that we get it right, because we are talking about the most vulnerable members of our communities. We need to ensure that we are setting the right standards for them and supervising the care that they receive.

In setting those standards, we must first look at the 1 million-plus people who are employed in the care sector and ensure that they are trained, regulated and supported. Therefore, I shall begin with a few comments about the proposed General Social Care Council. The council will at last give social workers the status as a profession that they deserve.

Mr. Dawson: Hear, hear.

Mrs. Humble: I thank my hon. Friend for that intervention. He is also a constituency neighbour, and yes, he would say that because from past knowledge of him as

a social worker, I know that he cared deeply for the young people for whom he cared. There are many more such social workers, often working in difficult circumstances.

It has always been especially difficult for social workers to project a positive image of themselves and their work, because examples of poor practice when things go wrong are what hit the headlines. The public rarely hear of the hard work, the long hours and the commitment of social workers dealing with difficult people, often in difficult circumstances.

We must also remember that sometimes the wrong decision is made, and worse, sometimes social care staff are involved in abuse and misconduct. Many people are dependent on the care and support given by social workers and other social care staff, who make vital decisions about their welfare. By setting up the General Social Care Council, we will be able to reassure clients that standards have been set, training specified and codes of conduct put in place, as well as giving status to the profession.

I look forward to the council gradually including more groups of care workers in its remit as the educational standards are set and met. It is often care assistants in residential establishments, day centres or domiciliary agencies who deal with vulnerable people, so they need to be drawn into the scope of the regulatory system.

The National Care Standards Commission will allow users, staff and the public to get a much clearer idea of what standards of service and conduct to expect. Many people who approach social services for various sorts of service have little idea what is on offer, what to expect and how to judge the quality of the service. At last, we are to give them information that will enable them to judge the quality of the services offered; to know what they are entitled to; and if it is not offered, to ask why. As members of the public, they will be able to get involved in the debates in which we are engaged in determining care standards. I hope that the commission will actively engage in the process of empowering service users, listening to what they want, and discussing their priorities for social and nursing care.

We have heard much about the need to listen to children. I entirely agree that it is important for the voice of the child to be heard. Equally, it is important that adults with disabilities have a say in the sort of provision that they receive, and that elderly people are listened to, not just for the purpose of setting up the services, but when they have complaints and concerns. I am particularly conscious of the fact that many elderly people do not complain about the services that they receive. They are extremely vulnerable, so we need to encourage them to be directly involved.

I shall comment on the "Fit for the Future?" document, with no apologies to my right hon. and hon. Friends who have spoken about it with passion. I want to pick up on concerns expressed by Opposition Members. It is not just in rural areas, as the hon. Member for Ceredigion (Mr. Thomas) said, that care homes are a vital part of the community.

Many elderly people have come to Blackpool to retire. They come to the Fylde coast to enjoy the sunshine and all that it has to offer, but the time comes when they look for residential care. We have many residential care homes, which I visit. I speak to the staff who work in them and to the residents who are looked after there.

"Fit for the Future?" is an important document and should inform much of our debate. Many of its proposals will improve the quality of life and the quality of care for older people, so we must not dismiss it out of hand. Many of its recommendations for good practice are already being implemented in care homes, but those who run homes in the private sector in my constituency are concerned about the physical standards that homes will have to meet.

Some of those standards will be difficult, if not impossible, to meet. The document acknowledges the need for a realistic timetable for implementation of national standards, and recognises that they will need to be applied with a "certain degree" of local flexibility. That flexibility will be crucial.

In the Lancashire county council area, 71 per cent. of homes will not meet the standard for 10 sq m bedrooms. In the Blackpool unitary authority area, that figure rises to 91 per cent. Fifty per cent. of Lancashire's residential homes and 34 per cent. of Blackpool's will not meet the requirement for 80 per cent. single rooms. That includes a large number of homes offering care to my constituents.

Mr. Michael Jabez Foster (Hastings and Rye): Does my hon. Friend agree that the seaside towns especially will have a problem? Victorian and Edwardian buildings, many of which are listed, will have particular difficulties in complying with the standards, not just in terms of cost, but physically. Does my hon. Friend agree that a light touch will be important with respect to those areas?

Mrs. Humble: I strongly agree with my hon. Friend. Many of the homes that I visit are exactly the sort of establishment that he describes. They are small homes offering fewer than 25 beds and are converted from former domestic residences. Indeed, many elderly people choose them precisely because of the homely environment that they offer. I hope that the Government's final proposals will be sufficiently flexible to recognise the particular local difficulties that areas such as mine and other coastal towns may have.

Mr. Hammond: I know about the star rating system that operates in care homes in the hon. Lady's constituency. Does she agree that it might be better to think in terms of establishing an overall star rating system measuring the overall care experience in a home than to think in terms of mechanistic measures of input, as the Bill seeks to do?

Mrs. Humble: The hon. Gentleman has anticipated what I was going to say. I will elaborate on the star system shortly.

Implementing "Fit for the Future?" as a standard will cause widespread home closures. It will seriously destabilise the care market, and will also reduce the amount of choice for potential clients. All that, however, must be seen in the context of the full commitment of my local care providers—and certainly that of the Lancashire Care Association—to the provision of high-quality care. I see that when I visit homes in the area.

In Blackpool, the commitment to standards and quality has led to a partnership between the local authority and the independent and voluntary sector in the development of an independently run star rating system. Residential

[Mrs. Humble]

Domiciliary Benchmarking has developed a detailed set of criteria against which both independent and local authority homes are measured. Interestingly, that anticipates the Bill's provision for all homes to be treated equally.

The star rating scheme offers a mechanism for external validation, but it is also a useful management tool for home managers. It offers annual assessment of residential care establishments that highlights both their strengths and their weaknesses, enabling managers to deal with the weaknesses and enhance the strengths. In the first year of the scheme, about half Blackpool's homes have participated and have been awarded stars. A brochure has been produced, which means that members of the public have a much clearer idea of what services are on offer before placing their elderly relatives in homes.

Blackpool council has decided to reward higher standards of care by paying homes more if they have higher star ratings. It recognises that investing in quality sometimes has cost implications, and it is rewarding those who are investing in training and in improving quality. There has been a 3 per cent. increase for two-star establishments, a 4 per cent. increase for three-star establishments, and a 5 per cent. increase for four and five-star establishments in the fees that the local authority will pay. That often leads to substantial additional income for homes, so it is clearly an incentive for investment.

I am sure the Minister will expect me to say this. Yes, sometimes quality does cost—although many aspects of the Bill demonstrate that we can raise standards simply by changing work practices and improving management. I know that substantial additional resources have already gone into social services, and I have seen the results in my constituency. Lancashire county council has invested an additional £750,000 in community care services, and that is now showing on the ground in terms of the assessments that people receive. There is much to be welcomed in the Bill. As I have said, we see examples of good practice locally—certainly in my constituency.

I should like to discuss many parts of the Bill, but I have run out of time and others wish to speak. I look forward to their speeches, and to the speedy passage of the Bill.

5.9 pm

Mr. Julian Brazier (Canterbury): I have mixed feelings about the Bill. I am torn between welcoming any measure that would tackle abuse in homes for children, the elderly and vulnerable adults with learning difficulties, and considerable disappointment that this huge, complicated and lengthy Bill is mostly about establishing regulatory structures but does not contain much of a clue about the content of those regulations.

I am co-chairman of the all-party adoption group and a vice-chairman of Voice, which looks after the interests of adults with learning difficulties.

I shall make three relatively brief points before focusing principally on children in care and adoption. First, I echo the points that have been made thoroughly and extremely articulately by several of my hon. Friends and, most recently, by the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble). A balance must be struck on regulating residential and nursing homes for the elderly. As my hon. Friends have said, that balance must focus on the quality of care, not meeting the length of a tape measure.

Another good residential home has closed recently in my constituency because of financial overstretch. Its owners said, bluntly, that reading "Fit for the Future?"—the Government's consultation document—finally persuaded them that their home had no future. *[Interruption.]* The Minister may shake his head, but they said that publicly.

Secondly, it is also extremely important to strike a balance when legislating for pre-school child care, and considerable emphasis must be placed on weeding out potential abusers. The industry is expanding quickly under the working families tax credit and other Government policies and, irrespective of whether one approves of those policies, it is sadly inevitable that paedophiles will try to get into the market as it expands. The industry is vulnerable because 126,000 people have been convicted of serious sexual or violent offences against children. However, the need for checks—such as those carried out by the police, as well as the measures hinted at in the Bill and the rigorous pursuit of references—should not be confused with petty over-regulation.

We should learn from our dreadful experience of the ham-fisted attempts of social workers in Kent to close several excellent playgroups after the introduction of the Children Act 1989. An especially good playgroup in Whitstable came within an ace of being closed down on the basis that there was insufficient provision of lavatories, even though the Government circular issued in the wake of the Act made it clear that the scale guidelines on lavatories were not to be interpreted mechanistically. The inspectorate was forced to back off and we saved a good playgroup at the last minute.

Thirdly, I want to make a particular point on adults with learning difficulties. The Government's ideas, if fleshed out, should be good news, but I remind the Minister of a matter that has been on his desk for some time. In a joint letter, the hon. Member for Slough (Fiona Mactaggart) and I raised the matter of access to the files of people with learning difficulties. A legal anomaly seems to have existed for a long time. Whereas adults are entitled to access to their files and can obtain files on behalf of children, there is no mechanism for getting hold of files on behalf of people with learning difficulties, who, unfortunately, are prevented from obtaining their own. I hope that the Minister will address that.

The Minister will not be surprised to hear that adoption and children in care constitute the principal burden of my speech. Hon. Members from all parties have raised the issue of adoption. We all welcomed the news that Downing street was setting up a unit to consider the lamentable figures: fewer than 4 per cent. of children in care have been adopted in the past five or six years. That is only 2,000 out of nearly 53,000 children who are languishing in care. The majority of them are in foster care, but a proportion are in children's homes. Twelve thousand have been in care for more than four years. Some of those are now too old realistically to be adopted, but they could have been candidates for adoption when they were first placed in care.

I was tremendously disappointed when I read the Bill and found that, while plenty of clauses relate to regulating fostering agencies, it provides no specific ammunition on

adoption. The Secretary of State made only a passing reference to adoption in his opening speech. *[Interruption.]* I am sorry, but I did not hear that sedentary intervention.

Mr. McCabe: I simply said that the Secretary of State made a more lucid statement than the hon. Member for Woodspring (Dr. Fox), who said that all children who came into care for any amount of time should be considered for adoption.

Mr. Brazier: The Secretary of State made no statement on adoption. He mentioned it in only half a sentence, whereas my hon. Friend the Member for Woodspring (Dr. Fox) made sensible recommendations. I believe that, after a transitional period, when it has been established that children are most unlikely to return to their birth families, in principle, every child should be considered for adoption. There are examples in my constituency of much older, severely abused children, who have been successfully adopted with remarkably little support, even though, like many other hon. Members, I would argue for more support.

Mr. Hinchliffe: Will the hon. Gentleman give way?

Mr. Brazier: I am sorry, but we are up against the clock and many other hon. Members wish to speak.

I want to mention two subjects in this area that the Bill could have covered but does not. There have been strong statements from Downing street about the way in which we will coerce—that is the only appropriate word—the many local authorities with appalling records on adoption from care into providing for more adoption, and especially into considering more favourably parents who want to adopt.

Let me deal with one canard. Time and again when I have debated the point with senior social workers, they have said, "Ah, Mr. Brazier, you'd be the first to castigate us if we placed for adoption children who were subsequently abused." Yet the local authorities that have the worst records of not undertaking proper police checks and thus of placing children in foster care, where they have been abused, and which have repeated incidences of abuse in their children's homes, also have a lamentably low record on placing children for adoption. That can be checked in the Library.

For example, three London authorities are involved in one case in my constituency. For many years, they placed children with a single man who was sent to prison two years ago. He was known to Kent social services as a potential abuser, yet for 10 years three London local authorities placed children with him for fostering because they could not be bothered to check with the local social services. Last year, one of them, Lambeth placed fewer than 1 per cent. of the children in its care for adoption.

I should like to propose concrete measures for coercing those authorities into giving parents who want to adopt a fair chance, after carrying out the sensible police and reference checks. They should not discard them simply for the familiar, politically correct reasons that we have heard so often.

There are several ways of doing that. One is a national register, which was suggested by my hon. Friend the Member for Woodspring. I would support that. If the Government are not willing to go that far, another approach would be to put some welly at least into the existing legislation on value for money. Arguably, more than half of local authorities are performing really badly, but we could take the duty away at least from the really bad ones at the extreme end—the Lambeths, the Islingtons, the Hackneys and one or two leafy rural authorities, too; why does Dorset have such a poor record when Bournemouth next door has a good record, for example?—and hand the duty over either to voluntary agencies, or to a national agency.

A second proposal within the issue of adoption and children in care could be in the Bill and is not. I have said that the Bill is all about setting up frameworks for regulation. I think that there is much to be said for having a national framework, but there is little hint of what the regulations will be.

I know that the Minister is a fair-minded man. He kindly received a delegation of the all-party group on adoption before it had even formalised its all-party statement. We had a good exchange with him. Last year, his Department commissioned some excellent research, with which I know the Minister is familiar, from Cardiff university. It was published by BAAF—British Agencies for Adoption and Fostering. It caused considerable ripples because it took the lid off the poor practice in many local authorities. Above all, it ended with a mass of detailed and sensible proposals in that area.

Many of us hoped that those proposals would form a basis for Government regulations and that they would then be put out to consultation, so there was dismay when we heard that, instead, the Government had given the whole package back to BAAF and asked it to spend a long period bringing out its own regulations, which would then go out to consultation.

I do not want to get involved in any personal attacks. I look forward to the director of BAAF, Felicity Collier, addressing our all-party group on the subject in a fortnight's time, but two facts are indisputable. First, BAAF has consistently supported the practice in most local authorities and attacked organisations such as the Institute of Economic Affairs, which first took the lid off what was going on. Secondly, BAAF is principally funded by adoption agencies, including many of the local authorities where the problems exist, so it is disappointing to hear that it, rather than the independent report, will be given the role of providing the core of the regulations. Ironically, BAAF published that report. I hope that, in answering that point, the Minister will identify what pressure he has put on BAAF to ensure that some strong voices from outside the immediate BAAF club are involved in drafting those regulations.

Within the limited time available to me, I should like to make two further points. First, the Minister is setting up a children's commissioner with the power to look at the interests of children in care, a proposal that is warmly welcomed by hon. Members on both sides of the House, although there have been various criticisms, and questions as to whether it goes far enough. I think that, on balance, it is a good thing, but I strongly suggest that we need something else—it was hinted at by my hon. Friend the Member for Woodspring and my hon. Friend and neighbour the Member for Faversham and Mid-Kent (Mr. Rowe)—a clear statutory role for volunteers in the system.

[Mr. Brazier]

By chance, I heard testimony only a month apart; first at a Voice meeting from someone involved in whistleblowing in the learning difficulties area; and then from a lady who had much to do with taking the lid off child abuse in Wales. It struck me how difficult it was for professionals to blow the whistle, so I make an appeal—I see that my time has come to an end, Mr. Deputy Speaker—for a much bigger statutory role for voluntary mentors in the system.

5.24 pm

Mr. Jonathan Shaw (Chatham and Aylesford): I am grateful for the opportunity to speak in this debate. As someone who worked as a care assistant on first leaving college, and, more recently, as a social worker, I warmly welcome the Bill. I have had personal experience of the difficulties caused because we did not have the type of provisions made in the Bill. It addresses issues that have caused the profession and the public many concerns.

I am pleased to see that my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) is back in the Chamber, as I should like to join in the accolades paid to him by my hon. Friends. His passion, drive and determination are responsible for much of this legislation. Those of us who were in the Chamber when he presented White Papers and the Utting report could not fail to detect that passion, much of which we heard in his speech today.

We look forward to the passage of the Care Standards Bill—and to Second Reading of the Children (Leaving Care) Bill. Both Bills will do much to assist and improve safeguards for some of our most vulnerable citizens. As any of us, or our friends or relatives, might one day need care, we could all be directly affected by this Bill, so we all have a self-interest in its passage.

There have been various reports and inquiries on care standards: on how we can care for those of us who are frail or disabled and protect those of us who have been abused. The names of the inquiries and their chairmen have changed over the years, but, every time that there is another inquiry, we politicians shake our heads, wring our hands and say, "This must never happen again." Sadly, it does happen again. I hope that this legislation will change that, so that we never again have reports such as that on the appalling events in north Wales. However, we do not know what will happen in the future, and such events may occur again. We can only do our very best in legislating, but we should be prepared to revisit the issue. Nevertheless, I hope that we never again see such cases.

When I was undertaking my social work training, the Kimberly Carlisle and Jasmine Beckford tragedies—I am sure that many hon. Members remember them—caused us consternation. It was difficult to believe that young children could slip through the net and lose their lives. More recently, we have had the Utting report, and the harrowing Waterhouse report, which told of children living in a climate of fear, violence and abuse, with people inflicting deep emotional scars on them. Those reports have showed us the system's deficiencies.

Lack of training is one of the recurring themes in those huge reports. However, training and proper qualifications in providing good-quality child care and good-quality domiciliary care for the elderly and disabled require investment. As long ago as 1948, the Curtis report examined the situation in children's homes and told of the need for better-qualified residential staff. More that half a century later, we are saying the very same thing.

Many hon. Members have mentioned the 1 million people in the social care work force, 80 per cent. of whom have no qualifications. I welcome the 50,000 qualified social workers who will be added to the register of the General Social Care Council, and I think that there is a commitment that heads of homes also will be registered as soon as possible. However, as hon. Members have already said, the many other social care workers should be registered.

It will take a long time to do that. Work in social care is often poorly paid, and those who do it may not continue long enough to obtain qualifications to enable registration. I hope that, in his reply, my hon. Friend the Minister will say whether he has an aspiration, or a timetable on qualifications, for those people, and whether he can report back to Parliament on any progress. We do not want to find that in 20 years, the figure for those without qualifications is still 70 per cent.

Dr. Tonge: *rose—*

Mr. Shaw: I would rather not give way, because I want to try to keep my speech short so that my hon. Friends have a chance to speak.

I hope that my hon. Friend the Minister will be able to refer to qualifications.

The General Social Care Council is a welcome development that will do much to raise the profession's standing. It has been called for for a long time. There is a shortage of qualified social workers and many local authorities find it difficult to fill all their posts. That increases the case loads of existing social workers, because they want to ensure that all the children on the at-risk register are visited and the standards of the day centres are checked. There are only so many hours in the day. If the council raises the profile and standing of the profession, new applicants may be attracted.

Social workers do not receive many accolades. They are often damned if they do and damned if they do not. We do not see headlines saying "Mrs. Jones is on the road to a full recovery thanks to the care package put together by her social worker", but that is what normally happens: the boring, day-to-day reality of social services departments. The scandals are few and far between.

One of the golden lessons from the many reports that we have received is that we have to listen to children better. Warner, Waterhouse and Utting all said that. Children need to have confidence that the structure is real, not a black hole where complaints are lost. Complaints should not be dealt with by the individual concerned. I have seen complaints go up and down the line, with the social worker involved sending it up to the director. We need a more serious system in which young people are listened to.

I salute and applaud the quality protects programme, which is making a real difference. It is not just warm words, but real money that the Department has put in. It is having a good effect in my two local authorities of Kent and Medway. I hope that the Government keep the issue of putting advocacy on a statutory footing under review.

The children's rights officer is another welcome development, although, together with many hon. Members on both sides, I would rather have a children's rights commissioner, who would cut across all Government Departments and could be a champion who impacted on all legislation.

Putting independent fostering agencies on a level playing field with the public services is welcome. I worked in a fostering team in north Kent for a while. The Utting report made specific mention of the growing number of private fostering agencies in that part of the country, principally to serve the London boroughs, which had great difficulty in recruiting. We did not know anything about those agencies and had no relationship with them. That shroud of mystery led to suspicion. We understandably felt some animosity when they poached our foster carers, as we saw it. We do not want stand-offs. I am sure that the agencies had an important contribution to make. Let us get them working together. A level playing field of inspection will do a lot to bring the agencies together.

Another important issue is private fostering. Amendments were tabled in the other place by my noble Friend Lady David to regulate private fostering. The Government resisted them because they felt that private fostering concerned arrangements within families. That certainly was not the case when Utting reported, as he was concerned about private fostering. In paragraph 3.74, Utting quoted a social services inspectorate report of 1993 which said:

> Private fostering covered a wide range of situations in which potentially vulnerable children were being placed in the care of strangers, without any checks being undertaken as to their suitability to the care for children.
>
> The way in which some of the placements were being made raised some very real concerns about the welfare of these children.

Time and again we have heard in the Chamber today, "Is it good enough for my relatives?" Given that background, would I be happy to place my child with a private fosterer? No, I would not. I would want that fosterer to be regulated. The matter should not stand as it is in the Bill at the moment, with an inspection and a visit every six months for the child. We know that, with a shortage of social workers, that will not happen. We need private fosterers to approach the National Care Standards Commission to be regulated and registered. Otherwise, we will see similar situations. I hope that the Government will reconsider that matter, given the contradictory information given in Committee in the other place and in the Utting report.

In many fundamentals, the Bill is uncompromising, because we have compromised too much in the past. It will be welcomed by high-quality service providers in the public and private sectors. It will be welcomed by children in care, elderly people in residential care, people with disabilities and the country.

5.37 pm

Mr. Desmond Swayne (New Forest, West): I believe profoundly that we get what we pay for. As a people, we have always wanted things on the cheap. We have been unprepared in many instances to pay the premium required for quality. If people do not get what they pay for, they are largely responsible themselves for not insisting on quality. As a nation, we are poor at getting quality. We are good at complaining, but we complain to one another; we rarely confront the restaurateur and send back the bottle.

If we insist on quality, and we realise that we have to pay a premium for quality, we ought to be prepared to pay that premium for quality when it comes to quality of care. The state, through at least one of its agencies, is the largest purchaser of care services. We have a profound impact on the market by the standards that we demand and for which we are prepared to pay.

The hon. Member for Blackpool, North and Fleetwood (Mrs. Humble) was perceptive. If the Government think that room sizes and doorway widths are important priorities and if they are prepared to pay the premium for them, that will send a powerful signal to the market, and the market would respond to that. My fear is that the Government are not prepared to pay for the standards and quality that they want. They want to achieve those standards without paying for them; to achieve them by regulation.

When the Secretary of State was asked what estimate he had made of the costs to local authorities of providing the standards in the draft standards guideline that he had issued, he said that he had made no such estimate. That is irresponsible. Is the intention behind the Bill to privatise that form of residential care? If the impact of the measures is to drive the public sector out of the market, that will be the result.

Another reservation that I have about the Bill is that it is something of an empty page on which regulations can and will be written. I do not favour such enabling legislation, because it leads to much bad law. When constituents ask us how on earth this or that legislation came into existence and how could we have voted for it, the answer often is that we never voted for it at all. It was subject to the negative resolution procedure, sat in the Library for 20 days and no one raised a prayer against it. Nobody actually read it, so it became law. I favour a return to the system whereby every regulation was included in Bills and every Committee stage was taken on the Floor. Of course, we would have much less legislation, because it would take so long, but I reckon that we would be much better governed as a result.

The Government cannot resile from the draft standards that they have issued, including those on room size and door widths, and I draw the Minister's attention to the perceptive comments on those standards by the hon. Member for Blackpool, North and Fleetwood. A representation that I have regularly received from my local care providers is that the owners of residential care homes perceive that they will be subjected to the same standards as nursing care homes, and the two are very different.

There has been some talk about how sensitively the regulations might be introduced—perhaps over two, five or even seven years. However, if care home owners have borrowed money over 25 years to address the standards in their residential care provision, and then fall foul of the new regulations, a seven-year introduction period will be of no benefit. The mere issuing of the standards has blighted the industry. I have had many care home owners tell me that they are now unable to sell their properties as a result of the proposed regulations, and the banks and finance providers have noticed that and are not prepared to lend.

[Mr. Desmond Swayne]

I find it strange that I agree in many respects with the hon. Member for Wakefield (Mr. Hinchliffe) on the provision that Ofsted should be required to scrutinise the activities of pre-schools, especially when the main competitor of pre-schools—the reception classes in primary schools—will not be subject to the same level of regulation. The Bill may be a disaster for pre-schools, which are part of a delightful movement. All my three children have been through pre-school education and my youngest is still there. I really enjoy visiting the pre-schools in my constituency, but they all take place in dusty, perhaps inadequate, church, school and village halls. I wonder what blow will be dealt to that movement by a host of unwelcome and unnecessary regulations. I thought that parliamentarians might have learned from the disaster that regulation has been for so many other activities, not least the livestock and meat industry.

In conclusion, I draw the House's attention to the contribution from the right hon. Member for Coatbridge and Chryston (Mr. Clarke). He said that it was important that we provide for our elderly people a loving and caring environment. How true that is, but regulations measure only the easy, unimportant things. Room sizes and door widths make little difference to a loving and caring environment. That is reason enough for voting for the amendment this evening.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Before I call the next Back Bencher, I point out to the House that five remain to be called. The winding-up speeches will begin at 6.30 pm, so hon. Members can draw their own conclusions. I have no power to restrict any contribution, but all five Back Benchers can be called to speak if speeches are curtailed.

5.45 pm

Mr. Steve McCabe (Birmingham, Hall Green): I begin by congratulating my right hon. Friend the Secretary of State on bringing forward the Bill. Regulation in this area is long overdue, and the clear aim is to raise standards and protect vulnerable people.

My right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) spoke about day care and domiciliary care. I understand that a Government amendment in another place means that establishments providing day care for elderly people will now be included in the National Care Standards Council. As the elderly population expands, and as we encourage the policy that people should be maintained in their homes for as long as that is practicable, the matter of day care provision and domiciliary care is likely to arouse as much concern as residential care. Will my hon. Friend the Minister say when he hopes that day care provision for elderly people will be subject to regulation and inspection?

It is worth noting that about a third of all psychiatric care in this country is conducted in private psychiatric hospitals and clinics. That is a vital sector, but it is also open to all sorts of potential abuse. It is right that we should seek to regulate it.

We should also be concerned about the fairly substantial numbers of people who are transferred to national health service hospitals following failed treatments or procedures originally carried out in the private sector. Many of the operations are quite substantial. If they were carried out in the NHS, the consultant would be supported by three or four assistants, but in private hospitals he often performs operations without that help. It is probably no great surprise therefore that so many errors and mistakes arise. It seems to me that that is another area ripe for some regulation.

Clause 6 establishes the National Care Standards Council and is to be welcomed. However, what will be the relationship between the council and the social services inspectorate? At present, the inspectorate plays a significant role in promoting standards of good practice.

Ministers have given assurance that regulators appointed by the commission will be experienced people, with special expertise in health or social care. Will my hon. Friend the Minister say a little more about their recruitment?

I especially welcome the provision that a complaints procedure will be a condition of registration. Will my hon. Friend confirm that that requirement will apply too to private nurseries and child day care provision?

I recently had personal experience of a private nursery in my constituency. No complaints procedure was in place there, and the nursery had many other shortcomings. I understand that social services departments have limited powers with which to deal with such establishments. What makes it all the more alarming is that the proprietor of the nursery is an inspector for Ofsted—the very body that will be responsible for inspecting child day care provision. It cannot be right to employ as regulators people whose own standards of practice leave a lot to be desired.

There has also been criticism from the private residential sector of inspection work carried out by the local authority. There remains suspicion in some quarters—with reason, I think—that some individuals are unduly hostile towards the private sector. We need to have confidence that inspection or regulation will be truly independent. We should be careful about employing those who have ideological objections to a particular sector, allowing those with direct business interests to inspect their competitors, or employing those whose own standards of practice are flawed. I would be grateful if the Minister could reflect on that when considering the best way to recruit appropriate staff.

I welcome the establishment of the National Care Standards Commission, which seems to be a response to the Sutherland commission. I appreciate that I have nothing like the influence with the Minister that the hon. Member for Sutton and Cheam (Mr. Burstow) has. However, now that the Government have brought forward this Bill, which deals with one aspect of the problem, may I ask my hon. Friend the Minister whether it is not time to bring forward complementary proposals to deal with the question of payment for residential care? I welcomed today's announcement on guidance for domiciliary care charges, but we need to sort out who pays, what level of means-testing—if any—will be applied, and what charges should be applied across the country. The hon. Member for Sutton and Cheam pointed out that the recent Audit

Commission report shows a remarkable variation in charges, but there is no correlation between the level of charge and the standard of care or service.

Quite a lot of time has been spent today on the private residential sector and the draft standards suggested in the consultation document, "Fit for the Future?" Significant costs could be imposed on the sector, leading to a significant reduction in capacity, if those draft standards are implemented too quickly or if there is too much rigidity when considering the physical features of homes.

A care home owner said to me recently that if he were to comply with the room size requirements, he would have to rip out all the en suite facilities that he has just installed at considerable cost. That makes no sense. I welcome recent ministerial comments that it is planned to phase in those requirements and that the emphasis will be as much on standards of care as on any physical feature.

The hon. Member for Woodspring (Dr. Fox) made the point that if Ministers are considering giving private care homes a new role in providing care for those leaving hospital and needing recuperation, we have a right to expect significantly higher standards in those establishments if they are to provide adequate intermediate care. In such cases, it is reasonable to demand increased numbers of properly trained and qualified staff and resources such as physiotherapy. The prospect of a new and quite lucrative market for care home owners surely means that they should wish to upgrade their establishments significantly. We should make a distinction between establishments that might seek that sort of business and other homes to which right hon. and hon. Members have referred.

I welcome the proposed General Social Care Council, but how will it be funded? Will it receive part of the budget now held by the Central Council for Education and Training in Social Work, which is about £600 million a year? What will the relationship be between the council and the register that it will establish at some time after April 2002, and the new nursing regulatory body, which I believe will cover health care assistance, which is likely to come into force in September 2001? We need to know whether there will be a point of contact or connection between these agencies.

5.55 pm

Dr. Peter Brand (Isle of Wight): I welcome the thrust of the Bill. It will allow us to catch up with changing practice over the past 20 years. There were fit people in part III homes 20 years ago, and we now have residential and nursing homes in which there are much greater levels of dependency. We have heard that the private sector does much work that used to be the natural work of the national health service.

The Bill does not address sufficiently the anticipated changes that I hope that its enactment will encourage. The contribution of the hon. Member for Wakefield (Mr. Hinchliffe) clearly made that point. If we are to use the private sector imaginatively, we should stop the current practice of using it as a sort of oubliette for difficult people with whom we do not want to bother the NHS. It is not a challenge for the private sector provider only to give us a modern service. The NHS must ensure that there is suitable outreach from the secondary care sector and other such areas. For that reason, I am extremely disappointed that we do not have a common final route of complaints—for example, using the health ombudsman for all patients irrespective of whether they are in the private sector or in the NHS, or funded through the private sector or the NHS.

The two inspection regimes will be extremely confusing. No doubt that issue will be explored when the Bill is considered in Committee. I welcome the inspection registration that will be set up for residential homes. However, I hope that there will be a reasonable amount of local discretion. Inspection and registration should not mean hitting people over the head and removing their ability to provide a service.

We have had an extremely good joint inspection and registration unit on the Isle of Wight. It did not merely inspect and regulate because it advised, supported and guided on better forms of practice. I hope that the local element of a national system will not be lost.

Flexibility of interpretation should be allowed when dealing with the draft standards that have been published. There is no need to say anything about that after the excellent speech by the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble). However, I shall use the example of an acute nursing home that is used by patients for only a short period, occupying their own room. Must such a place have enormous dining rooms, common rooms and smoking rooms if they are never to be used? There should be a degree of local discretion.

I shall engage briefly in the children's commissioner-children's director debate. I appreciated the contributions made by the hon. Members for Cardiff, North (Ms Morgan) and for Ceredigion (Mr. Thomas). I hope that we can benefit from the Welsh Assembly's more enlightened view. I think that the hon. Lady and the hon. Gentleman are being too modest in not pushing for what they clearly want to see in their home country to be set out in the Bill. We would support them because that is what we want to see in our home country. I hope that in Committee they will support amendments that may well take the form of a ten-minute Bill that was introduced not so long ago.

There is also the matter of child care, child minding and pre-school playgroups. I have some fear of Ofsted in that regard. Unlike our local inspection and registration unit, which is an enabling organisation, most schools in my local authority have not found being Ofsteded a positive experience; they tend to be relieved when it is over because they do not enjoy the process.

When dealing with small, flexible organisations such as pre-school playgroups, it is important that there is knowledge as well as structure—sympathy as well as regulation. That would be better achieved through the inspection and registration set-up that will be created, which would have a social care background, than through an assessment of how well children are doing on their tables or of the standard of their reading and writing.

I hope that the new regulations will resolve the anomaly over child minding under the child care tax credit system, whereby people can receive the credit only if they use a registered child minder, who must have a qualification for under-fives. Under the regulations, children with special needs or learning difficulties can qualify for those credits, but older children rarely benefit from the care of people who are trained specifically to look after the under-fives. At present, the system is far too rigid. It should be

[Dr. Peter Brand]

possible to assess individual carers as to their suitability to look after a particular child. If they are appropriate, the tax credit should not be denied.

In response to an intervention by my hon. Friend the Member for Sutton and Cheam (Mr. Burstow), the Secretary of State referred to domiciliary services. The royal commission was clear as to the difference between the provision of home helps, who traditionally give social support such as housework and shopping, and the domiciliary help that people need because they are physically or mentally frail. Our policy is to means-test charges—we would welcome a unified set of regulations—for social support in people's homes, but to work towards the provision of free personal care, whether delivered in a residential setting, such as a nursing home, or in people's own homes. That would eliminate the perverse incentive to shunt people off to homes, because, as has often been pointed out this evening, people want to stay in their own home for as long as possible.

6.3 pm

Ms Jenny Jones (Wolverhampton, South–West): As someone who worked in child protection and on child abuse cases some years ago, I support much of the Bill. Many of the new provisions are long overdue.

I congratulate my right hon. Friend the Secretary of State for Health on presenting the Bill, and join my colleagues in praising my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) for his work on such matters—I am pleased that we can acknowledge his input.

I seek clarification on the transfer of regulation of child minding and day care from local authorities to a new arm of Ofsted. My hon. Friend the Minister will be reassured to hear that I am not making a pitch to serve on the Standing Committee; I merely want to know how that transfer of responsibility will work.

Although I realise that we need consistent national standards for the regulation of child minding and day care, we should note that some local authorities have maintained good standards for a considerable time and have offered an excellent service. One of them is Wolverhampton borough council. In correspondence with me last year, the Department of Health acknowledged the excellent work done by Wolverhampton. Councils that already offer an excellent service are concerned about the effects of such a transfer of responsibility. Therefore, I want to take the opportunity to try to clarify some issues.

In Wolverhampton, we found that the registration and monitoring unit of social services works very closely with the Wolverhampton Childcare Agency, which develops child care for the under-fives. It was set up more than a decade ago and is acknowledged nationally for the good work that it does. The agency and the unit deliberately work closely together to build up the local intelligence network that is needed if their work is to be effective. If the regulation arm of such work is to be moved from the local authority to Ofsted, will my hon. Friend the Minister tell us how that link will be preserved? On the face of it, the link will be broken and that has implications for the quality of the local service.

I agree with my hon. Friend the Member for Wakefield (Mr. Hinchliffe) about Ofsted. I have grave reservations about whether a new arm of Ofsted will be the suitable national body to take on the regulation of child minding and day care. Ofsted has a certain style and, frankly, that style will be inappropriate for the regulation of child minding and day care. It is as simple as that.

At the moment, Ofsted deals with formal education. As far as I am aware, it does not have any expertise in the regulation of child minding and day care, so where will it acquire such expertise from? The obvious solution seems to be that staff working in local authorities will be transferred to Ofsted, particularly if it works on a regional or sub-regional basis. Will my hon. Friend the Minister clarify whether that is the case? If it is, what arrangements will be made, especially bearing in mind that they will probably have to take account of the Transfer of Undertakings (Protection of Employment) Regulations 1981.

Whenever one moves something from locally elected councils to a more centralised quango, it is legitimate to raise the issue of political accountability. If people do not like what their local council does, they can go to it and complain. However, if they do not like what this new branch of Ofsted does, to whom will they complain? Where will the local accountability go?

My constituents very much value the highly accessible local service that they have. If it is moved from Wolverhampton to a London-based quango, they might lose out. Some councils already offer a good service and achieve high standards, so it would be ironic if attempts to raise all standards nationally and to achieve consistency meant that those local authorities that probably provided the model for the Bill found that their local services were downgraded. That would be unfortunate. I hope that my hon. Friend will bear those points in mind and give me reassurances and clarification.

6.8 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is a privilege to take part in the debate to support this excellent Bill.

In this country there has been much justified criticism of social workers, the organisations that employ them and social work in general. However, some of the very best people whom I am privileged to know are social workers. They are utterly dedicated, resilient, occasionally eccentric—I admit that—and they do good work, and sometimes great work, with unlikely people in sometimes extraordinary circumstances. No other profession would require someone to build a relationship with a reclusive elderly lady, with long periods spent standing on the doorstep and negotiating by means of slips of paper, to bury a long-dead cat or to return years' supplies of empty milk bottles surreptitiously to the dairy.

The General Social Care Council is vital because social work is a distinct profession. Social work employs people in many different ways and many different circumstances, but it has defined skills, a knowledge base and superb values. Social workers listen to people and are non-judgmental, and social work is imbued with unconditional positive regard. It enables vulnerable people to make their own choices and to make what they will of their lives.

There have been many scandals in social work, but it has also been a scandal that an excellent profession has been underpaid, undervalued, undermined and maligned for so long. The General Social Care Council is a big step.

It will have a huge job and it will need continuing massive support from the Department of Health to develop professional practice. Social work is a mighty job, which involves itself in the biggest issues of all and decisions that utterly change lives. It is hugely stressful; it involves major statutory powers and a duty to protect vulnerable people. Every hon. Member should place more value on social workers.

There is a chance that this will be a great Government for children in care. The Government need to be great in that regard. There are decent people on both sides of the House, but, quite honestly, I loathed and despised the previous Conservative Government for their wilful neglect of the children in care with whom I worked for 15 years before I came to the House.

Mr. Burns: Rubbish.

Mr. Dawson: Take it from me, those were your policies—

Mr. Deputy Speaker: Order. I do not have any policies—at least not while I am in the Chamber.

Mr. Dawson: They were certainly not your policies, Mr. Deputy Speaker; they were those of the Conservatives. They would never have done what this Government are doing, such as introducing "Quality Protects", establishing a new national organisation for young people in care, imposing new statutory duties towards care leavers and introducing this Bill.

Mr. Hammond: Will the hon. Gentleman give way?

Mr. Dawson: No. We have heard a lot of nonsense about the children's commissioner from Conservative Members this afternoon. They immediately undermined their arguments by creating a spurious split between parents' rights and children's rights. Conservative Front-Bench Members are trying, once again, to leap on a popular and populist issue that they do not understand. Their attitude towards it is absurd.

After the introduction of the Children Act 1989, the previous Government had eight years in which to bring in a new adoption Act. This Government are taking sensible action on adoption and putting children's needs and best interests at the forefront of their policy. The Conservatives are treating adoption as a political ideology, and that is totally unacceptable.

The National Care Standards Commission will shine an independent light on all those places where children live away from home. There will be a children's rights director. Let us savour the words "children's rights". They are a fine Government who explicitly commit themselves to children's rights. I eagerly anticipate the work of the commission, which will be informed by the people who know about services—the children who live in children's homes. The commission will take a child-centred approach to raising standards in homes, in fostering and in adoption.

I would prefer the Bill to range a little more widely, because as well as introducing a children's rights director, which is essential, we should be following the excellent example of the Welsh Assembly in establishing a commissioner for all children. That is an argument for another day, but I am confident that the logic of the Government's commitment to children, to joined-up policies and to human rights will lead to children also winning that day.

I support everything that has been said about private fostering. We should establish a right to independent advocacy for all children in care. I am aware that that is a developing field and that the Government have a host of good intentions, but I should like to see in the Bill a real commitment to a statutory right to advocacy for children in care.

I shall not go on as we have only a short time available. The Bill is important and the Government deserve great credit for having brought it this far. I strongly support it.

6.15 pm

Caroline Flint (Don Valley): I thank my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) for his brevity. I join my colleagues in honouring our right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) for his contribution, not only during today's debate but throughout his political life, especially when he was the Secretary of State for Health.

I shall address two matters, one of which has been raised by my hon. Friends the Members for Wakefield (Mr. Hinchliffe) and for Birmingham, Hall Green (Mr. McCabe)—the protection and inspection of day care facilities for vulnerable adults. One year ago today, I wrote to the then Minister for Public Health, my right hon. Friend the Member for Dulwich and West Norwood (Ms Jowell), after being approached by a constituent, Mrs. Sawdon. She expressed concern about her son, who attends a local day care establishment called a social education centre which, for five days a week, provides care and educational activities for vulnerable adults. Her point was that such establishments are not open to any form of external inspection. The Minister replied that the situation was under review but that, as yet, the Government did not consider it necessary to legislate.

In November last year, I put a question to the Minister of State, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), which was followed up by a question from my hon. Friend the Member for Wakefield, because we believe that we have to pay attention to the important issue of day care facilities. In my area, and in many others, parents are asked to pay a fee for such services. Many do not object to that charge, but they like to know precisely what they are paying for and what safety procedures and precautions are being observed, so that they can be sure that the service reaches the highest standard.

I hope that my hon. Friend the Minister will clarify the position. According to the *Official Report* of the debate in the other place, the powers in this Bill will be used

> to introduce regulation by the national care standards commission of day care centres which provide nursing or personal care.

I hope that that extends to facilities that provide educational activities, such as the centre in my constituency. Also promised was

> a review within one year of the commission being established to decide the details of exactly how and when the regulatory regime will come into force.—[*Official Report, House of Lords*, 28 March 2000; Vol. 611, c. 650.]

[Caroline Flint]

Will my hon. Friend put confirmation of that on the record of this House and elaborate on it?

I chair the all-party child care group. I should like some clarification in respect of the regulation of day care services. I understand from the explanatory notes that nannies do not come under the definition of such provision in the Bill, except if they look after the children of more than two families in the home of one family. Therefore, if the care is provided by a nanny in the home of one set of parents and the children of another set of parents come to that home, it appears that the Bill will apply. I hope my hon. Friend the Minister will look carefully at those provisions.

Child care is changing enormously and, as several Opposition Members have said today, it has huge potential for growth. To an increasing extent, nannies are not employed only by the extremely well-off, and shared arrangements are often made. Parents are concerned about the right setting for their child, so they choose the familiar setting of the home, into which care provision is brought.

I should also like clarification of how the provisions apply to disabled children. In connection with domiciliary arrangements, the Bill states that the provisions will apply if someone comes into the home to care for a person who has an illness or disability. Will they apply if a family employs a nanny to come into the home to care for a child who has special needs and who cannot be left to fend for itself in the same way as they will to adults who receive domiciliary care in their home?

Those were the two matters that I wanted to raise. I look forward to making a speech on Monday at a conference organised by the NSPCC on protecting babies from harm, and to elaborating on the many things that the Government are doing to make sure that children come first—giving support to parents and families and making sure that we have the highest standards expected in this important sphere.

6.20 pm

Mr. Philip Hammond (Runnymede and Weybridge): This has been a worthwhile, largely measured and well-informed debate, showing a good deal of consensus on both sides of the House on many of the objectives of the Bill.

I have been whiling away the moments by looking up in "Dod's Parliamentary Companion" the background of some of the hon. Members who have spoken. No fewer than six on the Government side have a background in social work, which gives them experience on which to draw but means that they will come at the problems that we are discussing from a certain point of view.

I was disappointed that the Secretary of State chose to strike the pose that he did, seeking to undermine the spirit of shared objectives by claiming that all good things in social care began on 2 May 1997. I am extremely grateful to my hon. Friend the Member for West Chelmsford (Mr. Burns) for putting the Bill in its correct historical context.

I do not know whether the right hon. Member for Holborn and St. Pancras (Mr. Dobson) was making a bid to get his job back. If so, the Secretary of State can sleep soundly, because obviously no one has told the right hon. Gentleman that overt hostility to the independent sector is now off-message. I was going to describe what the right hon. Gentleman said as intemperate until I heard the hon. Member for Lancaster and Wyre (Mr. Dawson), whose comments I found most intemperate. He made outrageous allegations against the last Administration. If he would care to tell us to whom in particular his accusation of wilful neglect was directed, I am sure that those people would like the opportunity to respond. His comments are the grossest insult to people such as my hon. Friend the Member for Faversham and Mid–Kent (Mr. Rowe), who has a long and honourable history in the House of engagement with issues around adoption, fostering and the protection of children which even the Secretary of State was happy to acknowledge.

Mr. Dawson: I made it very clear that there are decent people on both sides of the House, and I would certainly include the hon. Member for Faversham and Mid-Kent (Mr. Rowe). But the experience of those working in the field that I worked in was of a Government who. over many years, with many opportunities, did not care and did nothing. In fact, they undermined efforts that were being made to help children in care.

Mr. Hammond: The hon. Gentleman's intemperate language does nothing to advance his cause.

By and large, the debate has been constructive and well informed. I should like to mention particularly the contribution of the hon. Member for Birmingham, Hall Green (Mr. McCabe), who once again has saved me quite a lot of time by making several of the points that I wanted to make and asking the Minister several of the questions that I would have posed to him.

I wish to make it clear at the outset that we did not take lightly the decision to table a reasoned amendment. On large parts of the Bill we share the Government's aspirations, although we do not always agree with them about the route that they have chosen to reach our shared objectives. There are others where we believe that an opportunity has been missed to strengthen protection of the vulnerable, to extend the principle of the level playing field and to put in place all the elements needed to ensure that the future provision of social care, primarily commissioned by local authorities but supplied by independent providers, is placed on a stable and sustainable basis.

We welcome the recognition of the need for a unified system of regulation covering both public and private sector providers of social care, but we regret that the Government have not demonstrated their commitment to this unified approach by extending the proposals on registration of independent hospitals, as my hon. Friend the Member for Woodspring (Dr. Fox) suggested, to cover all hospitals, so that all patients, wherever they are treated, can benefit. We shall press for the Government to follow the logic of their own argument.

We welcome the commitment to quality in residential care, but we are dismayed that the Government appear to have been lured into a bureaucratic "check the box" approach, measuring inputs rather than outcomes, and focusing on easily measurable physical features such as room sizes and numbers of power points or chairs in a room, rather than on what really counts—the quality of the care experienced. That point was eloquently made by

my right hon. Friend the Member for South Norfolk (Mr. MacGregor) and also by the hon. Member for Sutton and Cheam (Mr. Burstow).

We applaud the establishment of external control, albeit not fully independent, over local authorities' functions in relation to adoption and fostering, but we deeply regret that the Bill does not take the opportunity to give the Care Standards Commission a duty of maintaining a national register of potential adoptive parents, approved according to standardised, objective and relevant criteria. I welcome the knowledgeable contribution of my hon. Friend the Member for Canterbury (Mr. Brazier) to the debate.

We support the good intentions behind the proposed inspection and registration of child care facilities, but we share with some Government Members the gravest reservations about the practical and ethical consequences of imposing a welter of regulation and creating draconian powers for a new army of bureaucrats to enter people's homes and to inspect and seize documents and possessions.

We shall need further clarification on the role of the children's rights director and on the differences proposed between the regimes in England and Wales. We see no logic in accepting different levels of protection for the interests of children in one country compared with the other. A children's rights director is not the same as a commissioner, as the hon. Member for Wakefield (Mr. Hinchliffe) and my hon. Friend the Member for Faversham and Mid-Kent pointed out, underlining the bipartisan nature of views on the issue.

We shall seek clarification of the scope of powers under the Bill to regulate alternative practitioners on the fringes of medicine, and to extend to the often vulnerable people who turn to those unregulated practitioners the protection that the Bill provides to other groups.

We shall want to know what message the Government want local authorities to take from the Bill, removing as it does many of their functions, curtailing others and, taken together with the Local Government Bill, effectively squeezing them out of residential care provision.

Towering above and beyond those concerns are two overarching flaws in the Bill—the excessive use of regulations and ministerial statements of standards, which renders the Bill a virtually empty box, not amenable to proper scrutiny or analysis; and the total absence of any acknowledgement of the huge resource implications of the Bill or of the crisis in funding of social care provision, which in many areas of the country makes the Bill's worthy objectives look like distant aspirations.

I shall deal first with the use of secondary legislation to make regulations, and worse, the powers for Ministers to set the minimum standards, which will literally spell life or death to care homes, without any parliamentary scrutiny. In key areas of the Bill, it is impossible for us to assess the impact or significance of what is proposed until the standards and regulations are finalised.

If the Minister does not mind my saying so, I think that his intervention on a couple of occasions muddied the waters. It is my clear understanding—I am sure that if he were listening, he would correct me if I am wrong—that, although the regulations will be presented to the House in the form of statutory instruments subject to the negative procedure, the standards will be set by a ministerial statement and will at no time be subject to scrutiny in the House. Probably the most important part of the Bill in terms of its impact on people providing social care will thus come into effect without any proper scrutiny.

The Government-commissioned paper by the Centre for Policy on Ageing, "Fit for the Future?", has set the cat well and truly among the pigeons, with hundreds of proposed standards for care homes, many of dubious value and some ruinously costly to implement. We now know that the Government will not implement all of those proposals, but we do not know which ones they will implement, at what level and over what time scale.

In the meantime, the proposals relating to accommodation in particular have blighted the sector. Care home owners and lenders alike are unable to assess whether particular homes will be compliant, or will have to invest heavily in order to avoid closure. Many properties are, in effect, unsaleable, and many capital providers have simply withdrawn from the market. A clear statement from the Minister, and a timetable, are now imperative—not just to protect the owners and operators of care homes, but to ensure that the provision that exists in the marketplace remains there.

Mr. Rowe: Does my hon. Friend agree that, although the initial anxiety was felt most acutely in the private sector, the same financial burden will have to fall on the community charge payer? Local authorities must view the requirements with equal anxiety.

Mr. Hammond: My hon. Friend is entirely right. I shall say more about this in a moment. However, it goes further than that. Ultimately, the burden of cost that falls on the private sector will be borne by the taxpayer in one way or another. The presence of 75 per cent. of people in residential and nursing homes is financed by local authorities and, ultimately, by the taxpayer.

Elsewhere—for example, in relation to independent acute hospitals—the Bill's registration regime is subject to compliance with standards and regulations that are as yet unknown. These are not minor housekeeping details; they are fundamental to a proper assessment of the impact of the Bill. The use of regulation-making and standard-setting powers—sometimes beyond the scope of parliamentary scrutiny—and the failure to present draft regulations for consideration in parallel with the Bill mean that the Government are asking the House to write them a blank cheque.

Meaningful scrutiny is impossible. The regulatory impact assessment published with the Bill—the Government are obliged to publish such information for the benefit of Members—is itself a meaningless exercise. It acknowledges that costs will be imposed, both in the form of fees and in the form of the costs of compliance with standards—but with no estimate whatever of the potentially enormous total of the latter.

Mr. Dawson: My colleagues have been scrutinising the Register of Members' Interests. We note that the hon. Gentleman has a shareholding in Castlemead Ltd., a company involved in housebuilding and development, including the development of premises for lease to general medical practitioners. Did the hon. Gentleman declare that interest before the debate?

Mr. Hammond: My interest is declared in the register. It has nothing whatever to do with the subject of today's

[Mr. Hammond]

debate. As far as I know, general practice premises have nothing to do with the subject of the Bill. What I find most amazing is that the hon. Gentleman's right hon. and hon. Friends on the Front Bench have been scrabbling through the Register of Members' Interests. Given the army of civil servants and special advisers that they have behind them, one would think that my registerable interests, and those of my colleagues on the Front Bench, would be firmly fixed in their minds.

I trust, Mr. Deputy Speaker, that I have not transgressed the rules in any way. I do not believe that I have. That was a rather pathetic attempt by the hon. Member for Lancaster and Wyre (Mr. Dawson), if he does not mind my saying so. Perhaps, on reflection, he will wonder whether it was wise to allow himself to be used as the stooge of the Front Bench as the register was passed backwards through the Chamber.

As I was saying before I gave way to the hon. Gentleman, perhaps too generously, the regulatory impact assessment gives no estimate of the potentially enormous cost of compliance with the standards that are to be imposed by ministerial statement under the Bill. In the one area in which progress on draft standards has been made—standards for residential care homes—the publication of the document has blighted the sector with uncertainty, as the Government have had to distance themselves from the majority of the recommendations and from the excessive burdens recommended by the authors of that document.

Who will pay? Especially in the residential and domiciliary care sector, a raft of new burdens will be laid on top of the compliance cost of the huge burdens that the Government have imposed on businesses through higher taxes, the working time directive, the minimum wage, the parental leave directive and the other paraphernalia of the social chapter.

Mr. Dobson: Which of those burdens would the hon. Gentleman repeal?

Mr. Hammond: I simply make the point that the Government have already imposed a huge additional financial burden on businesses in general and especially on the independent care home sector. They have done so against a background of below-inflation increases in the fees paid by most local authorities during the past three years.

A large firm of chartered accountants, acting as receivers, is already one of the biggest operators of residential care beds in the country. The Minister knows that a crisis point has been reached, especially in high-cost areas, with squeezed local authorities simply unable to pay the fees that will ensure an adequate supply of beds. Not only have the fees risen more slowly than inflation, but the needs of those placed in care homes has increased dramatically as local authorities have been forced to ration. People are now routinely being placed in care at the residential care fee level, although their needs are equivalent to those of people who only a few years ago were placed in nursing care.

The Bill completely misses the opportunity to link fees, ideally with incremental bands, to needs as well as geographical cost criteria—and, in turn, to relate staffing ratios and other standards to those levels—and to ensure that that is done fairly and transparently by introducing a standardised assessment mechanism that can be accepted by providers and commissioners across the country. We shall table amendments in Committee to achieve those objectives and to end the lottery by which different local authorities use different assessment criteria and vary the eligibility thresholds to reflect their changing budgetary circumstances.

We must know whether the Government will openly acknowledge that their proposals will be paid for from the public purse. If local authorities are not fully reimbursed for the additional costs, the number of placements that they can support will decrease and people with ever greater needs will be left to fend for themselves. If the Government are prepared to acknowledge that they will pay the bill, why do they have to legislate to achieve those important improvements?

As my hon. Friend the Member for New Forest, West (Mr. Swayne) has said, the Government could have achieved many of their objectives through the contracting process by arranging for premium fees to be paid where certain standards were met in the way that the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble) described in respect of her local authority.

I re-emphasise our support for many of the aspirations behind the Bill. My noble Friends in the other place have sought—in some cases, successfully—to address some of its shortcomings. If, as I expect that they might, the Government defeat the Opposition amendment and the Bill receives its Second Reading, we shall continue that work in Committee in a constructive and positive way. We shall try to convince the Government of the need to extend the Bill's scope in some areas, to change its focus in others and to narrow its ambitions where it risks straying beyond what is practical and creating excessively intrusive and bureaucratic mechanisms, to create workable, fair and consistent legislation.

The members of the Standing Committee that will consider the Bill will be hampered by its architecture and the "cart before the horse" approach that the Government have adopted. We will not know the Bill's full cost implications perhaps for years to come—not until long after parliamentary scrutiny has been completed and certainly not until we see the detailed standards and regulations. We do not know the cost impact on service providers because no meaningful regulatory impact assessment is available. That cannot happen until the detailed standards and regulations are in place.

We do not know how or whether the Government intend to meet the huge cost burdens that the proposed changes will impose on local authorities, independent providers and others, nor consequently the impact of this well- intentioned but potentially damaging Bill on the availability of, and access to, social care and the other services that it covers.

I urge my hon. Friends to support the amendment and send the Government back to the drawing board with a clear message that the House supports the Bill's underlying aspirations to improve quality, strengthen protection of the vulnerable and level the playing field, but cannot approve what is in essence a blank cheque without the remotest guidance on the costs that will be imposed, or any clue about how they will be met.

6.40 pm

The Minister of State, Department of Health (Mr. John Hutton): During the debate, we have heard nearly 20 speeches from the Back Benches. Many of those speeches were excellent, including that of the right hon. Member for South Norfolk (Mr. MacGregor). The hon. Member for Ceredigion (Mr. Thomas) also made a good speech. It was the first time that I had heard him speak. He took exactly the right approach to the Bill and made a positive contribution to the debate. That also applies to the speeches of my hon. Friends the Members for Stockport (Ms Coffey), and for Cardiff, North (Ms Morgan), my very good hon. Friend the Member for Wakefield (Mr. Hinchliffe); my hon. Friends the Members for Blackpool, North and Fleetwood (Mrs. Humble), for Chatham and Aylesford (Mr. Shaw), for Birmingham, Hall Green (Mr. McCabe), for Wolverhampton, South-West (Ms Jones), for Don Valley (Caroline Flint) and my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), who introduced a welcome note of consensus to our proceedings.

No speech was better than that of my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). My right hon. Friend the Secretary of State and I had the privilege of serving under my right hon. Friend the Member for Holborn and St. Pancras when he was Secretary of State for Health. Many hon. Members who spoke pointed out that the Bill owes a great deal to my right hon. Friend's commitment, vision and concern for children and frail and vulnerable people. He deserves a round of applause for the measure. *[Interruption.]* I did not mean that literally.

Twenty substantial contributions to our proceedings were made this afternoon. I hope that hon. Members will not think me discourteous if I do not try to respond to every detailed point. A welter of comments have been made. It is apparent from the volume of material that I have at the Dispatch Box that I am inundated with technical information, which I shall try to plough through.

Let me begin with the points that the right hon. Member for South Norfolk made because he and others, including my hon. Friend the Member for Blackpool, North and Fleetwood, expressed some anxiety about "Fit for the Future?". The right hon. Gentleman asked for three assurances: that the regulations would not be too prescriptive; that they would not be too burdensome; and that the better regulation taskforce would be properly consulted on their implementation. I can give him an assurance on all three points. We have tried repeatedly to send a clear message from the Department of Health to the care home sector and others that we shall proceed sensibly and carefully with the proposals.

Few hon. Members who spoke in the debate, apart from the hon. Member for New Forest, West (Mr. Swayne), on whose speech I shall not dwell, argued against higher standards. The hon. Gentleman is the authentic voice of 19th-century laissez-faire politics, and we expect nothing less of him. I tried to reassure the right hon. Member for South Norfolk in a debate in Westminster Hall that we shall take a common-sense approach to the Bill. It would be stupid to do otherwise, and we are not stupid. We need and rely on good-quality care home providers. As we move towards a new set of minimum requirement standards, we shall ensure that they are sensible, affordable and practical.

The right hon. Gentleman and many other Conservative Members referred repeatedly to the potential use of a 10 sq m standard. A bit of historical accuracy might be helpful. The right hon. Gentleman and other Conservative Members might be interested to know that their party is responsible for the 10 sq m standard, which it set nearly 30 years ago. Having had a standard for 30 years, people have been—*[Interruption.]* The hon. Member for West Chelmsford (Mr. Burns) says that I am wrong.

Mr. Burns: I did not say that.

Mr. Hutton: Sorry. I stand corrected, but the standard is nearly 30 years old. It was introduced by the hon. Gentleman's party. It was never properly seen through, so there is an issue that we need to address.

I am not saying that that will be the final standard that we set, as that would be inappropriate, but it is wrong of Conservative Members to give the impression that the reference to a 10 sq m standard has been pulled magically out of thin air; that it will come as a complete surprise to everyone in the care home sector; and that everyone is putting their hand in the air and saying, "What on earth is going on?"

Mr. Burns: What I actually said was that things may have moved on. The fact that something was set down 30 years ago does not mean that, 30 years later, it is still relevant or the right thing to do.

Mr. Hutton: That is true, but if the hon. Gentleman is arguing that the 10 sq m standard is too high, that will be an interesting argument. I have not heard any Conservative Member say that 10 sq m is too high a standard.

Dr. Brand: It may be that 10 sq m has been the aspiration, but I know that local authorities have had local guidelines that have varied from that. I have enormous sympathy for people who have invested heavily in meeting local standards which may not now meet the national standard.

Mr. Hutton: I agree. That is exactly the issue that we are trying to address with the Bill. As the Secretary of State said, at the moment, in relation to residential care homes, there are 150 different regulatory units. That is a recipe for chaos, as he rightly said. The guidelines to which he referred have come not from us but from local authorities. It is the care home sector itself—the point has totally escaped Opposition Members—which has asked us to introduce greater consistency and to have a proper level playing field that will ensure for the first time that good care home providers are not undercut by poor providers. That is precisely what we are trying to do with the Bill. That will become clearer to Opposition Members as they find out a little more about what we intend to do.

My hon. Friend the Member for Wakefield made an important speech and asked a number of specific questions. He started with a specific concern about the inspection process that the National Care Standards Commission will oversee. Others have raised similar concerns. The commission will deliver its services through a network of locally based teams involving lay

[Mr. Hutton]

inspectors drawn from local communities, so it is absolutely our intention that, as the commission takes on that responsibility, it will keep a local focus and draw on local expertise.

Several hon. Members, including my hon. Friend, referred specifically to Ofsted's role in the new arrangements to be introduced under the Bill. I know that, in the Standing Committee, where those issues will be looked at in more detail, the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Barking (Ms Hodge), will be more than happy to respond to some of those technical and detailed points, but I make it clear that the Government's proposals have been generally welcomed by the sector. Ofsted's duties in relation to the Children Act 1989 are clear. The focus on care, welfare and development of the child cannot and will not be played down by the new statutory responsibilities that we want to give Ofsted.

My hon. Friend the Member for Wolverhampton, South-West referred specifically to the transfer of staff. It is our intention that local authority staff who do that work will transfer to Ofsted. My hon. Friend might be interested to know that, if those staff do transfer to Ofsted, it will more than double in size, so I do not believe that she should seriously entertain any concern that an education culture will dominate that part of its work. She can be reassured about that.

My hon. Friend might also be reassured by some good news. I am informed that the National Childminding Association asked its 40,000 members to tell it of their concerns about the Government's proposals. The good news is that the members of the association unanimously supported the Government's proposals. The only slightly bad news is that only two replies were received. Therefore, we probably need to think carefully about what the response means. However, as I said, my hon. Friend the Under-Secretary of State for Education and Employment will certainly be prepared to entertain a further, more detailed discussion about all those proposals.

One other matter that arose repeatedly in the debate—in all the speeches by Labour Members, and in some of those by Opposition Members—was a request to me to clarify in a little more detail the Government's intentions on future regulation of daycare services. In another place, my noble friend Lord Hunt made it clear that we intend to use clause 39 to extend the regulatory framework to include daycare centres. There is therefore absolutely no question about that—it will happen. My noble Friend said that, one year after the National Care Standards Commission is up and running, we want it to be able give us advice on how to extend the framework.

I think that that is an entirely sensible way of going about the matter. We have to take advice from the commission on its ability to take on that new and important additional responsibility, which has never been attempted before. We have to ensure that we get that particular part of the process right.

Mr. David Drew (Stroud): Will my hon. Friend also investigate the implications for sheltered units, and particularly very sheltered units, some of which have contacted me to say that they are unsure how developments on registration will affect them?

Mr. Hutton: My hon. Friend has made a very good point, and we shall certainly most carefully consider those matters as we develop our proposals.

The hon. Member for Canterbury (Mr. Brazier) expressed his long-standing concern about adoption. He knows—he and I have spoken at length about adoption issues—that the Government take those issues very seriously indeed. The hon. Gentleman and his hon. Friends can be reassured and quite confident that we intend to produce our new proposals in the very near future.

The hon. Member for New Forest, West made a characteristic contribution to our proceedings. Although I do not want to dwell on his speech—it would probably be better if we drew a veil over most of it—he made two points that were absolutely extraordinary for someone of his views, which he is obviously very careful about articulating. Effectively, he was arguing for a substantial increase in the amount of social care expenditure provided to local authorities, which was quite bizarre. Perhaps he and Opposition Front Benchers will tell us how much more they want to spend on social services in the future. I am sure that we shall return to that issue.

Conservative Members, but most particularly the hon. Member for New Forest, West, seemed to argue against the very principle on which the Bill is based, which is that it is not possible to drive up quality standards, as he and other Conservative Members desire, by relying on the market alone; we have been down that road, and we know absolutely that that approach would fail. The market itself is not able to deliver the high-quality standards provided for in the Bill.

Mr. Swayne: The hon. Gentleman, as a Minister, represents the taxpayer—who, overwhelmingly, is the greatest purchaser of those services. If the taxpayer puts his faith in certain standards, he should be prepared to pay a premium for them—as they are doing in Blackpool, as the hon. Member for Blackpool, North and Fleetwood (Mrs. Humble) said. Such a premium, much more than any regulation, would be the most powerful engine in driving up standards.

Mr. Hutton: Absolutely; of course that has an important role to play. However, to say that that is the only way in which we can ensure improved care standards in an important sector shows a complete misunderstanding of the situation and of the history of the evolution of the service.

The Bill, which delivers another of the Government's manifesto commitments, will improve both the quality and the consistency of the vital care services used by hundreds of thousands of people. It will close the gaps and loopholes created in our regulatory system by Conservative Members when they were in office. Those deficiencies protected the poor provider at the public's expense.

The Bill will help foster higher standards among the social care work force—80 per cent. of whom have no recognisable qualification of any type—who do some of

the most important jobs in our society. It will establish new and powerful safeguards that will better protect vulnerable people from the risk of abuse.

All of those are important objectives, which is why the Bill has received strong support from a wide variety of organisations and interests, and why I ask my hon. Friends to support it today. However, the Bill goes much further than that. Behind it lies a clear view of the importance of higher-quality public services, the need for effective and better regulation, and the need for improved public confidence in our system of inspection and registration—a confidence that has been severely shaken by a succession of appalling scandals of which right. hon. and hon. Members will be very aware.

The present arrangements are out of date and inadequate for the new challenges that lie ahead. That was recognised most recently in the Waterhouse report on child abuse in care homes in north Wales. Those challenges are in part the consequence of demographic changes. They are also in part the result of rising public expectations about the standards required from service providers and the need to ensure better protection for children and vulnerable adults. In future, the public interest must be better served in all those key areas. The Bill has the public interest at its heart and will make a positive contribution in maintaining confidence in all the services covered by its provisions.

The Bill proposes a radical redesign of the registration and inspection systems. A new independent organisation, the National Care Standards Commission, will be established in England. Similar arrangements will be put in place for Wales. The commission will have important new powers to promote consistent quality standards in all care homes, including children's homes. The loophole in the Children Act 1989 that allowed small children's homes to avoid any effective supervision and registration requirements will be closed. The commission will also have the power, for the first time, to regulate domiciliary care services, protecting people in their own homes from poor standards and inadequate care.

Private health care will also fall within the scope of the commission—an important extension of patient protection and safeguards. The new General Social Care Council, which has been widely welcomed by Labour Members, will work to raise the standards of the whole social care work force. As many of my hon. Friends have argued, the establishment of such a body is long overdue.

Those are only some of the main changes that the Bill will bring about. The others include: new institutions to develop a new emphasis on higher-quality services; a level playing field for the first time as between public and private sector providers; greater consistency and an end to the current variation in care standards; better protection; and improved public confidence. The Bill complements the Government's wider initiatives to improve the standards of other key services such as education and the national health service. We believe in public services and we want their performance to be improved. The Bill provides further support for our programme of modernisation and reform.

The Bill sets a new course and a new purpose. It brings an end to the sterile and damaging ideology of the past. For the Conservatives, the only question that mattered was who provided the service. After two speeches from the Opposition Front Bench, we are none the wiser about their policy. They remain stuck in the comfort of their collective memory of how things used to be. In the mean time, the public have moved on and have left the Conservatives behind. For the Government, the issue is the quality of service. That is where the Bill makes a significant step forward.

There will be many beneficiaries of our new approach to raising quality standards. Children in care homes will be better protected. Older people in care homes or being cared for at home can be more confident that they will receive the best possible care. Bringing together the regulatory systems for child care and nursery education will result in an improvement in the quality of early-years services, benefiting young children and their parents. Part VI provides important additional protection to vulnerable adults who require residential or home care services. Care providers will benefit from a streamlined and consistent regulatory system—something that providers have been seeking for a long time and that the Conservatives conspicuously failed to deliver.

Above all, the public will benefit from the Bill, because their wider interests are clearly being advanced. Judging by their contributions to the debate, the Opposition have nothing positive to offer. Their position today has been a depressing mix of cynicism and willingness to sacrifice higher-quality standards to commercial interests, finished off by an astonishing attempt to rewrite their record in office. That response is not credible and not good enough.

The Government's approach is different. In voting for the Bill, my hon. Friends can be sure that they will be serving the best interests of all their constituents.

Question put, That the amendment be made:—

The House divided: Ayes 120, Noes 274.

Division No. 200] **[6.59 pm**

AYES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Collins, Tim
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*

Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and Mr. Geoffrey Clifton–Brown.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Austin, John
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*

Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Tony McNulty and
Mr. David Jamieson.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on second or third reading), and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

CARE STANDARDS BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52,

That, for the purposes of any Act resulting from the Care Standards Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown under the Act; and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Betts.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on 23rd May, the Speaker shall put the Questions necessary to dispose of the proceedings on the Motions in the name of Margaret Beckett relating to insurance for Members and payment of legal expenses to the honourable Member for Mid-Worcestershire not later than one and a half hours after the commencement of proceedings on the first such Motion, and such Questions shall include the Questions on any amendments selected by the Speaker which may then be moved.—*[Mr. Betts.]*

SCOTTISH GRAND COMMITTEE

Ordered,

That the Scottish Grand Committee shall meet at Westminster on Monday 12th June at half-past Four o'clock to consider a substantive Motion for the adjournment of the Committee, the proceedings to be interrupted at Seven o'clock.—*[Mr. Betts.]*

Hard Flooring

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

7.15 pm

Mr. Martin Linton (Battersea): I am grateful to Madam Speaker for giving me the opportunity to introduce this Adjournment debate on what may, at first, seem a rather recondite subject—the application of the construction industry training board levy to hard flooring firms. It is not a subject that is often discussed at bus stops and bars in my constituency, and it has not sent right hon. and hon. Members rushing into the Chamber to hear what it is about.

I am raising the subject because of an injustice in how the system operates. I understand that hard flooring firms all over the country suffer from it. I make no apology for the fact that I raised the issue with regard to a particular firm, Wright's Flooring, and its owner, Brian Wright, who lives in my constituency.

Many of us have green filing trays on our desks, marked "In", "Out", "Filing" or "Case work". I also have a tray marked "TD" which is short for "Too Difficult". That is where I put difficult problems that require too much work—problems that have a long history, that involve two or three Departments, or that have been described in an unnecessarily complicated way. I confess that I would have been tempted to put this problem into that tray, where it would have languished for a long time—probably for ever—were it not for the fact that Mr. Wright is such a palpably honest and hard-working man, and he has a very good case.

I have to do four things in my allotted time: explain the nature of the injustice; describe briefly the history that has led to it; suggest what can be done to resolve the problem; and suggest whose responsibility it is.

The nature of the injustice is simple. Mr. Wright is paying a training levy to the construction industry training board. His competitors, on the whole, do not pay it. He does not object to paying the levy. He is not a critic of the CITB; on the contrary, he sends apprentices to be trained in the arts of laying vinyl and other hard floors through the CITB at Erith. He thinks, by and large, that the CITB does a good job, as do I. However, he objects to paying the levy while others do not.

Mr. Wright does not claim that the money that he pays is extortionate. He pays about £3,300 a year on a turnover of about £500,000. Of course, that is rather misleading. The levy is a very small proportion of the wage bill, but a much higher proportion of the profits. He works in a highly competitive business, and if his profit margin is only about 5 per cent., that comes to about £30,000 a year. That is all that he gets from running the business, and out of that he has to find £3,300, which is quite a sizeable chunk.

It is not so much the percentage that matters as the principle. Why does he pay but not his competitors? To understand that, I shall briefly go over the history. Hard flooring firms are considered part of the construction industry, whereas carpet layers are considered to be part of the furniture industry. The law decided some years ago that sticking lino on the floor with glue constituted construction, whereas fitting carpets constituted furnishing. It is the glue that makes the difference. There

[Mr. Martin Linton]

is an arcane argument about what happens with carpet tiles, which are also glued. I think that it was ruled that that glue was a removable adhesive and therefore did not count as proper glue. So hard flooring firms pay the levy and carpet layers do not because there is no longer a furniture industry training board. That is not a big problem. The significant problem is that firms are classified according to what they mainly do. Firms that lay fitted carpets will almost invariably also, if asked, fit hard floorings.

In this instance, Mr. Wright is a specialist hard flooring contractor. He prefers to remain with what he is best at, which is hard flooring. By and large, his competitors are carpet laying companies that also engage in hard flooring. They are usually much larger than Mr. Wright's firm. The hard flooring work that they turn over, though only a small part of their business, or at least less than half of it, is often much greater than Mr. Wright's. They do not pay the levy and he does.

It would be understandable if the smaller companies did not pay the levy and the larger ones did. In this instance, however, it is the smaller specialist companies that pay while the larger ones do not. The smaller companies have to charge the same rate per square metre as the larger companies. If they did not, they would be driven out of business. The smaller companies have to absorb the cost of the levy as well as the diseconomies of scale that they are bound to suffer.

When the system was set up originally, every firm had to pay a training levy, if not to the construction industry training board then to another training board. I do not need to remind you, Mr. Deputy Speaker, that there were 28 training boards covering all industry. If an employer did not pay to one, he paid to another. It did not matter that a firm was classified according to what it mainly did. There were no ragged edges because the whole of industry was covered.

However, in the 1980s all but two of the training boards were abolished. In my view that was a retrograde step, but as that is not my central argument, I shall not pursue it. The present situation is that the ragged edges matter. The House will understand that ragged edges are anathema to hard flooring layers. That is what they are paid to avoid. We like floor covering to go right up to the wall and we like the join to be invisible. I think that they are entitled to expect that the Government will deal with the ragged edges in the training levy system with the same care and precision.

What can be done to resolve the problem? I wrote to the Minister and he made a couple of suggestions. First, he said that it is open to a trade association to ask the responsible Minister to remove its sector from the scope of the CITB levy. It would have to satisfy the Minister that the majority of its members wanted to stop paying the levy, and that satisfactory voluntary training arrangements were in place. I have put the matter to the Contract Flooring Association, which is based in Nottingham. It replied:

> The Contract Flooring Association has not supported the retention of the CITB during successive reviews particularly because the method of applying the levy has always been seen to be very haphazard.

The association asked me to make it clear that the objection has never been to the CITB itself, and that it is recognised to be doing an excellent job in many construction skills. Scaffolding and steeple-jacking are good examples of that. The problem is not the quality of its work but the fact that some firms pay the levy and some do not. The situation seems haphazard and unfair.

The majority of the CFA's members are already outside the scope of the levy as a result of a case brought to an industrial tribunal by Tyndale Carpets. When that firm won its case, the CITB did not appeal. As a result, nearly all the flooring companies came out of the CITB, leaving only a few hard flooring companies in its scope. Ironically, Tyndale is now one of the competitors that Mr. Wright faces. It does far more hard flooring work than he does, but it does not pay the levy.

In any event, Mr. Wright does not want to come out of the scope of the CITB levy. Instead, he wants everybody to compete on a level playing field. The problem lies not with the levy but with the rule that it applies to firms mainly engaged in hard flooring. One obvious solution would be for firms to pay the levy on the proportion of their wage bill that relates to hard flooring. I put that to the Minister in my letter. He replied:

> Though the use of "mainly" in the definition can lead to some anomalies, it is difficult to think of another system that would not create more difficulties.

I sympathise with his problem, but who has the responsibility for finding the solution? The remedy may be in the hands of the trade associations. I encourage them to pursue that—if possible—if they can agree that all hard flooring companies should come out of the CITB.

However, that might merely move the ragged edge further along. The real problem is that, since the abolition of almost all the training boards, it is the Government's duty to find a fair way of deciding who pays and who does not. It is not enough to observe that it is difficult to think of a solution that would not create more problems.

If Mr. Deputy Speaker, you hired people to lay vinyl in your kitchen and they did not lay it under the fridge because the fridge was hard to move, you would say that it was their problem; it would be their job to solve it. It is exactly the same for the Government. Since the abolition of all the other training boards, we have been left with a ragged edge around the construction industry. On our own admission, that creates several anomalies. The job of Government is not to say that the problems are difficult to solve, but to find ways of solving them.

Many firms find a way out of the problems through dishonesty. They have only to state that the majority of their work comes from carpet laying and they are in the clear; or, if they fail to declare their full wage bill, they do not need to pay the levy. In fact, they do not even need to tell the CITB of their existence. The onus is not on the business to pay the levy, but on the training board to collect it—unlike the Inland Revenue and Customs and Excise. As 30,000 firms join or leave the industry every year, that is hard to police.

However, the situation is also hard for small, specialist, long-established firms such as Wright's Flooring. Mr. Wright has been running the business since 1962. He employs about 10 skilled craftsmen. He believes in training youngsters and, as a result, has often had father-and-son teams in his work force. Such small firms are exactly what we need in my constituency; they are specialised, skilful and reliable, and do not try to do what they are not good at.

Mr. Wright has a strong belief in training people for the job, and in treating people—and being treated—fairly. That is why he objects so strongly to the situation in his industry. Why should he pay, while others do not? Sadly, he often thinks of giving up his firm—even though he has a full order book—because he feels unfairly treated.

What is especially galling is that everyone agrees that he is being unfairly treated. The CITB agrees that he has a case, although it still charges him the levy; the Minister agrees that there is an anomaly; and, as Mr. Wright's representative, I certainly agree that he suffers an injustice. The problem is that he can do nothing about that injustice; it can be remedied only by Parliament and the Government—he looks to them.

7.28 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): I am grateful to my hon. Friend the Member for Battersea (Mr. Linton) for raising this important issue. I commend him for drawing the attention of the House to his serious concern on behalf of his constituent. He works hard for the people of Battersea—this is an example of that.

I am also aware that he is a strong supporter of training and of the CITB, which is a statutory training board. As he mentioned, it is one of only two that remain. It is a large training business whose role is to ensure that there is a skilled work force able to meet the needs of the industry it serves.

My hon. Friend raised several complex issues. They are not easy to resolve without creating other difficulties—he anticipated my argument on that point. It is important to keep in mind the wider benefits for the whole industry of the training board and the levy.

I shall set out the general context of the work of the CITB, before dealing with the particular concerns expressed by my hon. Friend. The board is regularly reviewed—most recently in 1997—and exists only because the industry wants it. The board is not an unwelcome imposition by Government. Employers, with the support of the trade unions, have consistently made a strong case that a mechanism for collective funding is necessary to train a national pool of highly skilled workers. They are clear that there would otherwise be a reduction in the total amount of training. That is because of the special circumstances of the industry, with its mobile work force, employment often on a project-by-project basis and the significant use of labour-only sub-contractors.

In such circumstances, the levy and training grant mechanisms spread training costs across those who train and those who do not train. Everyone contributes whether or not they are willing to train and all, ultimately, benefit in that trained labour is available to the whole industry. That describes the general position.

The benefits go far beyond the return of levy paid in the form of grants to those employers who train the industry's future work force. The levy also provides for the development of occupational standards, especially on health and safety which is critical. Furthermore, provides for the development of qualifications, the availability of export training advisers and for work with schools on careers advice and with the further education sector on improving course quality and on research on skills forecasting. All that activity and more is to the competitive benefit of the companies within the scope of the training board. As my hon. Friend will appreciate, that includes those companies that decide to use the training board's services or to train and claim a direct grant for whatever reason. Nevertheless, they still benefit substantially from the work of the board.

Specifically, for firms engaged in floor covering, the CITB has developed national vocational qualifications and standards at levels 1, 2 and 3. They cover the full range of skills, including laying hard coverings. Grants are available to contribute towards the cost of achieving those qualifications. Floor covering training is delivered at three locations—in Kent, Salford and Glasgow. Again, funding is available from CITB for training costs and, if necessary, for travel and lodging expenses. If companies prefer to train themselves, there is help for that through the board's on-site assessment and training scheme. The Contract Flooring Association is involved in arrangements to make it easier for flooring companies to use that scheme. Many opportunities are in place for such companies to develop their training arrangements.

To ensure a level playing field between companies, demands have been made in recent months for there to be a law that would make it mandatory for every construction company to register with the CITB. The CITB is considering making such a proposal, and I have said that I will consider a change in primary legislation. However, a convincing case will need to be made. It will need to take full account of the costs and benefits and give full consideration to the administrative and bureaucratic implications. Whether a company is in scope to the levy can be a fairly complex decision, and that was the burden of my hon. Friend's remarks.

For example, it might surprise the House that plumbers, electricians and fence erectors are out of scope while bricklayers, carpenters and painters are in scope. I am not sure that we could reasonably expect companies to make that decision, and how do we wish to penalise them if they make the wrong one?

At present, it is the board's responsibility to identify and register firms. I know that it does that vigorously and will always follow up information given to it. The CITB is successful in improving levy collection—last year, it collected an extra £40 million.

My hon. Friend was concerned that firms whose main activity is not floor covering but which, nevertheless, do significant amounts of that work are not liable to the levy and he pointed out that that gives rise to anomalies. I have some sympathy with the point, but I cannot see a better way of identifying construction companies without creating further anomalies. To levy all firms that undertake any construction activity, no matter how small, would be very hard to implement. Where would the line be drawn—at 25, 30, 40 per cent. of a company's work load being a construction activity? It is a difficult question and he will understand the problems surrounding that. The CITB's approach of more than half seems, on balance, to be right.

I understand the point about the so-called "jagged edge" caused by different types of floor covering, only some of which are within the scope of the levy. It adds strength to the argument if one draws a comparison between the jagged edges that customers do not want to see and those that are apparent in this area of public policy. My hon. Friend's point was well made.

[Mr. Malcolm Wicks]

Until 1992, all floor-covering activity was potentially in the scope of the CITB, but an industrial tribunal took the view that carpet and carpet tiles are furnishings and therefore do not fall under the relevant statutory definition of construction. The CITB has operated on that basis since that decision.

That brings me to my conclusion and the way forward. As far as I know, there is no groundswell of opinion that we should revert to the pre-1992 position by bringing carpet laying back within the scope of the levy or, on the other hand, that we should remove hard floor covering from its scope. We do not know how many companies are affected, but there are about 200 that declare themselves to CITB as being mainly engaged in floor covering. It is for them, with their trade association, to make the case for change one way or the other based on a judgment of how best to ensure that quality training continues at least at the present levels.

I listened carefully to my hon. Friend and I shall re-examine his arguments in *Hansard* tomorrow. Obviously, the CITB can consider representations. I assure my hon. Friend and his constituent that I shall discuss this very case with the CITB at our next meeting. My hon. Friend made his argument powerfully, and given the way in which he described what is clearly a small but successful business, I understand his points about margins and competition.

I conclude by underlining the main issue: it is about ensuring that effective arrangements are in place to provide a high-quality work force for the construction industry, including the floor covering sector. At the very time when we need to improve both the quantity and quality of training in our country, we do not want to do anything that would undermine our chances of achieving that objective.

I should be happy to have a follow-up meeting with my hon. Friend to discuss the matter further and I congratulate him on bringing to the attention of the House a matter that is, for some, obscure, but for those of us who understand it, very important.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes to Eight o'clock.

House of Commons

Friday 19 May 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Health Service Commissioners (Amendment) Bill

Not amended in the Standing Committee, considered.

New Clause 4

TIME LIMIT ON MAKING OF COMPLAINTS (NO. 2)

'. Complaints may be made under section 3(1) of the Health Service Commissioners Act 1993 (general remit of Commissioners) for a period not exceeding three years following the retirement or resignation from the National Health Service of the person who is the subject of the complaint.'.—*[Mr. Forth.]*

Brought up, and read the First time.

9.33 am

Mr. Eric Forth (Bromley and Chislehurst): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss the following: Government new clause 5—*Requirements to be complied with.*

Government new clause 6—*Transitional provision.*

New clause 7—*Time limit on making of complaints about providers who have retired or resigned*—

'. The limitation for a complaint under section 3(1) of the Health Service Commissioners Act 1993 (general remit of Commissioners) shall be the same as that which applies to an action for clinical negligence at common law, notwithstanding that the person the subject of the complaint has resigned or retired from the National Health Service.'.

Mr. Forth: Madam Speaker, I hope that you agree that it is relevant at this stage of the Bill's proceedings if I briefly outline the provenance of the new clause. Interested parties who look at the Order Paper and the amendments might be momentarily puzzled about why such a new clause should have appeared out of the blue, particularly as the Bill has received such support at all its stages hitherto.

In introducing the Bill on Second Reading, my right hon. Friend the Member for Wealden (Sir G. Johnson Smith) said:

> The purpose of the Bill is to close a loophole in the Health Service Commissioners Act 1993, which allows general practitioners and others involved in health matters to retire to avoid investigation by the health service ombudsman. For example, GPs who are worried about being investigated by the ombudsman can simply retire from the national health service to avoid answering for their actions.—[*Official Report*, 3 March 2000; Vol. 345, c. 664.]

That was a very elegant statement by my right hon. Friend of the aims of the Bill. That elegance, and the persuasiveness of the argument that followed—which I need not repeat or rehearse at this stage—easily persuaded the House on Second Reading that the Bill should receive widespread support.

The fly that appeared in the ointment, however, came later in the debate. The Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart), said:

> May I share some of the Government's concerns? A practitioner may still get off the hook if the time limit is brief, but we have to reach a compromise between what is fair and what is workable for all parties concerned.

The Minister, very fairly, said to the House, even at that stage, that although she was supporting my right hon. Friend's Bill, she had some reservations about it. She went on to say—presciently, if I may say so:

> Perhaps the worst aspect of the current situation is that there have been cases of the commissioner beginning an investigation only to have to discontinue it because the practitioner resigns or retires. For example, in a case involving one GP, the statement of complaint was issued, but the commissioner was informed that the GP was due to retire in two months.—[*Official Report*, 3 March 2000; Vol. 345, c. 698-699.]

There again, we have the statement of the problem as it emerged on Second Reading.

The issue was taken up in Committee. When Standing Committee C convened on Wednesday 29 March, my right hon. Friend reminded the Committee of what the Minister had said. He quoted the hon. Lady's remarks made on Second Reading on 3 March 2000 at column 697:

> One of the key elements of any complaints process must be that it is fair to all parties. The proposals in the Bill would potentially leave the practitioners and providers involved susceptible to investigation by the commissioner indefinitely.—[*Official Report, Standing Committee C*, 29 March 2000; c. 3.]

That is the question before us on Report. Having had that warning of the problem, my right hon. Friend then picked up from the Minister the other aspect of the difficulty, which is where we are. He said that the Minister suggested on Second Reading that there should be a limitation on the time taken to deal with those problems. So it was already acknowledged, by the Bill's Committee stage, that there was a problem about time limits.

Later in the Committee's proceedings, the Minister said:

> I made it clear on Second Reading that we should be fair to all parties, but giving the Health Service Commissioner indefinite powers to investigate ex-practitioners did not seem to be fair. I gave notice that the Government would table an amendment to the Bill to introduce a time limit on how long after, for example, a GP had retired, the commissioner should be able to investigate a complaint about him or her.

Then she said, in her fair and even-handed way:

> Developing a time limit proposal is not as straightforward as it might seem at first.

I can echo the hon. Lady's sentiments. Indeed, that comment is an understatement. It may be a tribute to the tightness of the Bill's drafting, but I found—and I gather that this was a general experience—that to draft an amendment that would reflect and deal with the problem of time limits within the context of my right hon. Friend's Bill proved remarkably difficult. However, I tabled a new clause, and it has been selected for debate—something of

[Mr. Forth]

a triumph in the circumstances. By doing so, I have managed to put a wedge in the door. I shall shortly refer to the Government's new clauses, which provide a different slant and a different solution to the problem.

The Minister's remarks in Committee helped set the stage for this proposal. What she and my right hon. Friend said has demonstrated that although we were prepared to accept the thrust and principle of the Bill, the fact that the difficulty emerged and was discussed sensibly in Committee and that we are returning to it on Report reflects well not only on my right hon. Friend but on the way in which the process has unwound. The Minister's words go some way towards explaining the matter. She continued:

> As I said on Second Reading, we must agree on its length—

that is, the time limit—

> and we have discussed that point with the commissioner. Whatever period we decide on, we must work through the question of when we start the clock. How will we deal with someone who has been out of NHS practice for more than the agreed period, but who decides to rejoin? How will we make sure that we catch all types of independent provider, from the sole proprietor of a small nursing home to the big company with a string of private hospitals?—[*Official Report, Standing Committee C*, 29 March 2000; c. 5-6.]

The Minister posed that question in Committee. In these proceedings, we must judge how far my modest little provision or the Minister's mega new clause 5 can deal satisfactorily with the problems. That aspect of the background is relatively clear.

My new clause and the Minister's take somewhat different approaches to the matter. Mine was deliberately simple and straightforward. The key question is whether it will deal with the problem as comprehensively as it should. It states:

> Complaints may be made under section 3(1) of the Health Service Commissioners Act 1993 . . . for a period not exceeding three years following the retirement or resignation from the National Health Service of the person who is the subject of the complaint.

I shall come to the Minister's new clause 5 in a moment—strictly speaking, it is the Secretary of State's new clause, but I shall attribute it to the Minister for the purposes of the debate; she was probably its author. It is a genuine coincidence that both new clauses would set a time limit of three years.

Mr. Andrew Dismore (Hendon): The right hon. Gentleman may not have had the chance to read my new clause 7. That too provides for a limit of three years, but with quite a few exceptions.

Mr. Forth: I was looking forward with great anticipation to hearing the hon. Gentleman explain his new clause. I am not a lawyer and it appeared slightly opaque to me—I hope he will take that comment in the spirit in which I offer it. It will be interesting to compare the new clauses.

However, as I had not—and could not have—read the Minister's new clause before I tabled mine, I searched for the reason why we had both come up with the same period. The only explanation that I could think of was that, as I had spent almost nine years in government, I had perhaps absorbed, through a form of osmosis, the thought processes that occur in a Department—the excellent briefing and support that Ministers receive from their officials and the options that are examined. Even after so long out of government, perhaps enough of that is left in me that I homed in on the same period that the Minister has. Much more scientifically come up with. It is a warming coincidence that we find ourselves so readily in agreement on this occasion. That comforts me, because knowing as I do the exhaustive process by which the Minister will have reached that conclusion, it bodes well for the debate and for the conclusion at which, I am sure, we shall readily arrive.

Needless to say, although we have arrived at the same period, there are differences in the way in which we did so. My approach was deliberately simple. The Minister's new clause refers to the original measure—the Health Service Commissioners Act 1993. Significantly, section 9(4) states:

> The Commissioner shall not entertain the complaint if it is made more than a year after the day on which the person aggrieved first had notice of the matters alleged in the complaint, unless he considers it reasonable to do so.

In that sense, a time limit had already been built into those provisions. We are now considering a different time limit in order to give different protection. I am not aware that the original limit has been disputed. It must surely be reasonable that, if someone has a genuine complaint, it should be brought to the attention of the commissioner within a reasonable time limit—one year, in that case.

We are discussing whether practitioners should be left vulnerable to complaints for an indefinite period. There is a balance of argument. My right hon. Friend the Member for Wealden may originally have had it in mind that to set any time limit might, in some circumstances, act against the interests of the person wanting to make a complaint. That is a reasonable starting point. That argument may well be rehearsed during the debate. We must not rush in without giving it full consideration.

However, the discussions on Second Reading and in Committee identified another problem—the other side of the coin. We must achieve some balance and even-handedness between the reasonable rights of the person making the complaint and the person complained against. That is where the judgment as to time inevitably comes in. What is a reasonable amount of time in which to allow a complaint to be laid, while not leaving people vulnerable to complaints for the rest of their lives? That could be the case if we do not amend the Bill.

9.45 am

Mr. Philip Hammond (Runnymede and Weybridge): Will my right hon. Friend clarify a point about his new clause and his understanding of the new clauses grouped with it? Is the three-year time limit—or whatever limit is proposed—to be understood as starting from the moment when a complaint is made to the health service commissioner or from the moment at which a formal complaint is made in the overall national health service complaints system? If a complaint had been laid within the three-year time limit at the lower entry point, would it be possible, after that limit, to make reference to the health service commissioner, if the earlier stages had taken a long time?

Mr. Forth: That is a fair question. At a glance, I am not sure whether it is answered by my new clause, nor—at an even briefer glance—by the Minister's new clause, although that is for her to say.

However, my hon. Friend makes an important point. We face a dilemma: should we be tempted to get bogged down in details so as to cover all eventualities, or do we want to keep matters simple? I readily concede that simplicity has many virtues, but one of the problems with a simple—although not simplistic—approach is that it may not deal with all eventualities. In new clause 4, I was trying to deal with the problem that I thought had been identified on Second Reading by the Minister and in Committee. I wanted to try to limit the period during which people were vulnerable to a complaint, following either their natural retirement or their deliberate resignation from the health service or other employment. That was my focus.

Mr. Andrew Miller (Ellesmere Port and Neston): I have listened with interest to the debate as to whether there should be a three-year period. If, within the period, the commissioner decided that there was a prima facie case to answer, one would think that the process would automatically allow for the continuation of an investigation of the complaints. I need to be satisfied that the right hon. Gentleman's new clause would provide for that.

Mr. Forth: My new clause states:

> Complaints may be made . . . for a period not exceeding three years following retirement or resignation.

I would interpret that as meaning, literally, that the complaint should be made, laid or initiated within that period. Within that are subsumed several questions, such as how long it might be reasonable for the commissioner to deal with a complaint before an expiry of the process. I do not know whether we need to get involved in that issue, but we should properly debate whether the elegance—as I would claim—of my new clause or the Minister's even more comprehensive new clause deal sufficiently with that point. We must tease out the answer.

I confess that I am already starting to doubt whether my elegant new clause will meet all the requirements. We shall have to consider that in the debate. Given what my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) and the hon. Member for Ellesmere Port and Neston (Mr. Miller) have just said, we may be able to identify circumstances that will not be adequately covered by the simple approach and may, therefore, require a more complicated one. I shall wait until I hear the Minister and more of the debate before I make up my mind. I am known to be legendary for my flexibility and reasonableness, so I do not want to stick to my new clause for any longer than is credible in the light of our debate. I want to ensure that the Bill emerges from that process in the most viable and effective form possible. That is why we are here and that is our shared objective.

The questions that have already been raised illustrate the surprising complexity of the issues. It may be that, on Second Reading and in Committee, we thought that it would be a relatively straightforward process and, when I framed my new clause, I thought that too. We thought that we were dealing with one dimension of the problem—the protection of the person complained against in the light of his or her resignation or natural retirement from the service.

It has already become apparent that other possibilities will inevitably arise. For example, will there be subsidiary time limits within the time limit stipulated? Will they start from the point at which a complaint is made, run through the initial stages of the complaint being dealt with by the commissioner and then come into conflict with the matter of retirement or resignation from the service? Those issues must be considered and that is why we shall have to examine closely and positively the Minister's new clause. Unsurprisingly, it is an attempt to deal with such dimensions and it emerged from a process with which many of us are familiar. A debate took place, the Minister acknowledged a difficulty, signalled that point fairly and gave an undertaking in Committee that it would be dealt with. The problem then went to the Department where the Minister set a challenge to her officials. They resolved it to their satisfaction and the parliamentary draftsman has provided his or her solution.

Mr. Tim Collins (Westmorland and Lonsdale): I apologise for not being able to be present for the beginning of my right hon. Friend's speech, so I do not know whether he has covered this point. However, there is at least one respect in which his new clause is significantly superior to that tabled by the Minister. His does not exclude those who have been struck off in the NHS whereas the Minister's does.

Mr. Forth: I hope that that is so, and I am grateful for my hon. Friend's support. New clause 4 contains the words

> following the retirement or resignation from the National Health Service

and I now wonder whether they would cover someone who has been struck off. Retirement has one meaning and resignation another. The implication of my hon. Friend's comment is that someone who has been struck off has not retired or has refused to resign; he is forced to leave. I am now worried. My hon. Friend was generous in suggesting that my new clause covered such an eventuality, but I now doubt whether it does. I leave that question hanging for the moment, because the Minister might have to deal with it if we are to receive a satisfactory answer. In a sense, I am glad that my hon. Friend raised that issue.

Mr. Dismore: When the right hon. Gentleman hears the argument in favour of my new clause 7, he will find that it deals with that issue.

Mr. Forth: The hon. Gentleman hints that he believes that his solution will be more effective than mine. Admiring him as I do, I do not necessarily have much doubt about that. I do not want to delay the House or prolong my little contribution to the debate unnecessarily. However, at this stage, we can be fairly clear what the problem is, because it was elegantly set out. I hope that we shall have answers to it. I am confident that the Minister will answer. Whether the hon. Member for Hendon (Mr. Dismore) can persuade us that his solution is superior to the Minister's remains to be seen.

My new clause deals simply, elegantly and comprehensively with one part of the problem. Subject to what the Minister and my right hon. Friend the Member for Wealden say, we may not need to make a choice between the new clauses. A battery of new clauses may prove to be the best answer to the problem. Not least among those new clauses may be that of the hon. Member for Hendon, shrouded as it is in a legalese that is designed—whether by parliamentary draftsmen or

[Mr. Forth]

lawyers—to force us to pay for or, as in this case, to listen at length to the legal advice necessary to untangle it. There is nothing wrong with that, especially as such advice is free in this place.

We believe that we understand the problem, but the solution may not be as simple as we thought. It should be dealt with and I hope that my right hon. Friend the Member for Wealden will guide us as to whether he thinks that the Bill requires what is suggested in the new clauses. I gained the impression from what he said in Committee that he believed that the problem must be dealt with, and our job is to decide which of the solutions on offer is the best. I submit mine and I look forward to hearing from the proponents of the others.

Mr. Dismore: It is a great pleasure to follow the right hon. Member for Bromley and Chislehurst (Mr. Forth). I listened to his explanation of how complicated the issue is. I agree that it is much more complicated than people might have originally thought when we discussed it on Second Reading.

The starting point for considering the time limit is to return to first principles and ask what the purpose of the ombudsman is when he deals with complaints in the national health service. Two issues need to be considered. The first is that the ombudsman is part of an on-going process, as the hon. Member for Runnymede and Weybridge (Mr. Hammond) suggested when he asked about the time frame in which a complaint in the NHS system develops. Secondly and more important, we must find an alternative remedy to legal proceedings.

There is probably cross-party consensus in trying to minimise the number of legal actions that the NHS has to defend. The figures for the cost of such actions are astronomical—about £2 billion a year, which is more or less equivalent to a penny on income tax. Therefore, we should try, to minimise the need for legal action by providing alternative remedies. One of the most important of them is the power to take a case to the ombudsman to obtain another form of redress.

On Second Reading, I tangentially made the point that the ombudsman's powers need to be strengthened in several different ways. However, we need to produce a time limit that is not weaker than the one that a complainant would have through the courts. We do not want to cut off one avenue and force people to go to law because the ombudsman cannot entertain their complaint as a result of the cut-off imposed by the time limit. That is where my new clause is relevant because it would equate the time limit for a complaint to the ombudsman with that which would apply in the case of someone wishing to sue the NHS. I shall develop that point at greater length shortly.

Angela Smith (Basildon): I wish to make a tangential point on which I would be grateful for my hon. Friend's advice. Does he accept that the time limit is not the only reason why people prefer to go to court rather than to the ombudsman? The other factor is the ombudsman's limited power. If we strengthened that power, more people would take their complaints to him in the first place.

10 am

Mr. Dismore: I am grateful to my hon. Friend, with whom I agree. That was an issue that I had hoped to address on Second Reading and in amendments that I tabled for today's debate but which, unfortunately, were not selected. I may therefore address it in our debate on later amendments. She makes a cogent and important point: the stronger the powers of the ombudsman, the less likely people are to regard going to court as their only remedy.

We must therefore try to ensure that the time limit in the Bill does not provide a less effective remedy than going to court. No one disputes that we need a time limit. However, we must balance the needs of the complainant and the health service provider in determining where to set that limit. If we do not get that right, people will simply start to sue.

Before I go into the detail of my new clause, I point out that the health service commissioner thinks that a three-year time limit would be appropriate because it would tie in neatly with existing limitations on civil litigation. Of course, the Government new clause and that tabled by the right hon. Member for Bromley and Chislehurst would not do that, as they would not provide for the fine tuning that exists in civil litigation. Indeed, they would provide a somewhat blunter instrument, as they simply set the limit at three years—take it or leave it. My proposal is more sophisticated and would allow for a series of eventualities.

There is a key distinction between my new clause and those of the Government and the right hon. Gentleman, which apply the time limit after the retirement or resignation of the doctor concerned. Effectively, the doctor could face proceedings up to three years after he had retired or resigned. My new clause involves a more general time limit, which would apply whether or not the doctor had retired. It uses the word "notwithstanding". By contrast, the right hon. Gentleman's new clause states:

following the retirement or resignation,

and the Government new clause uses the phrase

after the last day on which

someone was a family health service provider or independent provider.

My new clause would therefore address the position of someone being struck off, which was raised by the hon. Member for Westmorland and Lonsdale (Mr. Collins). My new clause is all-embracing and would catch all doctors in all circumstances, notwithstanding their resignation or retirement. The Bill excludes some people, but my new clause would bring them into the fray.

Mr. Hammond: The effect of the hon. Gentleman's new clause would be considerably to tighten the scope for an individual to bring a complaint to the ombudsman in all circumstances. Is that his intention?

Mr. Dismore: My intention is to try to equate the powers of the ombudsman with those that apply to the courts. In practice, my new clause would not have the effect suggested by the hon. Gentleman because the ombudsman already operates an unofficial one-year limit on complaints. My new clause would give complainants and doctors subject to complaint greater certainty about where they stand. It is a question of striking the right balance between the two parties.

The logical conclusion to be drawn from the hon. Gentleman's comment is that until his retirement and, indeed three years after that, a GP could be open to complaint about an event in the early years of his practice as a young trainee GP. If he was in his early 20s at the time of the event, he could be open to complaint for 40 or 50 years. That cannot be right. However one regards the situation, a limit must be applied. I believe that three years is the correct period, with appropriate exceptions being built into the system.

Mr. Hammond: Surely the logic of what the hon. Gentleman said about the ombudsman operating an unofficial one-year limit on complaints is that we are wasting our time discussing the matter?

Mr. Dismore: The Bill and the Health Service Commissioners Act 1993 do not specify a time limit. The ombudsman operates an unofficial one-year time limit as custom and practice, but a future ombudsman may decide to operate a completely different system, and the period may be shorter or longer. It would therefore be appropriate to incorporate a time limit in the Bill. My proposal would achieve that objective and cover all doctors. It would provide protection and strike the right balance for those doctors who have ceased to practice, whether as a result of retirement, resignation or another reason, such as being struck off.

The meat of my new clause is that the time limit on complaints should be the same as that applying to an action for clinical negligence in common law. The normal time limit is three years, but there is a series of exceptions to that, which should be incorporated into how the ombudsman will operate. The first exception affects children.

At the moment, a complaint involving a child can be brought only within three years of an incident. However, in common law, the three-year time limit applies from when the child obtains the age of majority. A child may have a grievance that his or her parents decide not to take up with the ombudsman. Nevertheless, the child may feel strongly about that grievance and, when he or she reaches the age of 18—notwithstanding the fact that it may be more than three years since the incident—is empowered to bring a complaint to the ombudsman. In common law, that child would be entitled to bring an action for damages for clinical negligence. It is important to ensure that a complaint to the ombudsman does not disadvantage children, given that they have rights in common law to bring an action for clinical negligence.

Secondly, the three-year time limit applies either from the date on which the cause of action, meaning the matter of complaint, accrued in common law or—this is an important exception—to a later date on which the injured person gained knowledge of his or her injury. In many medical negligence cases, people do not immediately realise that they are victims of malpractice. They do not realise what has gone wrong, so they go to another doctor, and it takes for ever to find the cause of the problem. Eventually, some years later, they may find that a surgeon has left a piece of equipment inside them or taken the wrong bit out. It sometimes takes a long time to determine such issues.

In common law, section 14 of the Limitation Act 1980 sets out the factors that apply to the date of knowledge. It deals with factors relevant to the date of knowledge of the complainant, or the claimant as he is called now, following the change of terminology in last year's civil justice reforms—although the Act predates those changes and refers to the plaintiff. Those factors include

> that the injury in question was significant; and that the injury was attributable in whole or in part to the act or omission which is alleged to constitute . . . breach of duty;

as well as

> the identity of the defendant.

Often it is difficult to determine identity. For example, someone bringing a complaint against a hospital may have been treated by a nameless person in the accident and emergency department. Indeed, the last thing that they will ask when receiving treatment is the name of the doctor or nurse. The Act says that a person's knowledge

> includes knowledge which he might reasonably have been expected to acquire . . . from facts observable or ascertainable by him; or . . . with the help of . . . appropriate expert advice which it is reasonable for him to seek.

Those exceptions would greatly improve the proposals of the Government and the right hon. Member for Bromley and Chislehurst. The framework should include the standard three-year time limit, which we all agree is appropriate, but should also provide exceptions for those people who, for one reason or another, do not know they have been injured—

Mr. Hammond: I must interrupt the hon. Gentleman because he said that we all agree that the standard three-year time limit is appropriate, but he is proposing a very different three-year time limit from that proposed by the Government and my right hon. Friend the Member for Bromley and Chislehurst. I am not at all sure that we have established that there is a consensus in the House that a three-year time limit from the event is appropriate.

Mr. Dismore: I am grateful to the hon. Gentleman for clarifying the position of the Opposition. Perhaps I should have said that we all agree that a three-year time limit is appropriate, but that we may disagree on where it should kick in.

The important point is that we need a series of exceptions to the rule. There will always be exceptions, and if we do not provide a degree of common sense about when people know or do not know that they have been injured, we run the risk of creating injustice and forcing people to seek alternative remedy to the NHS ombudsman in the courts.

The catch-all provision in section 33 of the Limitation Act provides a general discretion, notwithstanding all my points about section 14 on the definition of the date of knowledge. Such a discretion is important. It empowers the courts in civil litigation and, should my amendment be accepted, the ombudsman in the case of a complaint, to exercise a degree of common sense.

If it is equitable to allow a case to proceed, the courts can permit it to do so depending on the degree of prejudice suffered by either side. The court may consider: whether there are good reasons for delay of the compiaint; the evidence available and whether it continues to be cogent or has become weaker through the passage of time, the conduct of the parties and the extent to which, for example, requests for information from the patient to the doctor were properly and promptly answered; the extent to which the claimant acted promptly once he knew all

[Mr. Dismore]

the relevant facts; the steps that the claimant had taken to obtain the necessary medical or other expert advice; and the nature of the advice received. All those factors relate to the general equity of deciding whether a complaint should be permitted.

My new clause would strike a fair balance between the rights of claimants and doctors. Doctors would know that, in normal circumstances, there would be a three-year time limit for a complaint, irrespective of whether they stay in the profession or leave for whatever reason. On the other hand, claimants would know that they had to get their skates on to ensure that the complaint was brought within three years. The new clause would also provide a general series of commonsense exceptions to the rule, which would apply to cases in which, for example, the claimant simply does not know, for whatever reason, that they have been injured, and ultimately a general discretion under which it would be fair to extend the time limit.

Mr. Hammond: The hon. Gentleman still has not explained whether the three-year limit should apply to the initiation of a complaint at the first tier of the NHS complaints procedure or refer specifically to the point at which a complaint was made to the commissioner. If it is the latter, does he have any information about the average length of time that it takes to exhaust the first and second tiers of the NHS procedure?

Mr. Dismore: The point is answered in my new clause, as it is in those tabled by the right hon. Member for Bromley and Chislehurst and by the Government—although I have not cross-referred Government new clause 7. Like my new clause, the right hon. Gentleman's refers to the time limit in which a complaint must be made to the commissioner under section 3(1) of the Health Service Commissioners Act 1993: three years. That would not therefore include any period previously dealt with while exhausting earlier stages of the complaints procedure.

I get the impression from the commissioner's most recent report that the procedure can sometimes take a year or two. The hon. Member for Runnymede and Weybridge may find it instructive to read the commissioner's evidence to the Health Committee when it was considering the issue of complaints. A year or two is far too long. We must find ways of speeding up the complaints process greatly. Otherwise, to return to my bull point, if I may put it that way, people who have no confidence in the complaints procedure and think that it will take too long and not provide an appropriate remedy, will inevitably find themselves running off to the courts in search of one.

10.15 am

I turn to the transitional arrangements in Government new clause 6, about which I have great concerns. It could create massive injustice between different complainants. Two people could have complaints arising from a doctor's conduct one day—let us say today. The doctor has had a bad day and somehow upset two of his patients. One patient is very cross and makes a complaint on getting home, which is proceeded with. On Monday, the GP suddenly decides that he has had enough and will retire. Under the transitional arrangements, the complaint made by the patient who acts promptly would be dismissed.

The second patient allows the complaint to brew a little, is clued up from watching our debate on television and realises, "Aha; if I wait until the Bill becomes law, I can bring a complaint that will be dealt with." So, two people with the same complaint against the same doctor on the same day would be treated very differently under the proposed provisions. That returns to the point that the transitional arrangements deal not with the date of the matter complained of, but with the date of the complaint. It would be far better if new clause 6 addressed the former. That would produce the equity that is lacking in the Government's present proposals.

I shall give an illustration of the problem arising in practice—in relation not to the NHS but to an amendment to the criminal injuries compensation scheme introduced by the right hon. Member for Penrith and The Border (Mr. Maclean) under the previous Government. I am afraid that he is not in his place; he always seems to miss me raising this issue, from which many interesting lessons for the way in which legislation is drafted can be drawn. I have previously dealt at length with the difference between "may" and "shall" in the case to which I shall refer.

In 1994, the then Government introduced massive cuts in the criminal injuries compensation scheme, but to sweeten the pill, people whose infant child had been killed were to be for the first time entitled to bring a claim for compensation and to a lump-sum payment. In my role as a lawyer, I challenged the Government in the courts and the cuts were thrown out. The Government then had to return to the old scheme until the matter was put right through the introduction of a much better scheme in 1995.

Some people had made their claims under the amended provisions, which enabled them to claim compensation. Some claims were allowed and money collected. Some claims were in progress, but effectively dismissed by the result of the court action—in a similar context to the proposed transitional arrangements. People were not allowed to make another claim because they would be re-opening one that had been dismissed.

There are 200 families in such circumstances who, to this day, bear a great grudge and grievance against the previous Conservative Government. They feel that they have been unfairly treated owing to the way in which the transitional arrangements operated. The proposed transitional provisions in new clause 6 are very similar because they relate to the date of the claim, not to the date of the incident. Perhaps the Government should think again about new clause 6. Providing for the date on which the incident complained of took place would produce far greater certainty for both complainants and doctors, and obviate the risk of injustice.

My new clause would provide the answers to the issue of the time limit. It would provide not just a fixed time limit but the flexibility that we need in its application. I hope that the Government will also look closely at the transitional provisions, perhaps withdrawing their proposals and returning with ones based on the date of the incident complained of. That would provide greater certainty and fairness between one complainant and another.

Mr. Miller: I listened with great interest to my hon. and erudite Friend the Member for Hendon (Mr. Dismore). As usual, a lawyer's argument is persuasive. The snag is that I have some suspicion about the role of lawyers in this area of litigation.

I am sure that many of us have dealt with constituency cases in which we feel that lawyers representing the regional health authority or medical trust involved have acted unreasonably by repeatedly delaying proceedings. In some regions there is clearly a practice of stonewalling complaints, so that the patient dies, gives up or is bankrupted and cannot pursue the matter further. I find such practices unacceptable, as are those of lawyers representing complainants who egg the complainant on because they may get a few bob out of the case. There is a worrying factor in that relationship.

Of the people who come to Members of Parliament with complaints about the health service, some are in it for what they can get—the number of noughts on the cheque—but most want to know what happened and what went wrong, and they want someone to apologise to them for the injustice that occurred. Because the medical procedures available are so highly technical, everyone who goes into hospital could find something that has gone wrong.

Some hon. Members may remember the time when I was hobbling round this place on crutches during the previous Parliament, having had treatment in the now demolished Westminster hospital—not demolished because of me, I would add. The hospital ran out of Heparin, which was necessary for the treatment that I was receiving. Could I have made a complaint? Could I have made a complaint that there were no teaspoons on the ward, because of cuts under the previous Administration? I am sure I could have complained about something.

Some lawyers would have pressed a client to make a legal complaint about such matters, but the majority of people do not want that. They simply want an explanation of what happened and why things went wrong, and they perceive justice as getting that explanation. I am sure that the right hon. Member for Wealden (Sir G. Johnson Smith) accepts that.

Mr. Dismore: I am grateful to my hon. Friend. I listened with interest to what he said, and I agree with his last point. Can he advise me what the correct course of action is in such circumstances? No lawyer who knew what they were doing would advise anyone to sue in such a case. The only course of action available is through the clinical negligence procedure.

Mr. Miller: I hear what my hon. Friend says, but it is difficult to specify the boundary without getting drawn into cases that are current in my constituency, which may come before the commissioner in due course, and one of which may well come before the court. Going to court is justified in cases where there is clear evidence of negligence and a long-term built-in financial disadvantage, but such sad cases are few. Because of the highly technical procedures in hospitals, there are bound to be problems, and people want explanations about what went wrong.

How can we deal with the matter? We can set no time limit, or a fixed time limit, or a fixed time limit with exceptions built in, or some such hybrid process. The right hon. Member for Bromley and Chislehurst (Mr. Forth), who opened the debate, did the House a favour by stimulating the discussion. As I said in my intervention, we should ensure at least that within the time frame set, a prima facie case is established by the commissioner, although he may undertake an investigation and make a ruling substantially after the three-year period—it is possible that a delay may be required for medical reasons.

The other possibility is that any case that appeared on the commissioner's desk up to the three-year deadline could be considered. I am worried about that simplistic approach. Parallels could be drawn with other forms of complaint that are open to the public, such as industrial tribunal procedures. Most tribunal chairmen are wary of complaints that appear within a day of the three-month limit for making them. There might be exceptionally good reasons, but such a late complaint seems like an attempt to get something out of the dismissal or whatever. By and large, chairmen are reluctant to accept that that is a proper way of proceeding. The complaint should be lodged as soon as someone knows that he has grounds for a complaint.

I hope that when my hon. Friend the Minister responds to the debate and explains her new clauses, she will give us her views on how the commissioner should handle cases within the period set. Should the commissioner accept any case brought to his attention during the three-year period proposed by the right hon. Member for Bromley and Chislehurst? Should the commissioner have the power to make exceptions beyond the time limit? Are there medical circumstances about which my hon. Friend, as the Minister, knows more than I, that would justify exceptions being made? Should the commissioner deal only with cases in which he has established prima facie evidence that a complaint is justified?

That must be clarified before we determine which route we take. The approach outlined by my hon. Friend the Member for Hendon would allow the flexibility that I want, but I am slightly worried that it might tempt the decisions out of the ombudsman's arena and into the courts. I should be happy to hear my hon. Friend's comments, if he considers it appropriate to intervene.

Mr. Dismore: I am grateful to my hon. Friend. That would arise only if someone undertook a judicial review case against the ombudsman for failing to investigate a complaint. In practice, that would never happen. The court would have to be satisfied that the ombudsman had acted unreasonably. Bearing in mind how the Limitation Act 1980 has been construed in the past, that would be unlikely. Going to court for that purpose would be tantamount to throwing out the baby with the bath water. It would be simpler to litigate the original issue.

Mr. Miller: I am grateful to my hon. Friend. I assume that the same logic would apply, whichever clause we adopted. My hon. Friend nods: I am grateful for the free legal advice that I am getting. *[Interruption.]* It is not free from the Opposition, I hear.

My hon. Friend raised an interesting point about new clause 6 and the transitional arrangements. I know that he has dealt with extremely difficult cases in his previous life. He makes a fair point, which the Minister should consider. She should explain how we can avoid the pitfall that my hon. Friend described in the context of legislation on other matters. Perhaps the Government new clauses provide the answer because they would allow the ombudsman to determine whether to deal with complaints that had not avoided the pitfall. To achieve that, we must be sure that the amendments and existing laws that govern

[Mr. Miller]

the commissioner's conduct empower him, without fear of legal challenge, to handle cases in the time frame that has been described.

10.30 am

I appreciate that some cases, which led the right hon. Member for Wealden to introduce the Bill, are in a vacuum. However, I hope that we will receive an explanation of the point that my hon. Friend the Member for Hendon raised because of his detailed experience of other matters.

My hon. Friend also raised a difficult point for all of us who are parents: the rights of our children when they are children and those they gain when they reach the age of 18. The problem is tortuous and even more complicated in cases of complaint against the health service. The evidence necessary to sustain a complaint disappears with time. The scientific evidence showing that a complaint should have been lodged on someone's behalf 18 years ago may become stronger as our knowledge of medicine increases, but the key witnesses—doctors, nurses, visiting relatives—get older and frailer, or move and become untraceable. The medical staff retire or leave the profession. That poses problems. Some logical limit should therefore be placed on rights. Responsibility should be vested in the parents; we should not simply leave the door open.

The Government are anxious to ensure that money is spent wisely in the health service and directed towards patient care rather than long, bureaucratic and legalistic procedures. If cases such as those that my hon. Friend the Member for Hendon described were open to the commissioner, they could place an intolerable burden on the sort of investigation the commissioner might undertake. I therefore counsel my hon. Friend to reconsider, not on the basis of absolute justice for specific cases, but of practicality. We have to deal with the realities of the circumstances.

In 10 or 20 years' time, we may be able to reconsider if methods of recording information and holding scientific data improve. However, we are considering cases in which the patient will often have changed doctors, and have been treated by different specialists. Historically, records have not been well kept, although some GPs and hospitals are exceptionally good at keeping them.

I shall put a specific case that I know well to my hon. Friend the Member for Hendon. A young person had a series of operations at 14 months because of the failure of a paediatrician to undertake normal checks in the proper manner at birth. That may possibly be a justifiable case in my hon. Friend's legal opinion. If the parents decide not to litigate when the child is very small, should the child have the right to pursue the case when it has grown up? That is a difficult judgment to make, especially when the knowledge about the effect of the condition has also changed with time.

Mr. Dismore: When the child reaches the age of 18, he or she has the right to go to court because the limitation period for common law starts from the age of 18. New clause 7 would provide an alternative remedy and enable the parents or child to go to the ombudsman instead of the courts. If my hon. Friend's remarks are taken to their logical conclusion, the ombudsman option would be removed, and litigation would be the only course of action available.

Mr. Miller: I am grateful for that comment. While I understand and sympathise with my hon. Friend, I am speaking of a genuine case. I am worried that the ombudsman would be confronted with an intolerable burden because the scientific knowledge of the consequences of the doctor's action has changed dramatically. That must be true of several cases.

Some complaints are high profile—for example, those of lack of advice on inoculation. In the 1950s, some young people developed polio. However, at the time, medical knowledge was different. Nowadays, those who are not offered the sugar lump containing the magic medicine are few and far between, and if a few do not receive it, it is usually as the result of a deliberate act by the parents. It would be intolerable to involve the ombudsman in such a difficult philosophical argument. If such cases were justified, they would be exceptional and should be subject to litigation.

I am not trying to remove a human right from a child. My hon. Friend the Member for Hendon might say that I am wrong in view of recent European legislation. However, I am trying to be practical in considering the role of the ombudsman. We all want resources to be directed to the management of patient care; we want only minimal use of the procedures for the ombudsman and for litigation to deal with the exceptional cases about which we all hear from our constituents from time to time.

In principle, I am in favour of a time limit. It struck me as amusing that my hon. Friend the Minister and the right hon. Member for Bromley and Chislehurst plucked a similar time limit out of thin air. I shall investigate that. The right hon. Gentleman has either got on to the inside track in the health service, or, as he said earlier, the process of osmosis continues and the logic of the case that officials presented to my hon. Friend is the same as when the right hon. Gentleman was a Minister. I congratulate the officials on persuading my hon. Friend the Minister to adopt the proposal.

Such a time limit should be set, but I ask whether there should be exceptions to it. I hope that my hon. Friend the Minister will deal with the concerns that my hon. Friend the Member for Hendon, the right hon. Member for Bromley and Chislehurst and I have expressed, because we are all on the same side. We want to ensure that the loopholes are closed satisfactorily, that complaints can be made and dealt in a non-legal manner where appropriate and that the rights of the individuals are protected for as long as necessary—in the circumstances described by my hon. Friend, for example.

Mr. Collins: I have a couple of brief points to make. My hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) and the hon. Member for Ellesmere Port and Neston (Mr. Miller) have made some important remarks about new clause 7, which was tabled by the hon. Member for Hendon (Mr. Dismore). As I listened to the hon. Gentleman's speech, however, I found myself agreeing with him, which I have not done for three years: he made some good points.

Although the hon. Member for Ellesmere Port and Neston referred to a constituency case that led him to one conclusion—it is always right to bear in mind that hard

cases can make bad law—I was reminded of a constituency case that leads me to believe that the points made by the hon. Member for Hendon need to be taken seriously, even if new clause 7 may not be perfect.

My constituency case is directly relevant to determining whether the time limit should constitute an absolute three-year cut-off after a practitioner has left service or whether, as the hon. Member for Hendon said, the opportunities available in common law should apply, enabling the victim to take action after the information has become available to them.

More than 20 years ago, a chemical called Myodil was injected into my constituent's spine. Many of those who have had such an injection have subsequently suffered from adhesive arachnoiditis—a terrible condition that has rightly been described as involving all the pain of terminal cancer without the prospect of relief. My constituent was not told that that was the cause of her back problem for 20 years; successive medical practitioners said that it was associated with the condition of her spine. By obtaining copies of the medical notes, she found out that, as far back as the early 1970s, doctors had written that she was suffering from adhesive arachnoiditis, but for nearly two decades they did not tell her that that was the cause of the excruciating pain in which she has lived.

As the hon. Member for Hendon said, someone in those circumstances would have the right to take legal action, but my constituent has repeatedly made it clear that she is not interested in seeking large sums of compensation. She realises that nothing can be done to end that appalling pain, which has completed destroyed her life and means that she can walk only with extreme difficulty. The life that she previously led as an active tennis player has been ended. She wants an investigation into what occurred to be undertaken and published, which would be a more proper role for the ombudsman. It would be difficult for an ombudsman's inquiry to go back over such a period, but I would not want us lightly to pass a law that would make that impossible in all circumstances.

10.45 am

Angela Smith: The point that the hon. Gentleman highlights gives me great cause for concern. Is he suggesting that a doctor could avoid investigation by withholding from the patient the information that would allow that patient to take a case to the ombudsman?

Mr. Collins: I am sure that the hon. Lady would agree that this is an exceptional case. There are many medical people in my family, and I know that such events do not happen routinely or in other than a tiny minority of cases. However, I am concerned that the Bill and the new clauses tabled by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and by the Minister could allow a medical practitioner, who would be the rare rotten apple in the barrel, to keep information from a patient for long enough—three years, in this case—to make an ombudsman's inquiry impossible.

Such a case is less likely now because there is much wider access to medical notes and we live in an era in which such a cover-up—if that is what occurred—would be much more difficult to undertake. We must consider whether we should enable the ombudsman to investigate such circumstances.

Mr. Miller *rose—*

Mr. Hammond *rose—*

Mr. Dismore *rose—*

Mr. Collins: I give way to the hon. Member for Ellesmere Port and Neston.

Mr. Miller: There are many such cases, but they have two aspects. The hon. Gentleman must decide whether he wants to obtain justice on the treatment that the person received or on the subsequent withholding of information, which might have been done by entirely different people. It might be a rather old-fashioned view, but some doctors think that it is in the patient's interest not to give them certain information. We sometimes hear about that in cancer care, for example. I am unsure whether the hon. Gentleman is being swayed by the withholding of information or by the care that the patient received in the first place.

Mr. Collins: The hon. Gentleman makes an important point. A distinction can be made between the two. In the circumstances that I described, the initial problem, on both counts, stemmed from the same practitioner. In the early 1970s, it was standard medical practice for that chemical to be injected into people's spines so that it showed up on X-rays. It would not be legitimate to complain to the ombudsman about that practice because the medical practitioner did nothing unusual. Although scientific evidence of its effects existed abroad, they were not widely known in the United Kingdom. An ombudsman should be able to consider the fact that successive medical practitioners did not accurately inform my constituent of her condition, even if a lot more than three years had passed before the patient had access to the information that proved it.

Mr. Hammond: My hon. Friend seems to suggest that new clause 7 would broaden the opportunities for reference to the ombudsman, but, compared with the new clauses tabled by the Secretary of State, it would be restrictive. It is important to recognise the distinction between complaints against a hospital or a trust, which is an on-going, surviving institution, and those against an independent medical service provider, who may resign from the system and, therefore, escape jeopardy. I should not like my hon. Friend to fall into the trap of thinking that the hon. Member for Hendon wants to broaden the scope for reference to the ombudsman.

Mr. Collins: I am grateful to my hon. Friend for making those important points. The hon. Member for Hendon wanted to intervene a moment ago, so I give way to him.

Mr. Dismore: For the reasons that I gave, new clause 7 would broaden current custom and practice. However, the new rights to access to records do not apply to those written before the current law came into effect. The hon. Gentleman's constituent might have experienced that

[Mr. Dismore]

problem; she may not have had a legal right to see her records. Access to records can be problematic because doctors can levy fees—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Member for Westmorland and Lonsdale (Mr. Collins) has raised an important and serious matter regarding his constituent, but the proposal is narrow and refers to a time limit. We should restrict ourselves to that issue.

Mr. Collins: I respect your ruling, Mr. Deputy Speaker. The issue is whether the time limit in which the ombudsman can inquire into a case should be three years. I have established the point, and I should be grateful if the Minister would say a few words in response to the points that her hon. Friend the Member for Hendon and I have raised. Are there any circumstances in which it would be legitimate for an ombudsman to look into a case that was outside the three-year time limit that she proposes—for example, where it was perfectly clear to everyone that the complainant could not have brought a complaint within the time because they did not have access to information about the subject of the legitimate complaint until afterwards?

I referred to the other point that I want to raise in my intervention on my right hon. Friend the Member for Bromley and Chislehurst. Although the hon. Member for Hendon addressed the issue, I confess that, not being a lawyer, I am not entirely satisfied that it has been properly covered. There is a distinction between the Minister's new clause 5 and my right hon. Friend's new clause 4. New clause 4 refers to

> a period not exceeding three years following the retirement or resignation from the National Health Service of the person who is the subject of the complaint.

New clause 5 refers to a period of three years

> after the last day on which the person was a family health service provider.

I am willing to be guided by hon. Members with greater legal expertise than me, but it seems to me that there is a distinction, and that it is possible to cease to be a practitioner in the NHS for reasons other than retirement or resignation, both of which strike me as voluntary acts. A person could cease to be a family health provider because he has been struck off, and that is an involuntary act. The definitions are therefore different.

If they are different, that has different implications. From what my right hon. Friend said, it may not have been the intention of the wording of his new clause, but it would have the practical effect of not giving a three-year cut-off point in the case of a practitioner who had been struck off, whereas the Minister's new clause would give a blanket three years whatever the circumstances that led to someone departing the NHS.

As ever, there are arguments on both sides. I am quite attracted by the proposition that a practitioner who has been struck off because they have been found by their peers to have been in fundamental breach of their obligations to the national health service and to their patients should not be entitled to the same time-limited protection available to GPs who have not been found guilty of an offence so serious that it leads to their being struck off. Although there are difficulties, I have some sympathy with the view that there should be a longer period in which complaints can be brought against practitioners who have committed acts so serious that they have been struck off.

Angela Smith: Does the hon. Gentleman consider it an appropriate remedy for someone who has been struck off to be investigated by the ombudsman? What confidence would that give to the patient? Would it not be a better remedy to ensure that someone who has been struck off cannot be reinstated on the medical register?

Mr. Collins: The hon. Lady may be right, but that is beyond the scope of the Bill, although I have some sympathy for her view. I would put it the other way round. The likelihood is that the person who wanted to bring a complaint against a practitioner would be entirely unconnected with the case that had led to that practitioner being struck off, but would be prevented from bringing the complaint because of the three-year time limit. Such a person may come to any one of our constituency surgeries and say, "For heaven's sake. This practitioner was struck off, and you are telling me that I can't bring a complaint to the ombudsman because he got away with it for three years."

Mr. Miller: It seems that the hon. Gentleman is agreeing with me and not with my hon. Friend the Member for Hendon on the question that I posed to the Minister. In establishing time limits, there must be exceptions so that the ombudsman can use his good sense to allow complaints to be investigated outside the time frame. The question is whether the existing legislation gives the ombudsman powers in such exceptional cases.

Mr. Collins: The hon. Gentleman has made an exceptionally helpful point, and it prefigures what I was about to say. One thing that we most sensibly do when we legislate is to give discretion to the people who have to implement the legislation that we have passed, whether it be the courts or an ombudsman who has to resolve the special cases, the difficult circumstances, and the unusual cases. The ombudsman should be given discretion within clear guidelines, so that it is clear that it could not be used widely or in any way other than to cover exceptional cases. That would be desirable, and would perhaps enable the ombudsman to investigate cases that come before him well outside the three-year period for understandable reasons. It would also enable us to address the issue of someone who had been struck off.

The hon. Gentleman makes a powerful case, and I hope that the Minister will address that and the other issues that have been raised, either in her remarks on this group or in her later comments. The ombudsman is a well trusted and well respected official, and is likely to be so for as far into the future as we can foresee, whoever he is. There is a case for giving him some discretion to enable him to look into the circumstances of a case and to take the view that, as it is on the borderline, it would be sensible to bend the rules a little to ensure that natural justice, which is what we are all concerned about, is pursued.

Mr. John Heppell (Nottingham, East): I am not convinced of the value of any of the new clauses. The person with whom I most agreed was the hon. Member for Westmorland and Lonsdale (Mr. Collins). He is right and wrong. It is not a question of giving the health commissioner discretion: he already enjoys discretion. The problem with the new clauses is that they would take that discretion away from him. I cannot see any way round that. If a fixed period of three years is written into the Bill, it will restrict the commissioner's discretion.

Like many other hon. Members, to try to figure out what the right process should be, I looked back to the purpose behind the setting up of the post of health service commissioner. I read the Library's research paper of 8 December 1995 on the Health Service Commissioners (Amendment) Bill. It contains an interesting section written by the then health service commissioner for England, W. K. Reid, who said:

> Only exceptionally will I investigate a complaint about matters which are more than 12 months old. This time limit makes sense in protecting professionals from being in permanent jeopardy and also because of the difficulty of getting at the truth when a considerable period has elapsed.

That is what he said in principle, but the reality is different.

A person may not make the initial complaint until almost a year has gone by. The first stage of the complaints procedure should be fairly quick, but it can sometimes be delayed for several months. If the complainant is not happy with the first stage, he goes on to the second stage, which is the independent panel, and that can also take several months to work through. In practice, a case involving the health service commissioner goes on for 18 months to two years or beyond that.

11 am

I understand that the commissioner is now saying that he does not want a limit of less than three years, because that would restrict his discretion to act more than one year after the event. He has said that he feels he would be unlikely to want to exercise his discretion to investigate events that occurred more than three years previously, but "unlikely" is not the same as "definite". I would want the ombudsman to investigate the sort of cases mentioned by the hon. Member for Westmorland and Lonsdale, and I am sure that the general public would as well. I recognise that there must be some limit, and I would like it to be included in guidance to the ombudsman; but I do not think that it should be a set, regular limit.

All Members will have been consulted by people with limited information about a problem that arose 10 years earlier. It is often difficult to explain that there is little that one can do oneself, little that the courts can do and, indeed, little that anyone can do about a problem that arose so long ago. People's memories are not so good after such a long time has elapsed, and records get lost.

Recently, when I was clearing out some old papers that I thought were just rubbish—council documents—I found a load of personal casework that I had done for people. I had to bring it here to shred it. I was going to chuck it in the bin, but I suddenly realised that I could not do that, because it contained a lot of confidential information.

Let us suppose that I had destroyed that information. Someone might have come to me five years later—as we all know, this sometimes happens—and said, "I have no papers, but Dr. Such-and-such will have the records," or "I gave the citizens advice bureau a copy."

Angela Smith: I am slightly confused by what my hon. Friend is saying. On the one hand, he seems to be rather against the new clause; on the other, he seems to be giving a very good reason for a three-year time limit.

Mr. Heppell: I think that there are good reasons for guidance on a time limit, but I do not think we should make that limit definitive, and say that there should be a cut-off after three years.

I was going on to say that, although we find cases such as I have mentioned frustrating, we also find cases unconnected with the health ombudsman—for instance, immigration cases and cases relating to the Department of Social Security—frustrating when a limit applies. Often, a member of the legal profession has forgotten to register a case on time. People come to me and say, "I am sorry; I have exceeded the limit by a week, but it is the solicitor's fault, not mine. What can you do about it?" I have to tell them that I can do nothing.

Mr. Dismore: Sue the lawyer.

Mr. Heppell: I am always reluctant to tell my constituents to become involved with the legal profession. My experience of their involvement with the legal profession is not good. I mean no disrespect to certain Members who may be present, but I do not hold the legal profession in the highest regard, to be honest. In many instances, its members have not served my constituents well.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) managed to put the arguments against his new clause much more coherently than I could. I think he accepted that there were difficulties with it. My hon. Friend the Member for Hendon (Mr. Dismore) put the case for his new clause much more robustly. I realised last night that this was a complicated issue, but it became more and more complicated as my hon. Friend went on talking. I think that good law should be easy to understand.

Angela Smith: This may be a slightly tortuous point, but might not the fact that my hon. Friend the Member for Hendon (Mr. Dismore) is making the issue more difficult have something to do with the fact that he is a lawyer?

Mr. Heppell: That may be the problem. Perhaps lawyers think in a different way from the rest of us.

I understand that the purpose was to provide more flexibility, but it has become a case of "There is this exception, and there is that exception, and if all else fails we can refer to section 33, which gives us a general dispensation." Why have all that, when we can have a general dispensation in the first place? We can say to the ombudsman, "You have the discretion, but if you are to exceed the three-year limit you will have to be able to justify that—because there are exceptional circumstances, or perhaps because this is a case of such enormity that the

[Mr. Heppell]

public would want the ombudsman to address it." I am sure that the ombudsman would not take that discretion lightly. If he investigated cases beyond the three-year period, he would have to be able to justify that, and justify it in public.

I disagree with new clause 7, and I am afraid that I disagree with new clause 4. I also remain to be convinced by the Minister that anything in the Government new clauses allows the discretion that the health service commissioner now has to be exercised in the future. I find it difficult to accept what I see as a weakening of the ombudsman's position. To weaken the ombudsman's position is to weaken the position of my constituents. There will always be people with genuine complaints that have failed at stages 1 and 2; the ombudsman will provide them with their last chance before they must consider the possibility of legal action. I want the ombudsman's position to be strengthened.

Mr. Hammond: I think that most of us, apart from the hon. Member for Nottingham, East (Mr. Heppell), agree that it is necessary to introduce some time limit on the jeopardy that practitioners face. That view was widely held on Second Reading and in Committee.

We have all been looking forward to the new clauses tabled by the Minister, and to have an opportunity to examine the criteria that she has selected. We have also been given that opportunity by the hon. Member for Hendon (Mr. Dismore) and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), whose new clauses head in the same direction, but deal with the matter in a slightly different way.

We are seeking to balance two opposing imperatives: protecting practitioners from an open-ended jeopardy, and the individual's right of access to the complaints system and, ultimately, to the health service commissioner. In amendments or new clauses that place a limit on the time within which a reference can be made to the commissioner, we must strike the right balance to ensure that the system is fair to everyone.

As the debate has ranged rather widely, we are slightly in danger of losing sight of the fact that we are talking primarily about people providing general medical, pharmaceutical or dental services. We are not, in practice, talking about complaints arising from the kind of procedures that take place in hospitals. Health authorities and NHS trusts are continuing, surviving bodies; they do not, in the normal course of events, cease to provide services as a general medical or dental practitioner may. We are addressing ourselves primarily, and in practical terms, to complaints that arise in relation to general practitioners.

At the beginning of his speech, the hon. Member for Hendon emphasised the fact that the national health service commissioner represents only the third tier of a three-tier complaints system in the NHS. The key issue is when the clock starts ticking. There are two clear options, and possibly a third. The hon. Member for Hendon would have the clock start ticking at the moment when the event that gives rise to the complaint occurs, or, in exceptional circumstances, later, when knowledge of the alleged problem, or the cause of the complaint, comes to light—or when the person making the complaint reaches the age of majority.

Under the Government's new clause and, I think, the new clause tabled by my right hon. Friend the Member for Bromley and Chislehurst, the relevant point of time would be the point at which the complaint is made to the ombudsman. The clock would start to tick on the day when a practitioner ceased to provide medical, dental or pharmaceutical services. The time when the complaint to the ombudsman was made would be the point of reference in measuring whether the three years had elapsed. I have suggested a third possibility: the relevant point should be that at which the complaints procedure is embarked upon—the point where the individual first takes a practical step to seek redress for the alleged injustice.

Essentially, that is a practical point. What concerns me is that the national health service complaints procedure at the first and second tiers takes a certain amount of time to exhaust itself. I know from constituency cases of my own—other hon. Members will, I am sure, have had the same experience—that, often, if a perceived injustice—or maladministration as we should perhaps properly call it—in the NHS goes hand in hand with a traumatic experience, perhaps the loss of a relative, it may be some time before people feel able to confront that issue.

In the past couple of years, I have dealt with constituency cases where people have come to me a full year after events have taken place, having got through a bereavement period, gone back, looked in a slightly different light at what happened—perhaps in a slightly harder-nosed way—and perceived that something went wrong when the process was carried out within the hospital, or by the general practitioner. Therefore, it may be a year or so before an individual kicks off the complaints process at the first tier.

What I do not know—I hope that the Minister might be able to throw some light on it—is the average length of time taken for the NHS complaints procedure at the first and second tiers to exhaust itself. The hon. Member for Hendon suggested that it could be a year or two. If so, we could, at least theoretically, find that if a complainant started the first tier of the procedure a year or so after an event occurred, and the complaints procedure at the first and second tiers took a year or two to exhaust itself, he would no longer be able to take his complaint to the ombudsman if, in the extreme example, the practitioner in question had left the service the day after the occurrence that gave rise to the original complaint.

That might be an extreme circumstance, but it is important for us to be reassured that a three-year period to the point at which a reference is made to the ombudsman is the right time limit, will not unreasonably or unfairly exclude anyone who has gone through the whole process of the NHS complaints procedure reasonably and sensibly, and will allow for the fact that people who have suffered bereavement may take some time before they feel able to address the issue of bringing a formal complaint in the first place.

11.15 am

The hon. Gentleman would start the process from the date of the occurrence and would bring the process into line with the practice of common law. That has a superficial attraction—the alignment of the NHS complaints procedure timetable with the timetable in cases of clinical negligence—but it seems that we are dealing with two different issues.

The legal processes will deal with cases of clinical negligence. The health service commissioner is there to deal with cases of "maladministration and service failure". Those will not always involve clinical negligence, but they may involve issues that perhaps give rise to wider public interest: issues of public concern about how hospitals are run and managed, and how procedures are controlled within hospitals.

The hon. Member for Ellesmere Port and Neston (Mr. Miller) gave an example of a hospital carrying out a procedure while having run out of a drug that might reasonably be needed during that procedure. The hon. Member for Hendon intervened to indicate that that would not be a ground for a claim for clinical negligence, but it might be a ground for a claim of maladministration. It may be something that hospital managements in general wanted to review to ensure that drugs that might be needed during a procedure were in place before it started.

My real concern about the new clause tabled by the hon. Member for Hendon is that it is much more restrictive than the new clauses tabled by my right hon. Friend the Member for Bromley and Chislehurst and by the Secretary of State, in that it would include within its scope—the time limit will normally be three years—not just cases relating to practitioners who had left the service, but all cases relating to practitioners who remained in the service and, indeed, cases relating to incidents that arose in hospitals, where the complaint was against the hospital trust, or perhaps the health authority.

In seeking to tighten the scope of the health service commissioner, the hon. Gentleman is going well beyond the original intentions of my right hon. Friend the Member for Wealden (Sir G. Johnson Smith) when he introduced the Bill. I am not sure that we would think such a measure helpful. My reading of the debate so far today, in Committee and on Second Reading is that there is no consensus in the House that we need to tighten the procedure to make it more difficult for people to bring complaints to the health service commissioner.

In his defence, the hon. Gentleman argued that it is custom and practice—one of those phrases that I have learned that lawyers use when there is no other cover available to them—that the present ombudsman will choose to look at cases only if they are brought to him within a year of the occurrence of the event. I do not know whether that is the case or not. As he said, future occupiers of the ombudsman post may choose to look differently at that, but if we are to base what we do today on the argument that it is the custom and practice of the ombudsman not to consider cases arising out of events that occurred more than one year ago, there will be no point in passing any of the new clauses. They would all be redundant. Therefore, we must ignore the current custom and practice of the ombudsman, look at what he is legally empowered to do and how we are seeking to amend those legal powers.

I ask the Minister to clarify one other small point. I apologise if it is something that has already been mentioned during deliberations on the Bill. Can she confirm that, in relation to the Health Service Commissioners Act, the term "family health service provider" includes both a person providing general medical services and a person providing personal medical services, so that the both types of family health services providers are covered?

I hope that the Minister will also be able to tell us whether the Government have any more general intentions of changing and strengthening the NHS complaints procedure, perhaps in ways that address some of the issues raised today particularly by the hon. Member for Hendon.

It seems to me that that analysis inevitably leads to the conclusion that the mood in the House does not favour new clause 7—leaving us to consider new clause 4 and new clause 5.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) made a persuasive case for considering new clause 4—tabled by my right hon. Friend the Member for Bromley and Chislehurst—to be superior to the Government's new clause 5. The latter would, after three years, exclude from jeopardy all practitioners leaving the health service, whether voluntarily by retirement or resignation, or involuntarily by removal from the register. New clause 4 has the benefit of discriminating between practitioners who had of their own volition left the service—perhaps, but not necessarily, to avoid scrutiny by the ombudsman—and practitioners who had been removed from the service because their conduct had caused serious concern.

I think that there is a case for distinguishing between the two classes of practitioners, and that new clause 4 would make it possible, beyond the three-year period, to subject to investigation a practitioner who had been removed from the register perhaps as the result of another, previous case. Superficially at least, that seems to be an attractive proposal. If the Minister is not attracted by the distinction to be drawn between practitioners who have left the service for natural or voluntary reasons and those who have left by expulsion, I should be interested to hear why she thinks that it is not appropriate to draw that distinction.

It is, of course, for my right hon. Friend the Member for Bromley and Chislehurst to decide whether to press new clause 4, or to seek leave to withdraw it and allow the Government's new clause 5 to proceed. Nevertheless, I hope that, if he decides to seek to withdraw his new clause, he will press the Minister to explain how she will deal with that important distinction between new clause 4 and new clause 5.

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I congratulate the right hon. Member for Bromley and Chislehurst (Mr. Forth) on his thoughtful observations. Although new clause 4 is elegant, we may not be able to support it fully. Nevertheless, it is clear that great minds think alike, although the means of achieving the shared objective may be open to debate.

Throughout our consideration of the Bill, we have regarded its purpose as being purely to close the loophole in relation to family health service practitioners and independent providers. New clause 4 would limit the remit of the health service commissioner, albeit in a small way, in relation to health service bodies. Therefore, I do not think that it would be appropriate to accept the new clause. I shall attempt to explain in more detail why we think that it should be rejected.

As some hon. Members have said, the health service commissioner has powers to investigate complaints about failures in the service provided by health service bodies, rather than complaints about the actions of specific individuals. It follows, therefore, that complaints about

[Ms Gisela Stuart]

treatment received in NHS organisations are the responsibility of that body. Currently, the health service commissioner can investigate such a complaint regardless of whether any employee concerned still works for the NHS because—as hon. Members have also said—the NHS body continues to be a legal entity.

The purpose of new clause 4—if I correctly understand the intentions of the right hon. Member for Bromley and Chislehurst—is to impose a three-year time limit following the retirement or resignation from the NHS of a person who has been the subject of a complaint. In this context, that would apply to health service professionals employed by NHS trusts and other employing bodies.

An absolute time limit of three years would have some unfortunate effects. For example, if a complaint were made against a consultant surgeon more than three years after he ceased to be employed by the NHS, the health service commissioner would no longer be able to conduct an investigation. It cannot be right to impose such a constraint and so to limit the commissioner's ability to investigate the NHS organisation concerned.

Moreover, how would the limitation apply when several staff members of the NHS body concerned were involved in the matter leading to the complaint? Would the resignation of one staff member mean that the matter could not be investigated? The distinction between the individual and the body is, therefore, a very important one.

Section 9(4) of the Health Service Commissioners Act 1993 currently provides that the commissioner shall not entertain a complaint made more than a year after the day on which the complainant first had notice of the matter complained of. However, and very importantly, the commissioner has discretion to waive that limit when he considers it reasonable to do so.

I should also like to try to clarify a matter on which there has been repeated comment—the reference to the one-year limit and the discretion as "custom and practice". They are not custom and practice.

Section 9(4) makes it clear that the clock starts to run on the day on which the complainant discovers the problem. The complainant then has a year to raise the complaint with the commissioner, unless the commissioner thinks that it is reasonable to allow longer for it to be made. The second test provided in new clause 5 is that the commissioner must be satisfied that more than three years have not passed since the practitioner practised or the independent provider provided the services.

Therefore, the one-year limit and discretion are already clearly provided for in legislation and are not affected by whoever may currently be the commissioner.

The commissioner's discretion to waive the one-year limit allows him or her to continue to investigate complaints against an NHS body regardless of whether the person who is the subject of the complaint is still employed by the body. The limit that we propose in relation to practitioners and independent providers is three years from when they—the practitioner bodies, not their staff—cease to be involved in the NHS.

The Government feel that new clause 4 would impose unfortunate restrictions on the commissioner's remit to investigate complaints against NHS bodies. Although, at first sight, the proposed time limit of three years for those bodies would parallel the time limit proposed by the family health services and independent providers, in practice, it would in my view inappropriately constrain the commissioner's discretion to conduct investigations. Therefore, I hope that the House will agree that it is not appropriate and should, therefore, be rejected.

The hon. Member for Westmorland and Lonsdale (Mr. Collins) asked what would happen if a practitioner were struck off. One of the Government's new clauses, which I shall speak to in a moment, purposely talks of ceasing to practice or provide. There should be simplicity in the commissioner's role, and it should be easy for people to use the facility. Therefore, although it may be an attractive proposition to extend the time limit in relation to those who are struck off, such provision would run counter to our objective of ensuring that simplicity. I may say more on that in speaking to later provisions on professional bodies and other remedies.

Mr. Hammond: Could the Minister clarify that last point? She said that the Government's new clause contained the phrase "ceased to practise or provide". I do not see that phrase in new clause 5. Perhaps we are speaking at cross-purposes.

11.30 am

Ms Stuart: Yes, it is when I come on to clause 5; I am taking clauses 4 and 5; it is clause 9(4) which makes that quite clear. Can I come back to that in a moment? I will come back in a moment to the phrase that we use. Government clause 4A and new clause 5 say that a person who is no longer—I am sorry; it is in clause 4. May I come back to that in a moment? I have got it in my notes. Can I move on to clause 5? The test is when the person concerned ceased to practise or provide health care. I may be able to give the hon. Gentleman the precise reference later.

On Second Reading and in Committee, I made it clear that the Government believe that it is inappropriate and unfair that family health service practitioners and independent providers who would be affected by the Bill should be subject to investigation by the health service commissioner indefinitely. That would be the effect of the Bill as it stands, because of the ombudsman's discretion to waive his one-year limit on bringing complaints. We have been committed from the outset to inserting a statutory limit on how long after the person concerned ceased permanently to be a practitioner or provider the ombudsman would be able to investigate a complaint. New clause 5 fulfils that commitment. I am afraid that I still cannot find the relevant passage to quote to the hon. Gentleman, but I shall come back to his point.

New clause 5 would impose a three-year limit after the cessation of practice or provision. Our aim is not to curtail unreasonably the ombudsman's powers to investigate retired GPs, but to reassure practitioners that, as in other areas such as civil litigation, their liability will at some point come to an end. We have consulted on the appropriate period to achieve that balance. There has to be sufficient scope for the ombudsman to exercise his discretion to waive his time limit. It quickly became clear that a year or 18 months would be too short a period. Several examples have been given of the time that it can take to bring complaints.

Let us suppose that someone goes to see their GP on the day before that GP retires. The GP, perhaps feeling a bit demob happy, does not ask many questions or examine the

patient as he had expected and tells him to go home and take two aspirins. Ten months later, it turns out that the patient has a condition that the GP, now retired, should have diagnosed at the outset. He makes a complaint to the GP's old practice, in accordance with NHS complaints procedures, but is dissatisfied with the outcome. A conciliation meeting follows, as part of the local resolution action, so the whole process takes about six weeks.

The patient then applies to the health authority for an independent review panel investigation, which, after due consideration, is granted. By the time that the panel has done its work and submitted its report—this is an extreme example to illustrate the case—a further four months have passed, because the lay chairman was away on holiday for three weeks just after the panel hearing. By now, the GP has been retired for about 16 months.

The patient gets the report and, after thinking about it for a bit, goes on holiday. He then decides that he is still dissatisfied and approaches the ombudsman, nearly 18 months after the event about which he is complaining and the date when the GP retired. Strictly speaking, the ombudsman's one-year limit should come into play, but because of the circumstances, he may decide that it is appropriate to waive his limit in this case. Setting a time limit of one year on the investigation of retired GPs would restrict the ombudsman's power in a way that would be contrary to the spirit of the Bill, which was intended to close a loophole without restricting or significantly widening the powers available.

The key question is how long after the event the ombudsman might want to exercise his discretion. We thought that the most reasonable starting point would be to ask the ombudsman. He thought that three years would be a sensible compromise. The difficulties in conducting a meaningful investigation into something that happened much longer ago mean that he would be unlikely to want to exercise his discretion beyond that point. Interestingly, that coincided with some of the suggestions made by hon. Members on Second Reading. As it seemed likely to be acceptable to the majority of those with an interest in the issue, we have decided that three years is the appropriate period.

The right hon. Member for Wealden (Sir G. Johnson Smith) is seeking to plug a loophole that treats certain complainants unfairly. I have already made it clear in previous debates that I have considerable sympathy with his motives, and the Government have no wish to prevent him from succeeding. However, I have also made it clear that I have a responsibility to ensure that all those involved are treated fairly—those complained against, as well as the aggrieved complainants. I hope that he agrees that the new clause represents a reasonable compromise to achieve the necessary balance.

Mr. Hammond: Before she finishes her speech, will the Minister address the distinction in new clause 4 between practitioners who have been struck off and those who have resigned?

Ms Stuart: The purpose of the Bill is to close a loophole and we do not feel that that distinction would be helpful or would significantly add to the Bill. New clause 5 uses the words

> the last day on which the person was a family health service provider.

We feel that that is the appropriate way forward.

Mr. Hammond: The purpose of the Bill is indeed to close a loophole and allow practitioners to be investigated after they have retired from the service. The purpose of the Government's new clause is to limit the jeopardy of ordinary practitioners so that they do not retire with open-ended jeopardy. Does the Minister believe that the same protection should be afforded to practitioners who have been struck off for malpractice if another case of malpractice then comes to light? In new clause 4, my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) cleverly distinguished between practitioners who have been struck off and those who have merely resigned.

Ms Stuart: There are many other remedies available—from the General Medical Council, for example. We are trying to strike a fair balance, not to provide protection. We felt that the most appropriate test for the role of the ombudsman was to start the clock on

> the last day on which the person was a family health service provider.

It is disingenuous to regard that as an attempt to protect people who have been struck off. We are trying to strike the right balance.

Mr. Miller: The spirit of the Bill is about enabling people to see justice done, not to gain pots of money. The fact that the practitioner has been struck off is the kind of justice that they would want, so the argument becomes academic.

Ms Stuart: Lawyers would call that a moot point.

Mr. Miller: Is my hon. Friend a lawyer as well?

Ms Stuart: My only defence is that I do not practise as a lawyer.

I urge hon. Members to see the new clause in the light of the purpose of the Bill and realise that the three-year limit is a fair one.

As for new clause 5, the right hon. Member for Wealden was seeking to plug a loophole whereby certain complainants were being treated unfairly. I have already made it clear in previous debates that I have considerable sympathy with his motives, and that the Government have no wish to prevent him from succeeding. However, I have also made it clear that I am responsible for ensuring that all those involved are treated fairly—those complained against, as well as the aggrieved complainant. I hope that he agrees that our provision is a reasonable compromise to ensure the necessary balance.

New clause 6 may have come as a surprise to some hon. Members, as the Government had not indicated their intention to table such an amendment. Indeed, it was the subject of considerable debate involving among others my hon. Friend the Member for Hendon (Mr. Dismore). I am sure that on reflection, however, they will have realised that the new clause is nothing more than a piece of minor housekeeping to avoid confusion and misinterpretation.

Most right hon. and hon. Members, particularly the lawyers among us, will be aware that it is not the normal practice of the House for amending legislation to be given retrospective effect. Indeed, we have a clear example of that in the legislation that we are considering today.

The sections of the Health Service Commissioners Act 1993 that would be affected by the Bill were inserted into it by the provisions of the Health Service Commissioners

[Ms Stuart]

Act 1996. The 1996 Act came into force on a specific date—1 April 1996—and had no retrospective effect on complaints that had already been turned down because they were out of jurisdiction when they were made.

Mr. Dismore: My hon. Friend probably misunderstood my criticism of the new clause. The new clause is retrospective in that it provides a potential future remedy for a problem that may have already occurred. The alternative suggestion is that the time limit should be from the date of the incident or from a date to be set when the Bill comes into force, thus avoiding retrospectivity, which the Government's new clause would create.

Ms Stuart: We have two lawyers and two opinions.

Angela Smith: Three opinions.

Ms Stuart: That is known as synergy. Nevertheless, I hope that, on reflection, my hon. Friend the Member for Hendon will agree with our proposal.

Unfortunately, the lack of retrospectivity was not made explicit in the 1996 Act. As a result of that failure, significant numbers of complainants contacted the ombudsman once the new jurisdiction became known, either seeking to have earlier complaints re-examined, or making complaints about matters that pre-dated the extension of his remit. In his annual report for 1996-97, the ombudsman said:

> These premature approaches to the Commissioner and misunderstanding about the new NHS complaints procedures account for much of the increase in the number of complaints received in 1996-97 . . . In summary, although I received more complaints in 1996-97 than in previous years, the percentage which I could investigate was lower . . . the significant increase in complaints received and the decrease in the proportion I could investigate caused an imbalance in the workload between my screening and investigation departments.

Not only did the provisions raise inappropriate expectations, they had a detrimental effect on the ombudsman's office.

It therefore seems only common sense that the Bill should seek to avoid similar problems. Although there are relatively few cases in which the ombudsman has been constrained by the current wording of the relevant sections of the 1996 Act, it nevertheless seems wise to avoid any possibility of doubt by making it explicit in the Bill that those cases cannot be re-opened as a result of the Bill. I hope that the right hon. Member for Wealden will agree that our proposals are a sensible precautionary measure that he can support.

11.45 am

I now turn to new clause 7, tabled by my hon. Friend the Member for Hendon. As I emphasised on Second Reading and in Committee, the Government are persuaded that the loophole concerning family health service practitioners and independent providers that was exposed by the right hon. Member for Wealden should be closed. However, the new clause would once more seek to address time limits for complaints against health service bodies, so I do not consider it appropriate.

Mr. Hammond: As the Minister has just referred to family health service practitioners, will she take the opportunity to answer my question: does that phrase in this context include providers of general medical services and personal medical services?

Ms Stuart: As far as I am aware, the definition of a family health service provider relates to the person providing the service and their relationship with the national health service. It is not based on a precise definition of the service, but on the relationship with the national health service. However, I am happy to come back to the hon. Gentleman on that.

New clause 7 would bring the limitation period for the health service commissioner's investigations into line with the process of clinical negligence actions. At first sight, it would appear to make a neat parallel between the provisions for the commissioner to investigate complaints and the timetable for carrying out civil actions, but further examination shows that, in practice, this apparently sensible provision would create a number of difficulties. My hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) made the important point that people want a sense of fairness and an explanation of what happened.

The limitation period for actions for personal injury set out in section 11 of the Limitations Act 1980 is three years after the date of the event giving rise to the action, or three years after the date when the injured person became aware of the cause of the action, if that date was later. However, the court also has powers to disregard the limitation period when it considers it equitable to do so. Therefore, the new clause will not introduce a simple rule of thumb of three years, but instead—and most unfortunately—it would create a complex and unclear period of limitation.

I should like to make a further point with regard to the distinction between the investigation of complaints under NHS procedures and the pursuit of legal claims. The Government believe that providing a clear and logical set of procedures for patients to complain about their treatment under the NHS if they wish to do so is vital. To achieve that, we must retain a clear distinction between the parallel processes of pursuing a legal remedy through the courts and the complaints procedures in the NHS. The new clause would tend to confuse those two quite distinct processes in the minds of patients, so it would be completely unhelpful. Those comments are also pertinent and relevant to my unwillingness to entertain the notion that there should be a different limit for providers who have been struck off. We seek simplicity and I hope that the right hon. Member for Wealden will agree that the new clause does not provide a clear way forward and therefore should be rejected.

Sir Geoffrey Johnson Smith (Wealden): I never cease to be amazed by the ingenuity of right hon. and hon. Members in taking over a Bill and spending so much of their agile minds in advancing strong cases for improvements that were not really meant to be part of the legislation. I admire and respect them for it.

I am a very simple man when it comes to the Bill, although on matters such as defence, I can get very complicated. In this respect, I confirm that the Minister is quite correct in interpreting my motives. I was struck by the fact that there was a loophole that allowed GPs to retire to avoid investigation by the health service ombudsman. It seemed fair enough to try to close that loophole.

The various points made by right hon. and hon. Members have struck a chord with me. I have little doubt that such matters require attention. However, I hope that they will understand me when I say that the Minister has interpreted my motives correctly. Therefore, it will come as no surprise to her or to the House that I agree with what she has proposed.

Of course I recognise that other matters can and should be raised, which have come up in this debate and might be the subject of future legislation. I understand that the Government are reviewing the work of the public services ombudsman, so I hope that when these matters come before the House, the Government will take into account the proposals in the new clauses. However, for the reasons that the hon. Lady gave, I do not think that they should form part of this Bill. No doubt they will appear in future legislation.

Quite simply, the loophole should be closed. Therefore, I hope that the Government's new clauses will be accepted by the House. I am most grateful for the attention that people have given the Bill.

Mr. Forth: I am very conscious of what my right hon. Friend the Member for Wealden (Sir G. Johnson Smith) has said. It is interesting that this is, by any account, a non-controversial Bill—indeed, that term was used by no less eminent a person than the Leader of the House yesterday during business questions. Yet we have justified the process by which this non-controversial Bill has received detailed attention on Report, as a result of new clauses being tabled by the Government and by a Government supporter, and very productively, too. The Bill's promoter has just supported that view.

This is something to which we might return very early next week as an argument. Who knows? I am simply putting down a marker and illustrating the point in a way that may be of interest to the House on Monday.

I listened carefully to what the Minister said. I am not sure that we have yet had an answer to the question asked by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) about family health service providers.

Ms Stuart: May I refer the right hon. Gentleman to new clause 5? Proposed new subsection (4A) of section 9 of the Health Commissioners Act 1993 refers to family health service providers and proposed new subsection (4B) also refers to independent providers. Those proposals will cover both family health practitioners and providers of personal medical services.

Mr. Forth: It is important that we clarify these matters, and I am grateful to the Minister for taking the opportunity to do so. The value of the process is that it allows us to clarify matters, and gives the Minister the opportunity to put things on the record. It is a proper use of the time and the procedures of the House.

The Minister took time and care, as ever, to explain why she thought that my new clause was defective. I accept her arguments in the terms in which she made them. It was obvious that flaws were emerging during the exchange of views when I was speaking to my new clause. I readily accept that. I will, for the moment, go along with my right hon. Friend's recommendation that we accept new clauses 5 and 6, but with one reservation. I still believe that we have not yet had an answer to the point about struck-off practitioners, initially made by my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) and reinforced by my hon. Friend the Member for Runnymede and Weybridge. I do not think that it would be appropriate or fruitful to pursue the matter further at this stage, but those in another place might want to consider it, building on what has been said here and taking account of the Minister's comments, to see whether the Bill could be yet further improved before completing its inevitable—I trust—passage through all its stages to ultimate Royal Assent. That would also be a very proper use of the parliamentary process. The House considers the Bill, it is then looked at in detail in another place and amended or improved where necessary.

Today's debate has been useful. I have felt honoured to have played my little part in what we have so far done to the Bill. Goodness knows, there is still a little bit to go. However, I would not want to delay the House any further at this stage. On that basis, with these brief remarks, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 5

REQUIREMENTS TO BE COMPLIED WITH

'. In section 9 of the Health Service Commissioners Act 1993 (requirements to be complied with), after subsection (4) there is inserted—

"(4A) In the case of a complaint against a person who is no longer of a description set out in section 2A(1) or (2), but was of such a description at the time of the action complained of, the Commissioner shall not entertain the complaint if it is made more than three years after the last day on which the person was a family health service provider.

(4B) In the case of a complaint against a person falling within section 2B(1) or (2) in relation to whom there are no longer any such arrangements as are mentioned there, the Commissioner shall not entertain the complaint if it is made more than three years after the last day on which the person was an independent provider."'.—*[Ms Stuart.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 6

TRANSITIONAL PROVISION

'. Where before the coming into force of this Act a complaint has been made to a Health Service Commissioner which he has declined to entertain on the ground that the person complained against—

(a) was no longer of a description set out in section 2A(1) or (2) of the Health Service Commissioners Act 1993, or

(b) no longer fell within section 2B(1) or (2) of that Act,

the amendments made by this Act do not enable that complaint to be revived, or a new complaint arising out of the same matters to be entertained.'.—*[Ms Stuart.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 1

PERSONS SUBJECT TO INVESTIGATION

Mr. Dismore: I beg to move amendment No. 12, in page 1, line 20, at end insert—

'(4) In section 3 (general remit of Commissioners)—

[Mr. Dismore]

(a) at the end of subsection (1) insert "or, in the event that the person the subject of the complaint has retired or resigned from the National Health Service, refer the complaint to the professional body of the registered medical practitioner, dentist or nurse who is the subject of the complaint;"

(b) at the end of subsection (1A) insert "or, in the event that the person the subject of the complaint has retired or resigned from the National Health Service, refer the complaint to the professional body of the registered medical practitioner, dentist or nurse who is the subject of the complaint;"

(c) at the end of subsection (1C) insert "or, in the event that the person the subject of the complaint has retired or resigned from the National Health Service, refer the complaint to the professional body of the registered medical practitioner, dentist or nurse who is the subject of the complaint".'.

The amendment would half plug a consequential loophole. Section 3(1) of the Health Service Commissioners Act 1993 states:

On a complaint duly made to a Commissioner by or on behalf of a person that he has sustained injustice or hardship . . . the Commissioner may, subject to the provisions of this Act, investigate the alleged failure or other action.

There is then a cross-reference to subsection (1A) of section 15, which states that where in the course of an investigation a commissioner comes across something that is

likely to constitute a threat to the health or safety or patients . . . the Commissioner may disclose the information to any persons to whom he thinks it should be disclosed . . .

That could be the professional bodies, for example.

The problem is what would happen if the commissioner decided not to conduct an investigation. My amendment would deal with that problem, so that if the commissioner decided not to conduct an investigation into someone who had retired or resigned from the health service, he would still be able to refer the matter to the professional body. At present, he cannot do that.

12 noon

That matter was highlighted by the health service ombudsman in his annual report for 1998-99, paragraph 4.6 of which stated:

During 1998-99 there were other occasions in which complaints to me raised issues which I thought it appropriate to pass to the regulatory body concerned, because there was a possible risk to the health or safety of patients. However, the effect of the wording of the legislation governing my role is to restrict the circumstances in which I can pass such information to another organisation, such as the GMC or the Commission for Health Improvement. For example, I cannot disclose information to another organisation if I decide not to investigate the complaint, or if the matter of concern falls to be disclosed in one of my reports.

That relates to the reference I made to the relationship between sections 13 and 15 of the principal Act.

The report continued:

As a result, paradoxically, I have less scope to bring concerns to the GMC, for example, than a private citizen has. And my medical and nursing advisers are in a potentially invidious position if they consider that they have a professional duty to act on concerns arising from their scrutiny of a complaint to me.

The ombudsman states that he told the Government and the Select Committee on Health about that problem, and proposed that his powers should be widened to deal with that loophole. That is what my amendment tries to do. Paragraph 4.7 of the report stated:

I am pleased to report that in March 1999, in response to an amendment to the Health Bill tabled in the House of Lords by Lord Harris of Haringey . . . the Government agreed to consider proposing an amendment which would have the effect that I, and the regulatory bodies, were looking for. That would make it more possible for my office to play its part in developing effective working communication with other clinical governance organisations.

The measure offers an opportunity to plug that loophole.

I tried to table a more general amendment that would have affected all investigations—or rather non-investigations—but, unfortunately, it was not selected. The selected amendment deals with the position when a registered medical practitioner has retired or resigned from the NHS. However, that was a sensible selection, because we know from the statistics for 1998-99 that there were 2,869 complaints to the ombudsman, but only 119 investigations. Of those, 62—about half—involved a clinical complaint. One can thus extrapolate that, pro rata, probably 1,500 medical issues were referred to the ombudsman in 1998-99. The number is even greater in 1999-2000, when the ombudsman estimates that he will receive 3,450 complaints and will conduct 150 investigations.

The problem is that we could end up with about 3,500 complaints that are not investigated and with which the ombudsman can do nothing else. If half those involve clinical issues, the ombudsman might like the opportunity to refer them on to the General Medical Council or whoever for action—as he says in his report—even if he decides not to conduct a formal investigation himself.

The circumstances in which that is likely to arise may well be when a practitioner has retired or resigned from the health service. Under the Bill, the ombudsman would be entitled to look at a complaint, but he might think that, as the person had retired or resigned and would not be going back into practice, there would be little point in his spending a lot of time and money making one of his 150 investigations into that case. However, he might decide that the GMC should be aware of the matter, in case the person tried to do locum work, for example. It would not be worth devoting the ombudsman's resources to the problem, but the GMC should be made aware of it.

At present, the ombudsman could do nothing about such a case, as he pointed out in his report. His staff are put in a difficult position, because his medical advisers might want to take action, but could not do so. My simple amendment would deal with that problem.

The amendment is in three parts, because that is how the original legislation was drafted. It would be a worthy addition; it would half plug a loophole that would emerge as a result of the Bill.

Ms Stuart: When the complaints procedure was set up in 1996, the clear intention was that it should be completely separate from disciplinary procedures. The prime aim of the ombudsman procedure is to resolve problems and satisfy the concerns of the complainant, while being fair to all those who are the subject of a complaint.

The amendment proposed by my hon. Friend the Member for Hendon (Mr. Dismore) would give the health service commissioner the statutory provision to refer a complaint made to him to the disciplinary bodies of doctors, dentists and nurses, subject to section 15 of the Health Service Commissioners Act 1993.

It has been suggested that the commissioner might not already have that power, but it is clear that he is able to disclose information to regulatory bodies about any person who is likely to constitute a threat to the professional bodies. He is not as powerless as has been suggested. The commissioner has suggested to my officials that he thinks that the onus should be on the complainant to disclose such information. He therefore does not require such statutory powers.

Although an argument could yet again be made to widen the Bill's remit, that would substantially detract from its original and precise intention of plugging a specific loophole. I shall not go into detail on the confusions and ambiguities that the amendment might create, but would simply point out that it does not accord with either the current complaints policy or the wishes of the health service commissioner. It should therefore be rejected.

Mr. Dismore: May I put an additional point to my hon. Friend? I quoted from the ombudsman's report in which he suggested that the Government had agreed to consider proposing such an amendment. I fully understand the argument that my amendment may be premature and that it should deal with all complaints and not just those against people who have retired or resigned from the health service. However bearing in mind the assurance that was given to the ombudsman, is my hon. Friend saying that, in future, such an amendment will not be made to the legislation relating to the commissioner? Or is she saying that, in accordance with the assurance previously given, such an amendment will be proposed?

Ms Stuart: I am sure that my hon. Friend is aware that a review of the roles of all the ombudsmen is currently being carried out by the Cabinet Office, and I do not wish to pre-empt the outcome of that. I am saying that, within the specific purpose of this Bill, I do not think that the amendment is appropriate. It is for that reason, rather than on the basis of the merits of the case itself, that I suggest that we reject the amendment.

Mr. Dismore: Now that I have listened to my hon. Friend, and since my proposal was something of a probing amendment, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

SHORT TITLE AND COMMENCEMENT

Amendment proposed: No. 11, in page 1, line 24, at end insert—

'( ) This Act does not extend to Northern Ireland.'.—*[Ms Stuart.]*

Mr. Forth: I should have thought that the Minister might want to give the House a short explanation of the amendment. She might have wanted to argue that the Act will not extend to Northern Ireland because some form of devolved arrangements will be in place there; I do not know. If that were the case, one could understand the amendment on a strictly constitutional basis. However, it is a risk to suggest that, by the time the Bill receives Royal Assent, everything in Northern Ireland will be as the Government and the rest of us would like it to be. I am not convinced that that is the appropriate way to proceed.

That is one argument that I can imagine the Minister wanting to make had she sought to explain the amendment to the House. As it is, we are left floundering and guessing, so I shall just have to flounder and guess a little bit more to see whether we can work out for ourselves why the hon. Lady might not want the Bill to extend to Northern Ireland. Either we shall be told that the issue can be dealt with adequately by the devolved arrangements that the Government hope will be in place in Northern Ireland or—this is a less likely explanation—that institutional arrangements, the relationships between patients and practitioners and the remit of the health commissioners differ sufficiently in Northern Ireland for it to be appropriate to disapply the provisions of the Bill there.

If the latter explanation is correct, we need from the Minister a reassurance and a little detail about whether she is satisfied—and whether we and, more importantly, my right hon. Friend the Member for Wealden (Sir G. Johnson Smith) should be satisfied—that sufficiently similar provisions already apply in Northern Ireland for it not to need the benefit of the Bill. That is the only other explanation that I can think of.

Several possibilities exist, and the House deserves and requires an explanation from the Minister as to why we should accept amendment No. 11.

Mr. Hammond: I suspect that the Minister's explanation may be that the 1993 Act extends only to England, Wales and Scotland. In that case, why is the Government amendment necessary? My right hon. Friend's Bill contains only amendments to the 1993 Act. I am not a lawyer, although there are lawyers in the Chamber who may wish to contribute to our short debate and give us the benefit of their possibly superior knowledge on the subject. It seems to me that if a Bill is restricted to making amendments to an Act of limited geographical scope, including that geographical limitation in it is entirely redundant. Unless hon. Members who understand such matters better than I do can explain what the Government amendment adds to the Bill, I urge the Minister to withdraw it and keep the Bill as short as possible.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): With your permission, Mr. Deputy Speaker, I should like to extend our debate slightly and examine the position in Scotland. I understand that the 1993 Act and the Health Service Commissioners (Amendment) Act 1996 apply to Scotland. I support the Bill. Has my hon. Friend the Minister had discussions with the Scottish Executive on powers to introduce the measure in Scotland so that the legislative gap is covered there as well?

Mr. Deputy Speaker: Order. Perhaps the hon. Gentleman and the Minister could discuss that privately. We are discussing an amendment about Northern Ireland.

Mr. Miller: I took the Government amendment to be an innocent, tidying-up amendment until I heard the speech of the right hon. Member for Bromley and

[Mr. Miller]

Chislehurst (Mr. Forth), which made me look at section 22 of the 1993 Act, which deals with the Act's extent and commencement. It states:

> The following provisions of this Act extend to Northern Ireland—(a) sections 11, 12, 13, 14(5), 15, 16 and this section.

Curiously, section 11 deals with the process of investigation, raising an interesting question about why the Bill, which deals with aspects of that process, does not include Northern Ireland. That is somewhat contradictory, although there may be a logical explanation for it. It is clear, by omission, that sections 1 to 10 and 17 to 21 of the 1993 Act do not apply to Northern Ireland. That is also true of some of the Act's schedules.

There is therefore conflicting evidence. Section 11 of the 1993 Act, which deals with the procedure on investigations, is relevant to Northern Ireland, as is section 12, which deals with evidence. I accept that section 13 may not be, as it deals with obstruction and contempt. No doubt those who are more expert than me, and certainly some of my legal friends, may tell me that procedures in Northern Ireland are different. Part of section 14, which deals with reports, is also relevant.

I understand why those provisions are extended to Northern Ireland. The Bill deals with persons subject to investigation. Why, therefore, is there a contradiction? The person subject to investigation would not be covered by Northern Ireland legislation, but the investigation itself would be. That needs some explanation. I would be grateful if my hon. Friend the Minister clarified the matter.

As the right hon. Member for Bromley and Chislehurst rightly said, if there is a mechanism to deal with the matter in the devolved process, which we all hope will be up and running in its intended fashion very soon, other parts of the Bill will presumably require amendment and passing on to our colleagues in Northern Ireland. In the interim, I suppose that such aspects fall within the Secretary of State's ambit. I am sure that it would be extremely helpful to our friends in Northern Ireland if we clarified that minor contradiction, so that it did not seem that we were merely ignoring the relevance of health service issues in the Province.

12.15 pm

Ms Stuart: This debate has been a clear illustration of the fact that nothing is ever as straightforward as it appears. I would hate to see the right hon. Member for Bromley and Chislehurst (Mr. Forth) floundering and guessing. I hope that I can enlighten him.

It is important to remember that Northern Ireland has its own complaints commissioner, who is governed by separate legislation. It is therefore clear that a Bill that seeks to amend Acts in England, Wales and Scotland does not extend to that commissioner. It is simply because of the potential for confusion that we contacted the Northern Ireland Departmental Solicitors Office for advice. It wished us to make specific mention to make it absolutely clear that the amended legislation would not apply to Northern Ireland. As I said, its commissioner is governed by different rules.

To refer quickly to Scotland, we have referred the matter to the Scottish Executive, which has referred to the Scottish Parliament the issue of amending the Act in relation to Scotland, as is right and proper.

The purpose of the Bill is to close a loophole as satisfactorily and tidily as possible. We felt that the amendment would make the Bill's remit absolutely clear.

Mr. Hammond: Will the Minister clarify whether there is a Northern Ireland health service commissioner who was established under the 1993 Act but is distinct from the commissioner about whom we have been talking? If that is so, why is she of the view that he should not have the additional powers that we are granting the commissioner for England?

Ms Stuart: The important point is that Northern Ireland has its own complaints commissioner who is governed by separate legislation. He is therefore outside the Bill's remit. It was simply for clarity's sake that we restated in the amendment that the amended legislation will not apply to legislation governing his powers.

Mr. Hammond: I am grateful to the Minister for clarifying that. That takes us back to my initial remark that the issue is one of redundancy. I am very surprised by what the Minister has said. Although I understand that it does not do any harm to include such an additional subsection merely, as lawyers would put it, for the avoidance of doubt, my understanding from my short period in the House has been that economy is the watchword and that parliamentary draftsmen will always seek to exclude anything that is not absolutely necessary. The proposed additional wording is not absolutely necessary for legal minds clearly and unambiguously to interpret the Bill's scope.

Ms Stuart: Because parts of the 1993 Act refer to Northern Ireland, it was essential to clarify the matter. The debate showed that it was unclear in the minds of some hon. Members. If a simple amendment can make the matter clear, no harm is done and we should pass it.

Amendment agreed to.

Title

Mr. Dismore: I beg to move amendment No. 17, in title, at end add

> 'to extend the provisions of the Act to persons who have retired or resigned from the National Health Service; and for related purposes.'.

The amendment seeks to change the long title of the Bill because the present long title is extremely confusing. On Second Reading, when you were in the Chair, Mr. Deputy Speaker, I tried to make a detailed speech about the problems relating to the NHS commissioners. Two or three times, you told me off for straying beyond the scope of the Bill. You said

> The Bill before us is a very narrow piece of proposed legislation, and it is determined by its title and by its contents. The hon. Gentleman—

that is a reference to me—

> is looking at matters that could be amended at another time, and I remind him that we can consider only what is before us this morning.

From time to time during the rest of the debate, I strayed a little, and you pulled me up again.

Mr. Deputy Speaker: Order. As I recall, I showed great restraint that day.

Mr. Dismore: I am sure that you did, Mr. Deputy Speaker. I would not question that. I took to heart your words:

The hon. Gentleman is looking at matters that could be amended at another time—[*Official Report*, 3 March 2000; Vol. 345, c. 682.]

I spent a happy evening last week drafting a raft of amendments, but the Bill is tightly drawn and it was difficult to draft amendments to it, especially as the original legislation has been amended. Trying to work through all the cross-references and cross-checks was an extremely difficult job, even though I had a consolidated version of the Bill, pulled off Lexis. I probably have the only copy in the entire House, and ended up lending it to the Table Office so that officials there could check the amendments.

I tabled a great list of amendments to try to improve the Bill, and the following day I received a letter from Mr. Priestley, the Clerk in charge of private Members' Bills, whose patience I have also sorely tested over the past two weeks, and who has been very helpful in advising me about the scope of the Bill.

In a letter to me, Mr. Priestley states:

I am writing because I think I should draw to your attention the fact that, notwithstanding its broadly drawn long title—

which I seek to amend—

the Health Service Commissioners (Amendment) Bill is a Bill with a single, narrow purpose. This means that the scope for amendment of the Bill is very limited indeed."

Mr. Priestley goes on to state that he does not wish to pre-empt the Speaker's exercise of her power to select amendments for debate, and he continues:

I think it only fair to tell you that, having looked carefully at your amendments. . . they all appear to relate to matters outside the scope of the Bill.

I was rather peeved about that, Mr. Deputy Speaker, because I thought that I had been following your advice in drafting those amendments and had spent some time doing so, as I had done when preparing my speech for the Second Reading debate, based on my understanding of the content of the Bill from the long title. That is why I believe that the long title needs amending; it is very misleading.

With Mr. Priestley's assistance, I consulted "Erskine May" about the scope of a Bill. It states:

Amendments to the preamble and the title are also admissible where amendments have been made to the bill which render them necessary.

We have made some amendments to the Bill today which make the amendment of the long title necessary. I propose that it should refer to the retirement or resignation from the NHS of the practitioner, "and for related purposes". We have dealt with a few of those matters today.

"Erskine May" goes on:

An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill.

It also states in paragraph (5) on page 526:

Where the scope of a bill is very restricted, the extent to which it may be amended at all may thus be severely limited.

Fair enough.

I asked Mr. Priestley where in "Erskine May" the scope of a Bill is defined. He flipped through many hundreds of pages and the index but, believe it or not, nowhere is the scope of a Bill defined.

Mr. Deputy Speaker: Order. The background material is very interesting and it describes the way in which the hon. Gentleman arrived at the amendment. However, now that the amendment has been selected, he should speak about it, not the reasons for tabling it.

Mr. Dismore: I was told that drafting an amendment to the long title would be a way round the problem. I did that in amendment No. 18, which was not selected. I did not realise that I could speak only to amendment No. 17.

Drafting amendments that were within the scope of the Bill was difficult when the long title was so misleading. To try to ensure that the amendments—

Mr. Deputy Speaker: Order. As I said earlier, we cannot debate amendments that were not selected. However, Madam Speaker has selected amendment No. 17. That allows the hon. Gentleman not only to move the amendment, but to speak about it. He must confine himself to amendment No. 17.

Mr. Dismore: I referred to amendment No. 18 in parenthesis to explain the reasons for drafting amendment No. 17 in the way in which it appears on the amendment paper.

Mr. Deputy Speaker: Order. I do not like interrupting hon. Members' speeches; I want the hon. Gentleman to speak about amendment No. 17. He has finished with stories about the Public Bill Office.

Mr. Dismore: That is a pity, because they are entertaining. Never mind, perhaps I can tell you them in the Tea Room some time, Mr. Deputy Speaker.

The long title of the Bill is broad and has been misleading when we tried to debate the Bill on Second Reading, in Committee and today. The amendment would tackle that flaw. I hope that the Bill will receive a Third Reading today, and move to another place. As the right hon. Member for Bromley and Chislehurst (Mr. Forth) said, those in another place may wish to table amendments. I should hate them to go through the same palaver as me, and find that they were drafting amendments that were out of order because they were misled about the scope of the Bill by a broad long title.

If we could amend the long title

to extend the provisions of the Act to persons who have retired or resigned from the National Health Service; and for related purposes,

it would help to clarify the Bill's purpose. It would make the long title match the scope of the Bill. Standing Orders state that that should be done for Government Bills, but private Members' Bills are an exception to the rule. They are often tabled with a very long title before the detailed text becomes known. Government Bills are caught by Standing Orders, which require a change when necessary to the long title, but private Members' Bills are not.

In the light of the difficulties that I experienced, I believed that it would be worth while to amend the long title to reflect the contents of the Bill more accurately. That would enable those in another place—and the public, if the measure is enacted—to understand the Bill's purpose and not assume that it is about something different. That is how I got into difficulties.

Mr. Hammond: I am fascinated by the hon. Gentleman's case. By extending the long title, I am not

[Mr. Hammond]

sure whether he is aiming to expand or restrict the scope of the Bill. The extension of the long title for which the amendment provides would reduce the scope of the Bill.

Mr. Dismore: The amendment would do neither. I am simply trying to make the long title reflect the scope of the Bill. The long title is broader than the scope of the Bill. You have made it clear, Mr. Deputy Speaker, as have other hon. Members, that the scope of the Bill is narrow. It covers only bringing within the scope of the Health Service Commissioners Act 1993 people who have retired or resigned from the NHS. The right hon. Member for Wealden (Sir G. Johnson Smith) confirmed that on Second Reading. He repeated that this morning. If that is the case, the long title should reflect the Bill's objective.

The amendment would not restrict the Bill; it tries to mirror the Bill's contents and thus make its purpose clearer. I hope that the right hon. Gentleman will accept the amendment, which will make matters easier for people who consider the Bill later.

12.30 pm

Mr. Forth: The hon. Member for Hendon (Mr. Dismore) has done the House a great service, because such matters often confuse people, including myself. One might have thought that a Bill

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would give enormous scope to do just that and that, if it were taken literally, there would be ample opportunity to achieve many different things. However, he has found out that that is not the case. The scope of the Bill as defined on Second Reading by its promoter, my right hon. Friend the Member for Wealden (Sir G. Johnson Smith), turns out to be narrow. There is a difference between what the title says and what the Bill means.

Mr. Dismore: It is interesting that the right hon. Gentleman draws that conclusion, but I do not think that that is the case. The problem is that "Erskine May" does not define the term "scope of the Bill". Contrary to what he says, I was given to understand that the Bill's long title and text, not what the promoter may say it is, constitute its scope.

Mr. Forth: Ironically, I am grateful to the hon. Gentleman for that intervention. Perhaps a ruling on such matters would help us all because, so long as this confusion remains, there is a risk that many people will waste a lot of time going up blind alleys, and that would not be at all productive.

Mr. Dismore: I thank the right hon. Gentleman for making that point. I tried to find out whether such a ruling had been given, as the House works on precedent. The only one that I could find on a long title's relevance to a Bill's content was made in 1960; no other could be found. Perhaps custom and practice rather than precedent governs our proceedings.

Mr. Forth: Indeed. I am sure that you, Mr. Deputy Speaker—listening, as ever, with your keen ear and watching with your eagle eye—may think on reflection, perhaps after consulting Madam Speaker and your colleagues, that it would be helpful to guide the House on the matter. Perhaps a statement could be made from the Chair. I accept what the hon. Gentleman says, but if, unusually, there is no explicit guidance in "Erskine May", and if the last time that an utterance was made on the matter was as long ago as 1960, there is a danger of unnecessary confusion arising between the Bill's short and long titles, its content and what the promoter may say on Second Reading. That should be cleared up for the benefit of us all.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. A ruling was made, with which the Chair is entirely satisfied. I suggest that the right hon. Gentleman discuss the amendment.

Mr. Forth: I shall seek out that ruling shortly, Mr. Deputy Speaker.

All in all, I find the hon. Gentleman's remarks persuasive. It strikes me that amendment No. 17 would be helpful, if only for the sake of consistency. That may be useful, given that the Bill may have to be considered in the other place as a result of this morning's positive and useful debate. Unless I am persuaded otherwise, I am inclined to support the amendment.

Ms Stuart: The amendment would add to the Bill's title and extend it to cover those who have left the NHS either by resignation or on retirement and, to quote the amendment, "for related purposes." The Government have made it clear that the Health Service Commissioners (Amendment) Act 1996 and our proposed amendments cover the required ground.

We acknowledge the importance of properly protecting the interests of patients and the public by enabling the health service commissioner to investigate complaints against NHS providers thoroughly and properly. However, the helpful and instructive Bill introduced by the right hon. Member for Wealden (Sir G. Johnson Smith) will fill the gap that he identified in respect of the family health service practitioners and independent contractors.

Although there is no opposition in principle to clarifying the long title, the amendment does not accurately reflect the Bill's intended purpose and would produce confusion. Had an amendment been tabled to reword the long title so that it was more accurate, it could have been considered. The clear purpose of the Bill is to close a loophole, and the title states that clearly. I fail to see how the amendment would be helpful.

Mr. Dismore: My hon. Friend has left me in a quandary. In the debates on Second Reading and today, the assumption has been that the Bill does precisely what my amendment to the long title states that it does. If my hon. Friend is saying that the Bill does other things that are not covered by my amendment to the long title, could she specify what they are? I could then be sure that, if those in the other place want to produce another amendment to change the long title to make it accurately reflect the scope of the Bill, they will have some guidance from the Minister as to how they should word it.

Ms Stuart: In the previous debate, it was considered that amendments should be made, and legislation should

be amended, to be helpful. We believe that the title of the Bill as it stands accurately, clearly and precisely reflects the scope of the Bill. We are not convinced that the insertion of "for related purposes" adds clarity. Accordingly, we recommend that the amendment should be rejected. It does not bring greater clarity to the proceedings.

Mr. Dismore: I am unconvinced by my hon. Friend's answer to that point. It is still not clear to me in what respect my amendment is defective. I do not intend to press it to a vote because we want to get on to Third Reading and give the Bill a fair passage. I hope that the issue can be considered in the other place.

Mr. Deputy Speaker: Is the hon. Gentleman seeking the leave of the House to withdraw his amendment?

Mr. Dismore: I beg to ask leave to withdraw the amendment. In doing so, I echo the words of the right hon. Member for Bromley and Chislehurst (Mr. Forth) that at a future date we need more guidance on the definition of the scope of a Bill.

Mr. Deputy Speaker: Order. That is an otiose comment in view of the fact that the Chair has given a ruling, and it is unnecessary for that ruling to be repeated. It was quite clear and specific.

Amendment, by leave, withdrawn.

Order for Third Reading read.

12.37 pm

Sir Geoffrey Johnson Smith: I beg to move, That the Bill be now read the Third time.

I do not want to detain the House. I am grateful to all those who have taken part in the debate, and most especially to the Minister for the trouble that she and her staff have taken over a modest Bill, but one of considerable significance.

One of the lessons that we have learned from the debate is that other, related issues need to be tackled. I understand that there will be a wider review of the role of the ombudsman, which will embrace the different ombudsmen who help to remedy injustice and provide a fair, level playing field between those who make complaints and those who are complained against. I hope that the Bill will continue to have support on Third Reading, and that it will be a success when it goes to the other House.

12.38 pm

Angela Smith: As a sponsor of the Bill, I should like to make a few brief comments, although I shall not repeat what was said on Second Reading. I congratulate the right hon. Member for Wealden (Sir G. Johnson Smith) on his wisdom in choosing this subject for his Bill. I also thank the Government for their support and consideration, which has been helpful.

The Bill has limited scope, but it is welcome. The right hon. Gentleman may have been surprised by the number of amendments that have been tabled today after such a swift 13-minute Committee stage. We are grateful that many of those amendments have been withdrawn.

I have little to add to the comments that I made on Second Reading, except to stress the aspect of the Bill that will allow commissioners to investigate the actions of a private practitioner who has provided treatment to an NHS patient under contract to a health service body, such as a health authority or an NHS trust, even if that practitioner no longer treats patients under such a contract.

The Bill is about accountability and faith: faith in doctors and faith in the system. It closes the loophole that allows a person under investigation to retire from the NHS to take up private practice so as to escape that investigation. That loophole does the medical profession a disservice. I was disappointed to read in *Pulse* magazine that a GP had declared that the Bill was

> more about revenge than justice.

I am pleased that many doctors have distanced themselves from that comment. Indeed, the health service commissioner has given the Bill his support.

The Medical Defence Union has put its comments on record by lodging them with the House of Commons Library. According to the MDU, the health service commissioner already has

> the power to impose sanctions if he considers that a GP has not responded to a complaint correctly. For example, he may choose to "name and shame" the doctor concerned.

That is inadequate. It is not good enough, and that is why the Bill has had to be presented.

A constituent of mine who has fallen foul of the existing legislation will welcome this Bill. I am sure that he will also say that the MDU's response to it is not good enough. In his case, when a doctor did not respond to a complaint, all that happened was an extension of the time allowed for a response. I think that, at a later stage, we should consider how long investigations take. Sometimes our constituents feel that there is undue delay, increasing the agony that they experience at difficult times.

The MDU says:

> The MDU does believe that currently if a doctor retires before a complaint has been fully investigated that is almost certainly coincidental.

I am sorry, but I do not share that view. It may be coincidental in some cases, but certainly that does not apply to all cases. If it did, there would be no opposition to the Bill, no doctor would deliberately retire for such reasons, and no one would complain about being investigated after retirement.

I stress that no hon. Member has been "anti-doctor". I am sorry that some people have seen the Bill in that light. My local branch of the British Medical Association has been here twice for dinner—there are annual receptions—and, although I think that the Bill will be needed in only a tiny number of cases, I know that the BMA welcomes it.

A change in the law is needed for those few cases—cases of which we all know from our constituency surgeries. It is necessary in order to maintain—or reinstate, where it has been lost—public confidence in the medical profession, and I am pleased that we have been given the opportunity to support it.

12.42 pm

Mr. Forth: The Bill is a good, perhaps even a model, example of a private Member's Bill. My right hon. Friend the Member for Wealden (Sir G. Johnson Smith) deserves enormous credit for the skill with which he identified the

[Mr. Forth]

need for such legislation, consulted about it and put it together. The Bill's scope is modest, but its potential and, I suspect, actual impact on those whom we are here to serve are significant. Moreover, my right hon. Friend, with his usual courtesy and skill, has drawn on his considerable experience in guiding the Bill through its stages.

Let me say to the hon. Member for Basildon (Angela Smith) that I would have thought the reason why the Committee stage was so remarkably short—at least, I hope that this was the reason—was that, while the Minister accepted that there was further work to be done, she and the Government were not yet in a position to give the Committee guidance. The Committee was prepared to accept that, on the understanding—I think—that the matter could be properly dealt with here, on Report. That is indeed the way in which things have worked out—and they have worked out very well, in a co-operative spirit.

Our debate has demonstrated a number of things, including the wisdom of private Members' Bills being modest in scope, and the value that should be attached not only to the opportunities that arise in Committee in normal circumstances, but to the opportunity that legitimately arises on Report to consider a Bill further and, if necessary, improve it. My right hon. Friend can take great pride in what he is, I suspect, about to achieve in securing a Third Reading for his Bill; I am sure that we all wish it well.

I acknowledge the work of all concerned, and I certainly wish the Bill well. I hope that we have managed to improve it today; that is my sense of what has happened, and I am confident that it will be on the statute book before long.

12.44 pm

Mr. David Stewart: I shall not delay the House.

I compliment the right hon. Member for Wealden (Sir G. Johnson Smith) on his excellent private Member's Bill. If I am fortunate enough in my future career to come high up in the ballot, I shall certainly model my Bill on the form and content of this Bill, and learn from the excellent debate today.

I made the point earlier about the range of the Bill. It does not apply to Scotland, but the 1993 and 1996 Acts do. I commend to the Scottish Executive that it takes on board the fact that there is a loophole in the Health Service Commissioners Act. I hope that it will look at that.

We should commend the various organisations that have been involved. Some of the input from the Consumers Association has been first-class. The BMA and all hon. Members have been active in supporting the excellent work that has gone into getting rid of the loophole in the Act.

Sir Geoffrey Johnson Smith: May I say how pleased I am that the hon. Gentleman has referred to the work of the Consumers Association? It is something that I should have mentioned; I intended to do so. I warmly endorse that comment.

Mr. Stewart: I thank the right hon. Gentleman.

I commend the right hon. Gentleman for his work in preparing the Bill. I believe it is sensible, practical and strengthens the rights of patients in the NHS.

12.46 pm

Mr. Heppell: I thought that it was probably wise, as I grumbled a bit about the new clauses, to stress that, while I may have had doubts about some of them, I certainly have no doubts about the value of the Bill.

I, too, congratulate the right hon. Member for Wealden (Sir G. Johnson Smith) on introducing the Bill, which takes forward the complaints procedure for my constituents even more. I suspect that many people out there do not realise how the ombudsman's role has changed over the years. After being set up in 1973, it changed dramatically after the Wilson review and the report by the Select Committee on the Parliamentary Commissioner for Administration in 1993. The clinical judgment element was introduced in 1996, which was a further step forward. The Bill plugs a loophole.

I do not think that it is the end of the story. One of the things that the process has identified is that more changes could be made to make the system even better. In some respects, I can understand the arguments on why private medicine is not covered by the ombudsman, although there are probably arguments to say that the private sector should be part of the process. None the less, I, and, I think, my constituents, find it amazing that someone who is operating as a locum within the NHS is not part of the process.

People must make their choice. If they go to the private sector, they must realise that they will not be covered by the ombudsman, but I would expect to be covered in respect of any locum that took the place of my doctor. I hope that we will re-examine that matter, but, again, I do not want to end on a sour note. My congratulations go to the right hon. Gentleman and to the Consumers Association for their excellent work on the Bill.

12.48 pm

Mr. Miller: I, too, put on record my congratulations to the right hon. Member for Wealden (Sir G. Johnson Smith). He said earlier that he normally gets involved in things to do with the defence of the realm and so on, but the defence of the ordinary citizen, which is at the heart of the Bill, is an important aspect of our work. The way in which the debate has been conducted this morning illustrates the House working at its best. There has been a certain amount of banter, good humour and agreement on both sides.

I congratulate my hon. Friend the Minister on carrying her last amendment as promised. Some of us are still a little confused about the detail. I think that the debate, as my hon. Friend the Member for Nottingham, East (Mr. Heppell) said, will continue to unfold as the function of the commissioner settles down, with the Bill becoming an Act in the near future.

It has been a worthwhile exercise. I hope that the Bill receives a speedy passage in the other place and goes on to the statute book in a very short time.

12.50 pm

Mr. Hammond: I add my congratulations to those already paid to my right hon. Friend the Member for Wealden (Sir G. Johnson Smith) on choosing the subject

and piloting his Bill so expertly through the House. As he himself has acknowledged, it is a relatively small measure to fill a specific loophole. However, it deals with a significant perceived injustice, albeit that that injustice affects a relatively small number of people. The injustice arises from the distinction between the independent status of general practitioners and the rather different status of health authorities and NHS trusts, so that if general practitioners cease to provide services, there ceases to be a continuing entity to be held liable for previous malpractice.

On a much broader front than the provision of medical services, there is a growing feeling that people—whether in our police services, health services or in other spheres—should not be able to escape proper scrutiny of their actions simply by taking the easy option and resigning. My right hon. Friend's Bill ensures that, in one sphere, that will no longer be possible.

I tell the hon. Member for Basildon (Angela Smith), in response to her comments, that the Bill deals not only with those who are actively seeking to avoid being held to account or scrutinised for their actions, but with a perhaps much larger number of people whom the ombudsman is unable to investigate—in the example that the Minister gave a few moments ago, simply because of the natural process of retirement. Although they have not sought to evade the ombudsman's attentions, the law prevents scrutiny of them.

On Second Reading, there was a wide consensus in favour of my right hon. Friend's Bill. However, there was also a recognition of the need to balance the proposals with a limitation on the potentially open-ended jeopardy that practitioners might face. Today, with the amendments tabled by the Minister, we have addressed that issue and made the Bill into workable legislation.

The hon. Member for Nottingham, East (Mr. Heppell) was right to say that this legislation is not the end of the story, and I hope that, in a few moments, the Minister will be able to tell us something about the timetable for the Government's wider review of the complaints procedure in the national health service.

I do not agree with the statement of the hon. Member for Nottingham, East that, if people go to the private sector, they have to accept that they will not be covered by the health service commissioner. As we saw yesterday, in our consideration of the Care Standards Bill, the Government are moving towards a recognition that there is a need for unified regulation and registration procedures across sectors, so that, wherever patients choose to go for their medical and social care provision, they can be sure that they are being treated in a properly regulated environment, which includes a proper complaints procedure.

The Opposition are delighted that the Government have acknowledged and taken on board the Secretary of State's responsibility for all patients within the system, not merely those within the national health service. I very much hope that, when the Government consider wider reform of the health service complaints procedure, and possible proposals for a complaints procedure in the private acute sector, they will see the merits of a unified system that allows all patients equal access.

Public confidence requires that the complaints procedure in any body or sphere work effectively. The Bill is a small but important step in dealing with the clear concerns that a group of people have felt about how the NHS complaints procedure works. It brings those who have felt excluded from the process—disfranchised—back within the net.

The Bill leaves the House with two small concerns still hanging over it. On new clause 6, the hon. Member for Hendon (Mr. Dismore) identified a further small group of potentially aggrieved people who may find that the Bill does not extend the improved access and scrutiny to their cases. It would be ironic and unfortunate if a Bill that set out to address the grievance of a group of people who are excluded from the complaints process inadvertently excluded another group. No doubt that will be considered in another place.

The other point is whether there should be different periods of jeopardy for practitioners who resign from the service in the normal way and those who are dismissed as a result of malpractice. As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said, I suspect that our noble Friends in another place may wish to look at that again.

However, those minor points in no way detract from the achievement of my right hon. Friend the Member for Wealden in piloting the Bill successfully through the House. Congratulations are due to all those who participated on Second Reading, in Committee and today on the constructive and positive way in which the Bill has been made into useful and workable legislation.

12.57 pm

Ms Stuart: I thank all those who have taken part at the various stages of the debate, particularly today. We have dealt constructively and positively with the Bill. I particularly congratulate the right hon. Member for Wealden (Sir G. Johnson Smith) on choosing a good Bill with a clear purpose and remaining focused on that purpose.

We have had interesting and wide-ranging debates. I am sure that my hon. Friend the Member for Nottingham, East (Mr. Heppell) will take a close interest in the further proceedings on the Care Standards Bill, which will address some of his points on complaints outside the national health service. I am sure that he will be able to make a positive contribution.

Some may have regarded the Bill as minor, but we do not see complaints as a minor issue, even if they affect only a limited number of people. Complaints are important, even when they are sometimes uncomfortable for those on the receiving end. They can be a positive means of improving services. We firmly believe that complaints are a tool for improvement and I welcome the opportunity to raise the issue.

An effective complaints process is not just about taking complaints seriously and learning lessons from them; it is about responding to the complainants' concerns sensitively, providing answers to their questions and reassuring them that their worries are not being swept under the carpet.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked about the revision of the complaints procedure. The review is high on our agenda, but there is no precise date at this stage. It will have to be seen within the outcome of the national plan discussions.

There will inevitably be some cases in which even the best endeavours of the NHS complaints procedure will not be satisfactory. In those cases, the commissioner

[Ms Stuart]

provides an essential further option for complainants who might otherwise be left without the assurance that their complaint has been taken seriously.

The Bill seeks to plug a loophole which has been identified in the existing legislation relating to the health service commissioner. As is so often the case, it hinges on what appears to be a minor technical point, but for those affected, the problem is very real.

Section 2A of the Health Service Commissioners Act 1993 brings family health service practitioners—GPs, family dentists, opticians and pharmacists—within the commissioner's jurisdiction. Section 2B does the same for independent providers. The intention was to ensure that NHS patients would have access to the commissioner irrespective of where or how they were receiving care and treatment.

It was only when those provisions began to be used as the basis for instigating investigations about practitioners that it came to light that there was a problem because the provisions are phrased entirely in the present tense. As a result, an additional hurdle was placed in front of a small minority of complainants: to investigate a complaint about a GP, for example, the commissioner had to make sure that the GP was still in practice, and was likely to remain so until the investigation was concluded. If the GP retired while the complainant was still pursing his or her concerns through the NHS complaints procedure, the commissioner would not be able to consider the complaint if it was subsequently submitted to him.

Worse still, the commissioner has told us that on a couple of occasions he has been forced to close down an investigation that had already started, because it was being conducted under the auspices of section 2A, and the subject of the complaint retired half way through. Clearly that is highly unsatisfactory. The Bill would amend sections 2A and 2B so as to remove that additional hurdle and bring those such as retired GPs within the commissioner's remit.

As I have said previously, the Government have no difficulty with the principles and motivation behind the Bill. However, as I also said during earlier consideration of the Bill, I have a duty to look at the issues from all perspectives. I must ensure that, in righting one injustice, we do not unintentionally create another. Therefore, it did not seem to be in keeping with natural justice that GPs or other practitioners who have reached retirement age after a long career committed to providing the very best care and treatment to their patients should have to spend many years wondering whether one day they might find themselves the subject of a complaint to the health service commissioner. On Second Reading, I described it as a sword of Damocles hanging over them. That may seem melodramatic to some, but I have no doubt that that is how it would feel for many conscientious and hard-working practitioners. I therefore said that the Government would table an amendment to the Bill to place an absolute time limit on how long after practitioners or providers permanently ceased to provide the relevant services they should be susceptible to investigation by the commissioner. I am pleased that the amendment considered earlier today was agreed to.

I am equally pleased that the Government's other significant amendment has also been successfully incorporated into the Bill. It may have seemed to be a trivial matter, perhaps even unnecessary to some, that the Bill should be explicit in excluding from re-examination complaints which have already been considered and rejected by the commissioner on the grounds that they fell outside the scope of sections 2A or 2B. Nevertheless, experience has shown that we should never be complacent about such matters, or make assumptions about how legislation will be interpreted. It was entirely right, in my view, that the new clause should be included, and I am grateful to the right hon. Member for Wealden and to the House for accepting it.

This has been the first Bill I have had to deal with since becoming a Minister and it has been a great pleasure and joy, not least due to the support from right hon. and hon. Members. The Bill clearly showed the purpose, function and scope of private Member's Bills. I am sure that we shall look back on today's debate with some satisfaction because the Bill has closed a loophole. Throughout the Bill's progress through the House, the right hon. Member for Wealden has been most supportive and I thank him for that. The Government have no objections to the Bill and we wish it well in its further stages.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Protection of Animals (Amendment) Bill

Order read for resuming adjourned debate on Question [28 January], That the Bill be now read a Second time.

1.4 pm

Mr. Eric Forth (Bromley and Chislehurst): As I was saying on 28 January, the Bill failed to make further progress on that occasion because the previous business had taken rather too long. Happily, on this occasion, we have dealt in a proper but disciplined way with the previous business, and we therefore have an opportunity to return to the debate on the Bill and give it fuller consideration. For my part, I hope that there is no reason why the Bill should not complete this stage of its proceedings before time runs out today.

It is worth noting that because of the circumstances that arose on 28 January, the hon. Member for Crosby (Mrs. Curtis-Thomas) had only one minute, according to *Hansard*, to give her Second Reading speech. I hope that it may now be possible for her to make a Second Reading speech to guide the House more effectively on what was on her mind and what her Bill intends to do. For that reason, I will my curtail my remarks. I have a few things to say about the Bill, but I do not wish to detain the House at any great length.

It was presumably a coincidence that the Minister, too, had only a minute on that occasion to give his views on the Bill. Then again, given Ministers' legendary discipline, perhaps it was not a coincidence. I hope that the opportunity will now arise for the Bill's promoter and the Minister to give the House more of their views.

I accept the aims of the Bill as set out in the explanatory notes and in the brief comments that the hon. Lady made on 28 January. I simply want to flag up a few points that have caught my eye and ask some questions about them. They may be able to be dealt with today but may, more properly, be returned to for detailed consideration.

Clause 1(2)(e) is a key provision. In relation to a prosecution in England, it refers to

> a person who, at the request of the Minister of Agriculture, Fisheries and Food, has entered into a written agreement under which he may perform the functions conferred on a prosecutor by virtue of this Act . . .

That strikes me as unusual. There may be good practical reasons for such a provision, but for reasons that I shall return to shortly, I am hoping for reassurance from the Bill's promoter or the Minister that the provision is sufficiently tightly drawn to stop unqualified or non-responsible people pursuing prosecutions on behalf of anyone else. The wording seems broad, which worries me. However, my hon. Friend the Member for Beaconsfield (Mr. Grieve), with his enormous legal expertise, may be able to guide the House on that point.

I expected to find in clause 2 the essence of the Bill, as I understood it to be from the remarks of the hon. Lady and the explanatory notes. Subsection (2)(b) refers to selling the animals at a fair price, while subsection (2)(c) refers to

> disposing of the animals otherwise than by way of sale . . .

Subsection (3) deals with

> protecting the owner's interest in the value of the animals.

Nowhere, however, is there an explicit reference to the welfare of the animals. That puzzled me, because I would have expected a Bill of this nature, given its aims, to have laid great emphasis on, and made detailed provision about, the protection and welfare of the animals concerned. I thought that that was the point of the Bill. I hope to receive reassurance on that.

There is also no reference, as I might have expected in a Bill of this kind, to the sort of people to whom the animals might be disposed of. I would have thought that some protective requirement would have been appropriate. Simply providing for the disposal of animals otherwise than by way of sale does not strike me as giving sufficient protection, which, again, I thought was the whole point of the Bill.

Angela Smith (Basildon): Perhaps I can assist the right hon. Gentleman. As clause 2 states:

> If . . . it is necessary in the interests of the welfare of the animals in question . . . to do one or more of the things mentioned in subsection (2),

it is clear that the welfare of the animals would be taken into consideration.

Mr. Forth: I accept that, as the hon. Lady points out, that is the stated aim, especially of clause 2. However, that provision is not sufficient; it merely states the aim. The clause goes on to refer explicitly to sale, disposal or slaughter; it would be strengthened if detailed provision was included. We are talking about aims or objectives on the one hand and, on the other, the means by which they are achieved. I am surprised that more detailed provisions were not included. However, I seek reassurance as much as anything else; I am sure that we can return to that matter.

Clause 3 also refers to "the prosecutor". Presumably, given the provision in clause 1(3), that might not be the prosecutor, but could be one of those mysterious people with whom a written agreement has been made to carry out prosecuting functions in the place of the prosecutor.

Again, I raise that issue to seek reassurance. Clause 3(1) refers to

> the prosecutor or a person authorised by him.

Can only the prosecutor make that authorisation, or can a person with the written agreement of the prosecutor, under the earlier clause, make such agreement? If that were so, we should be somewhat at arm's length.

We need reassurance that the provisions are sufficiently tightly drawn as to ensure that proper people are acting appropriately in the interests of the aims of the Bill. Otherwise, there is the potential for drift, and that could be alarming.

The final question that I want to flag up at present relates to clause 4. It states:

> the prosecutor is entitled to be reimbursed.

However, it does not say by whom or from what source, it simply makes the statement. From where will reimbursement come?

Intriguingly, subsection (2) states:

> Any amount for which the prosecutor is entitled to be reimbursed under subsection (1) may be recovered by him from the owner summarily as a civil debt.

That may be so, but what if it is not? That may be the hope, but does it cover all eventualities? Some legal guidance may be necessary—

Mr. Dominic Grieve (Beaconsfield) *rose—*

Mr. Forth: I am just about to receive some.

Mr. Grieve: My right hon. Friend has touched on an important point, to which I may return. The Bill implies

[Mr. Grieve]

that conviction will automatically follow prosecution. He may want to consider what would happen if there were an acquittal.

Mr. Forth: I am grateful to my hon. Friend. That point had occurred to me. Clause 4 appears to make certain assumptions that might not be fulfilled. That leads me back to my original question. If the expenses are not recovered under subsection (2), where will the money come from to fulfil the requirements under subsection (1)(a)?

Perhaps there is a straightforward and simple answer to all my questions. The Minister is looking pretty relaxed; he probably has all the answers already, in which case I am merely performing the preliminary function of softening up the issues so that he can come in and demonstrate his legendary knowledge of these matters and reassure us.

I pay tribute to the hon. Member for Crosby for introducing a Bill that is important, but modest in scope. As we are learning, that is the ideal formulation for a private Member's Bill. A measure thus drafted often has a better chance of success, for reasons that I am sure we all understand. Her Bill fits that category well.

However, despite that, the Bill raises important questions. Indeed, I should prefer some of its aspects to be strengthened so that it can properly fulfil its purpose, unless the hon. Lady or the Minister can reassure us. None the less, I wish the Bill a fair wind; I am confident that there is enough time today to do the job that we could not complete on 28 January.

1.14 pm

Mrs. Claire Curtis-Thomas (Crosby): I am grateful for the opportunity to provide greater explanation and justification for the Bill. The House has always had regard to the need to offer animals proper protection in law. We can rightly be proud of our history of legislating on the issue, dating back nearly 200 years. My Bill is a simple measure that aims to improve one of the longest-standing statutes that protects animal welfare. It is simple, but it is no less important for that. I hope that, during the debate, the points raised by the right hon. Member for Bromley and Chislehurst (Mr. Forth) will be adequately covered.

My aim is to plug a clear gap in the existing law as it relates to neglected animals. The statute in question is the Protection of Animals Act 1911, which is the measure that protects animals against cruelty or neglect. However, under the Act, only police constables have a limited power to take custody of animals pending the termination of proceedings for cruelty or neglect. As things stand, animals that are the subject of cruelty or neglect proceedings can be left to suffer while the law takes its course. I shall outline some practical examples of the appalling consequences that that can have for the animals concerned. I am sure that we all agree that that cannot be right.

My Bill aims to put right that anomaly and ensure that it is possible to act quickly when that is necessary in the interests of the animals. To put it simply, it would allow those prosecuting cases of cruelty under the 1911 Act to apply to a court for a care order to protect the animals concerned. The magistrates would be able to grant an order to the prosecutors allowing for the temporary care or for the disposal, sale or slaughter of the animals concerned.

That would be a considerable improvement on current arrangements. It would allow a range of bodies—I shall explain later what they are—to make applications for care of animals in distress and it would remove the current anachronistic reliance on police constables. It would also allow a court to specify what form the care should take. I shall in a moment describe the options with the welfare of animals in mind.

Let me now turn to the detail of my Bill and briefly outline the background to the clauses. Clause 1 sets out when the Bill would apply. In short, that would be once proceedings have been brought under section 1 of the 1911 Act. It also makes it clear that the Bill would apply only to animals kept for commercial purposes. It would not apply to pets, but it would cover farm, zoo and circus animals, riding schools and the like.

Clause 1 would also limit the use of the new power to make applications for care to government, local authority prosecutors and those organisations that the Ministry of Agriculture, Fisheries and Food or the Welsh Assembly invites to join a written agreement. That would ensure that the power is used responsibly and would avoid vexatious and mischievous applications for care.

Clause 2 provides for a magistrates court to make a care order. It makes it clear that such an order must be in the interests of the animals and that the court must take into account veterinary advice in reaching its view. The clause also sets out what the court may specify in a care order—essentially, the care of the animals or their sale, disposal or slaughter. It makes it clear that, in deciding what to authorise, the court must have regard to the owner's interests in the value of the animals and the need to avoid increasing his costs. Finally, the clause makes it clear that any care order would cease to have effect if the related proceedings under the 1911 Act were themselves discontinued.

Clause 3 would provide powers of entry to a prosecutor making an application for care. It would allow him to enter premises and to mark for identification purposes the animals concerned. Once a care order had been awarded, it would also provide for him to enter premises for the purpose of carrying out that order. I should make it clear, however, that those powers would not extend to allowing entry to dwelling houses.

Clause 3 would make it an offence—currently carrying a maximum penalty of £1,000—to obstruct anyone acting under a care order or exercising the powers of entry that I have just described. It would also create a right for anyone owning or occupying such premises to seek evidence from a prosecutor of his entitlement to enter them.

Clause 4 would allow a prosecutor to recover from the owner any reasonable cost incurred in relation to a care order. It makes it clear that any surplus funds from the sale, disposal or slaughter of animals after the deduction of costs incurred are payable to the owner. Clause 4 requires the owner to provide a prosecutor with any documents—cattle passports are an obvious example—needed to allow him to execute a care order. It creates an offence punishable by a maximum fine—currently £1,000—for failure to do so. It provides the prosecutor with alternative means of securing the necessary documents. Clause 5 contains definitions and makes it clear that the Bill applies only to England and Wales.

The Bill is straightforward and has been sought for some time by those closely involved in enforcing animal welfare legislation, including animal welfare organisations and those in MAFF's state veterinary service. Having explained the detail of my Bill, I shall give the House practical examples of how it would have helped in a range of cases.

Between December 1996 and April 1997, MAFF vets made nine visits to a farm in the north-east on which 200 sheep were found to be suffering from malnutrition and scab. The farmer failed to act on advice and, unfortunately, 53 sheep died. The farmer was eventually convicted and fined, but the plain fact is that his sheep would have been spared much suffering if those managing the case had had powers to intervene positively at an early stage.

Such cases are not all a matter of history. As I speak, MAFF vets are dealing with a case in which a significant number of sheep are suffering from various degrees of neglect. I am sorry to say that, in the absence of a measure such as the Bill, the sheep continue to suffer. There is no doubt that they would benefit from removal to the care of someone with the resources to feed and take care of them properly.

A young man in the midlands owned and kept three cows on a plot of leased land, but was not prepared to provide adequate feed for them. The local authority and MAFF gave absolute priority to the case, which was straightforward and uncontested. Nevertheless, four months elapsed before magistrates could hand down a lifetime ban on keeping cattle. During that period, the owner continued to neglect his animals although, fortunately, a charitable local farmer supplied hay and straw to relieve their suffering. Without his efforts, however, the animals would have been in dire straits.

I could go on, but I am conscious that time is limited. My point is that animals have suffered and are suffering now, and my Bill will address that. The examples that I have given were provided by MAFF experts and inevitably involve farm animals. However, my Bill does not apply only to farm animals and is not a measure aimed directly at the farming community, the vast majority of whose members care wel for their animals, as we all know. The Bill applies eq tally to domestic and captive animals, but the key point is 'hat it applies only to animals kept for commercial purposes.

I am conscious that such a measure needs to be properly framed to protect the rights of animal owners. I believe that the Bill is, and several filters are built into it to protect owners' legitimate rights. First, it reduces the scope for vexatious or mischievous applications for care orders. Not just anyone can apply for such orders, as the power is limited to central and local government prosecutors and those invited into written agreement by MAFF or the Welsh Assembly Agriculture and Rural Development Department.

Magistrates will award an order only when veterinary evidence confirms that it is in the interests of the animals' welfare and have taken into account the owner's interests, including his interests in the animals' value. The Bill rightly contains provisions for any cost involved in caring for the animals to be recovered from the owner, but that should not impose extra costs on businesses. Costs would arise only when there was a prosecution for cruelty or neglect, and should not exceed what the owner would have incurred by looking after the animals properly and in accordance with the law.

Mr. Grieve: The hon. Lady has come to the point that I flagged up earlier, which is of interest to me. We know that companies, for instance, usually complain that the cost of the receiver vastly exceeds the normal cost of running a business. How does she derive the confidence that the cost of looking after the animal away from the farmer concerned will be commensurate only with that he himself would have had to incur?

Mrs. Curtis–Thomas: I am grateful to the hon. Gentleman for posing that question. I would like to consider it in greater detail, and shall write to him accordingly.

I have described several cases that clearly highlight the weakness in existing legislation. That weakness continues to have a serious effect on the welfare of animals that the law is designed to protect. My Bill is a sensible, well thought through, thorough measure which provides the necessary additional protection for animals. At the same time, it safeguards the legitimate rights of their owners.

A significant number of Members care passionately about the welfare of animals—including, much to our surprise, the right hon. Member for Bromley and Chislehurst. With that said, I am grateful to have had the opportunity to provide a fuller, detailed explanation of the Bill.

1.26 pm

Mr. Tim Collins (Westmorland and Lonsdale): I congratulate the hon. Member for Crosby (Mrs. Curtis–Thomas) on moving the Second Reading of her Bill. I warmly welcome it and hope and expect that it will make progress today. Nothing that I shall say is in any way intended to impede that progress. I should merely like to put a few observations on record and seek clarification on a number of matters.

We heard in the hon. Lady's excellent speech that she is seeking to amend the Protection of Animals Act 1911, which is the fundamental piece of legislation on the subject. I would have congratulated the Liberals, since they passed the original legislation, but, sadly, there are no Liberal Democrat Members present.

The Act dates from a rather different era and it is perhaps worth noting in passing that it is slightly regrettable that, owing to the nature of modern society, some of the rightly proposed changes have been made necessary not because the original Act was defective, but for the following simple reasons. First, back in 1911, proceedings in court were rather more rapid, so there was far less risk of leaving animals in poor or degrading conditions while court cases dragged on for months and even years. In those days, they seemed to be rather more adept at concluding court cases. Secondly—a fact to which the hon. Lady referred—under the original Act, police constables may take custody of animals. These days, of course, that would be rather difficult. One reason is that there are far fewer police constables. The idea of the village bobby being able to conduct such a task as part of his other activities is not realistic. The hon. Lady is right that the Act needs to be amended, but that is not necessarily because it was wrong. It is just that circumstances today are different.

[Mr. Tim Collins]

I should like to look at a couple of points in particular. The Royal Society for the Prevention of Cruelty to Animals has made it entirely clear that it strongly supports the Bill. Indeed, I suspect that it has worked quite closely with the hon. Lady in preparation of the proposed legislation. I am sure that it would be happy to see the Bill make progress today. However, in addition to commenting on the scale of costs that it presently incurs, for which, under the Bill, it will be reimbursed, it states in an interesting passage of its briefing that it

anticipates an increase in the number of commercial animals that it will have to provide for in the future.

I am a little intrigued as to why that might be so. There are at least three possible explanations. The RSPCA could believe that the amount of cruelty to commercial animals is increasing; or that information on a broadly static amount of animal cruelty is becoming more widely available; or that, partly as a result of the extra resources which—it is to be hoped—the Bill will provide, it will be in a better position to initiate prosecutions. I am not sure which of those explanations is correct; perhaps it is a combination of those and other factors.

We should ask the RSPCA why it believes that it will have to step in increasingly frequently. I should have thought that, as a general rule, the status of commercial animals in this country is rising. There are some shocking instances, to which the hon. Lady referred, but generally, most farmers—I am thinking particularly of my very rural constituency—despite immense financial difficulties at present, recognise that they have a duty to look after their animals and that they benefit from doing so. The duty is both moral and legal, and the benefit is that the animals are often their primary asset, so they have no interest in mistreating them in any way.

I hope that the Bill is not felt necessary because there is a widespread view that animal welfare is deteriorating, as I do not believe that to be the case. However, we should aim for ever increasing standards. We should not be content with having reached a plateau.

I was interested in the provisions in clause 3, which relate to the circumstances in which someone may enter premises. As I said, I welcome the Bill and recognise that it is part of what is necessary to plug a loophole, but some clarification is required.

Clause 2(1) refers to "the animals in question"—in other words, the animals in relation to which a prosecution has been brought, which may or may not be the entirety of the animals owned by a particular person or which are present on a particular premises.

However, in clause 3 there is no further reference to "the animals in question". There is, instead, a reference to "the animals" and to the fact that the prosecutor will have given notice to the court and that

he is of the opinion that the animals need to be marked for identification purposes.

If only a small subset of the animals is at risk, it may be necessary for them to be marked, or perhaps all are to be marked in different ways to identify those that are the subject of court action and those that are not.

It may be that different species are kept on the same premises. For example, there are farmers in my constituency, and in many others, I am sure, who keep both sheep and cattle. The allegation may relate to the mistreatment of just one of those categories, rather than to all the animals.

I wonder whether clause 3 is perfectly drafted in that respect. I am not a lawyer, but from my cursory reading it seems that perhaps the power is being granted to the prosecutor or someone acting on his behalf to go in and mark for purposes of identification all the animals on a site where there is a prosecution pending for violation of animal welfare standards. I am not sure whether that is the intention of the hon. Lady, the Government or the House. If not, perhaps there is a case for clarification. I look to the Minister for that.

Clause 3 also refers to people authorised by the prosecutor, as well as the prosecutor himself. I can envisage circumstances in which the RSPCA may wish to hire people to undertake the task, but we should be careful that those acting on behalf of the prosecutor are employees of a local authority or one of the other organisations that have entered a written agreement with the Ministry of Agriculture, Fisheries and Food in England or the National Assembly for Wales, and that they are fully under the control of, and fully the responsibility of, those organisations, so that if they exceed the powers that they are given by the Bill, their actions will not subsequently be disowned.

Under clause 4(3), the owner is required to provide certain documents to the prosecutor, so that a court order relating to what is in the best interests of the animals can be discharged. Those may be documents

without which the animals cannot be slaughtered for human consumption; or

which are otherwise relevant to the condition or value of the animals.

Subsection (3) states that

the owner must, as soon as practicable and in any event within 10 days of the making of the order, deliver those documents to the prosecutor.

In some circumstances—for example, if the owner is abroad or absent, or the owner of the animal is not the owner of the premises on which it is kept and from which it is collected—10 days may be a challenging time frame.

I appreciate that subsection (4) rightly provides for the penalty which results from someone being guilty of an offence, to apply only if the owner fails to deliver the documents "without reasonable excuse". I note that the Minister is nodding. It would be useful to put it on record that "reasonable excuse" includes circumstances in which the owner is genuinely abroad, difficult to contact or unable to gain access to the documents.

All hon. Members want to introduce a measure that constitutes a genuine advance for animal welfare, but does not impose unreasonable burdens on those who have the responsibility of keeping commercial animals. I know that the latter is not the intention of the hon. Member for Crosby, and I hope that our consideration of the Bill will illustrate that.

With those caveats and observations, I wish the Bill a fair wind. I congratulate the hon. Lady on introducing it. I am sure that it will make progress, and that she will have the pleasure of piloting an important measure to the statute book.

1.36 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I shall make a couple of brief points, which are essentially queries to the Minister about technical matters. If they cannot be explained now, perhaps they should be tackled when the extremely good Bill that my hon. Friend the Member for Crosby (Mrs. Curtis–Thomas) has promoted is considered in Committee.

The Protection of Animals Act 1911 deals with pets, whereas the Bill deals specifically with commercial animals. I want to ensure that we do not accidentally create a loophole, and an artificial boundary between pets and commercial animals. A person might keep dogs and decide that they are commercial when it suits him and he wants to sell them, and pets when it does not. We want to ensure consistency in prosecution for cruelty to animals, whether the animal is kept as a pet or for commercial gain. We are all trying to prevent cruelty to animals and we do not want to create a loophole.

The reverse of the example I gave might also occur. The hon. Member for Westmorland and Lonsdale (Mr. Collins) referred to sheep farmers, of whom there are many in Westmorland. A farmer might claim that a little lamb that he had been accused of treating cruelly was not one of the flock but a pet. We must not create such a loophole.

The hon. Member for Westmorland and Lonsdale referred to the greater number of animals that are kept for commercial purposes, and the breadth of those purposes now as compared with 1911. Then, commercial animals were either farm animals, racehorses or greyhounds and the definition was fairly obvious. There are now many other sorts of commercial animal.

There are two wonderful establishments near me. I am sure that they would not be subject to prosecution under the Bill or the 1911 Act. The first is Chester zoo, an eminent establishment, which not only displays animals for the benefit of the public and enables them to be understood in a proper habitat, but breeds rare animals. The Blue Planet aquarium—also in my constituency—is a superb resource and a wonderful scientific experience for people, especially children, to enjoy.

Wider facilities are available, which raises another issue that should be considered in detail in Committee. Are animals kept in modern facilities covered adequately by the 1911 Act? We are not necessarily dealing with primates, birds or some of the species that we normally see in zoos; much more exotic creatures, especially amphibians and mammals, may not be adequately covered by that Act. I do not know the answer, as I am not a lawyer, but that matter needs to be considered carefully. For example, it would be absurd if a frog were covered, but a dolphin or a porpoise were not. I am sure that that is not the intention of my hon. Friend the Member for Crosby. She used the word "animal" in its broadest sense.

I wish the Bill well—it is extremely timely and contains some good provisions—but those technical matters should be considered in Committee to ensure that there are no loopholes. If you are in the north-west to watch Lancashire, Mr. Deputy Speaker, please visit the Blue Planet and Chester zoo. You will have a great experience.

1.42 pm

Mr. David Maclean (Penrith and The Border): I, too, wish the Bill well and I am pleased that we have an opportunity to give it a proper Second Reading before it is debated in Committee. We shall then briefly consider it on Report and, I hope, ensure that it goes to and from the other place in good time before the end of the Session.

When the Bill was debated previously, we had insufficient time to explore some of the little concerns that it raises. Therefore, it was right that it did not make progress; we should not have bounced it through either on the nod or after 10 minutes' discussion. Although we do not want to send a signal that we do not care about animals, we certainly do not want send a signal that we do not care about legislation. An animal welfare Bill did not make progress a few weeks ago, but that does not mean that we do not care about animals. We want to ensure that amending legislation such as this brief Bill is properly debated. We need to consider whether it contains any loophole and whether we can improve it.

Hon. Members have already raised many of the points that I wanted to make, so I shall confine myself to emphasising a couple of issues, the first of which is the term "commercial". I understand why the hon. Member for Crosby (Mrs. Curtis–Thomas) has confined the Bill's scope in such a way. If she had not, I would have been one of those saying that we should consider it carefully because of its serious repercussions. She could have widened the scope to such an extent that its chances of success were endangered because it dealt with all pet animals and, therefore, included rights to enter private homes, which would involve fundamental human rights issues and the right of entry of inspectors from the Royal Society for the Prevention of Cruelty to Animals.

The hon. Member for Crosby is right to have confined the Bill's scope to the keeping of animals for commercial purposes. I understand that that phrase means not necessarily only cattle, sheep, pigs and other farm animals, but other animals, including those in zoos, kept for commercial purposes.

I hope that a little time will be spent in Committee clarifying what is "commercial". I cannot see a definition of "commercial" in the Bill, and perhaps advisedly so. The hon. Lady has possibly been advised by lawyers in Departments or elsewhere not to define the term "commercial". If it is questioned, it may be determined by the court according to the circumstances of the case. Plenty of animal regulations and legislation on the statute book contain a definition. I could not see a definition in clause 1 of the Protection of Animals Act 1911, because it covers all animals. We need to explore that little matter.

I am not concerned that the Bill will cover too many animals. I want the animals that I see every Monday and Friday from my train to and from my constituency to be covered by legislation. A decision may be made as to whether I am in order, but I hope that, when we consider the Bill, we can discuss the horses that are kept in what I call pony paddocks. I suspect that some of them are personal pets in a field with a little tin shed that has been let, and they will not be covered by the Bill. However, if there is a commercial relationship whereby an organisation is housing someone's pet horse for a fee, I hope to goodness that it is caught by the Bill. I also hope that inspectors from the Royal Society for the Prevention of Cruelty to Animals or the local council will travel on the trains and see those grubby pony paddocks.

[Mr. David Maclean]

Inspectors should go into farms and deal with sheep, cattle or pigs that have not been properly taken care of but, from my background in the countryside, I think that there is a welfare problem when horses are kept in a bare field with no grass whatever and a few bits of scabby hay to eat. One can sometimes see the structure of their rib cages through their skin. Those cases need to be investigated.

That is not the Minister's departmental responsibility. Baroness Hayman now has responsibility for horses, but the matter of the welfare of horses has always fallen between different Departments. I do not think that it is a ministerial responsibility for the Ministry of Agriculture, Fisheries and Food, because those paddocks are not registered MAFF farms. I flag up that issue because I want to explore the potential for animal cruelty. If the Bill cannot deal with it, perhaps another measure can.

I do not want to discuss issues that are not covered by the Bill, because that would not be in order. It is narrowly confined, and we have had advice and information from the RSPCA. It is nice that the RSPCA has on this occasion confined itself to subjects that are a core part of its activity. I trust that, after today, my secretary will not receive more letters from RSPCA supporters who were incited by an article 18 months ago. I have a splendid letter that says, "Maclean you dirty b . . . , I hope you die nastily of cancer of the throat and all your family with you." That was an exciting bit of mail such as one gets occasionally. I had made an intervention on another animals Bill.

Angela Smith: I am sure that the right hon. Gentleman is not suggesting that the RSPCA was responsible for that.

Mr. Maclean: I am afraid that I am. It does not concern me, because the letters were not from my constituents. They were from all over the country, so they made no difference politically. They upset my secretary for a while. The article had been printed in an RSPCA magazine, and gave a slightly biased account of some of our proceedings—hence the letters flowed. We are dealing with a Bill that the RSPCA entirely supports and that we shall back, not because the RSPCA supports it, but because it is right in principle and has considerable merit. Therefore, I hope that people outside the House will give a fair account of our proceedings.

I am aware that the RSPCA wants bigger changes in legislation in future. I hope that amendments will not be tabled to this Bill in an attempt to meet that agenda, because that would endanger it, but the Minister—in conjunction with other Departments—may need to establish a taskforce or working group to review the 1911 Act. We know that the RSPCA, along with other organisations, wants a wider scope of reference to include all animals, not just domestic or captive animals. That would include zootypes such as frogs and other exciting animals that people are keeping nowadays—and, in my opinion, keeping dangerously. When those animals are released into the wild, we are seeing the destruction of our native wildlife. The giant American bullfrog is an example. I am terrified to look at my own wildlife pond in case I see one of those ten-foot monsters.

The RSPCA wants extra powers enabling the courts to confiscate animals from people who care for them, not just their legal owners. I think that that was the problem with the Chipperfield case. It wants a new offence of "likely to cause suffering", clarification of powers of arrest under the Act, tighter rules on disqualification, and a change in the age at which people can buy pets. Those are legitimate subjects for debate and consideration, and it might be in order to incorporate some of them in the Bill, but I would caution against any such attempt. Unless consultation takes place with the wider industry, with cattle and dog owners and with all the other organisations involved in animal welfare or production related to animals, the Bill will suddenly come up against strong opposition from those quarters.

I urge on the Minister the solution that we adopted a couple of years ago with regard to dog breeding and licensing. I am pleased to say that I blocked the Bill in question, because I had been told by some organisations that they had not been properly consulted. I had been told that this was a one-man show on the part of the RSPCA, which was trying to drive the Bill through without the views of others being taken into account. We set up a working group involving the RSPCA, the National Canine Defence League and a range of other organisations. After they had torn each other's hair out for a while, they produced the material for a Bill that we were able to support.

That is the solution that I recommend to the Minister and all Members, rather than trying to put everything into the Bill and widen its scope so that it is endangered. That is the right way in which to deal with extraneous problems. I do not use the word "extraneous" in the sense of "trivial"; I am referring to other problems that the RSPCA wants to deal with.

There are one or two other little points already mentioned by my hon. Friends that we may look at in Committee. The Bill refers to "a person authorised". Who is the person authorised? We shall want to ensure that, if RSPCA inspectors have those rights, it will be appropriate people—properly authorised people—who go into what will be not domestic premises, but private property, with what could be described as draconian rights. We shall want to ensure that the "reasonable" costs are reasonable, and that, if animals that are suffering are taken away and housed, slaughtered, disposed of or dealt with in some other way, the person responsible is saddled with a reasonable bill, not a gold-plated Rolls-Royce bill.

I support the thrust of the Bill. There was clearly a loophole in the 1911 Act. We cannot allow circumstances to exist in which, when someone is prosecuted for animal cruelty, it is not possible to do anything with the suffering animals.

I sincerely hope that the Minister is given permission to speak again. If he does, I hope that he will be able to tell us a little more about the statistics supplied by the RSPCA. I think that they tell us that, in the first half of 1999, there were nearly 1,500 convictions, 45 of which related to pigs, 27 to cattle and 16 to sheep. That is quite small beer in some senses, although many sheep may have been involved in each prosecution, and, indeed, many pigs. Those figures give me a sense that the vast bulk of the other prosecutions involved cats, dogs and other domestic animals. I may or may not be right, but, given that the Bill deals with commercial animals, given that cases relating to commercial animals constitute only a tiny proportion of prosecutions, and given that there is a big problem of cruelty to cats, dogs and other domestic

species, the time will come when we need to address that problem—not in this Bill, but perhaps in a Government measure after full and proper consultation.

1.54 pm

Angela Smith (Basildon): I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on introducing the Bill. It seems that she and I are crossing paths on many occasions. Yesterday, we debated the construction industry. Today, it is animal welfare. One wonders what the connection is.

I congratulate my hon. Friend on the Bill's limited scope. It is tempting to draw up legislation more widely, particularly when one looks at the limitations of the 1911 Act, but it is important that we become very focused on what we want to do and on what we can achieve through private Member's legislation. It can be difficult.

I mentioned that the 1911 Act needs far greater amendment. I accept that this is not necessarily the place to do it. As the hon. Member for Westmorland and Lonsdale (Mr. Collins) commented, the reason is not because of the inadequacies of the legislation at the time, but because the Act was constructed for problems in 1911. The offences were broadly to do with unnecessary suffering, but specific offences were included: to beat cruelly, to kick, to ill treat, to overload, to infuriate or to terrify any animal. I look at those and wonder how they apply today. The fact is that they were written for circumstances—horses transporting goods—in 1911 that do not arise so much today, so clearly it was an Act for the time. It is right that, as we go along, we update legislation.

The amendments to the Act are welcome additions to animal welfare issues. Charge can be taken of animals after legal action against their owners, rather than the animals being left in possible suffering while the law takes it course. There are welcome additions to the 1911 Act, in particular measures on access to the property of those charged under the Act in order to take into protection the animal concerned.

I should like the promoter and the Minister to clarify a couple of things, but I believe that the measures do not in any way unnecessarily interfere with the rights of someone who has been charged under the Act. The times when the proposed new powers can be used are, as we have heard, quite limited. No one should fear the consequences of the legislation. The financial aspects of the Bill need more detailed scrutiny. I hope that we get the opportunity to do that in Committee.

The 1911 Act did not even consider the prospect of temporary care, disposal, or, if necessary, slaughter of the animals. With hindsight, we can see that that was not properly addressed. One of the problems is court delays nowadays. I hesitate to be critical of lawyers yet again this morning, but courts nowadays are far more full of cases. There is far more pressure on the courts. That was not anticipated in 1911.

The right hon. Member for Penrith and The Border (Mr. Maclean) said that the RSPCA wanted to extend the legislation. We should consider whether anything else can be included without losing the substance and intention of the Bill as it stands. Let us look at how important the 1911 Act has been to animal welfare. More than 80 per cent. of the cases brought for cruelty to animals are brought under the 1911 Act. When an Act has that sort of impact on animal welfare and on legislative cases, it is important that we ensure that it is brought up to date.

I am pleased—my hon. Friend the Member for Crosby reiterated the point—that we are talking about animals kept for commercial purposes, which again strikes a balance. We are not talking about moving in and destroying people's pets. I am particularly pleased, having worked closely with animal welfare groups involved with zoo and circus animals, that they are covered by the Bill. It is essential that it covers commercial owners and not just domestic or farm animals.

Reference has been made to the Chipperfield case. I would be reluctant to legislate or to change the law on the basis of one case, as that would be inappropriate, but I remind hon. Members of the details of the Chipperfield case. A person who is convicted for cruelty to an animal may have the animal removed from his care during the course of the case. It could then be returned to that person if he were the keeper of the animal, not the owner. In the Chipperfield case, the owner was a commercial owner, and thus covered by the Bill, but the keeper was an individual. I do not think that the Bill intends to exclude such people, but that highlights a loophole both in the existing legislation and in the Bill.

If an animal's commercial owner should be denied the right to keep it upon conviction for cruelty, should it be possible for that same person to be classified as an individual, enabling him or her to seek the animal's return? I should be grateful if the Minister would investigate that issue, so that we can address it in Committee. As I said, we should not legislate on the basis of one case, but that case highlights a loophole in the legislation that I think that hon. Members will want to fill.

I should be grateful if we could also deal with the matter of cases in which treatment is "likely" to cause suffering. I realise the difficulties in addressing such issues in legislation, and I am not saying that there should be an amendment attempting to do so, but I should like it to be discussed. In many cases, it is apparent that an act of cruelty is about to occur—for example, when the arrangements for an animal's feeding and care are inadequate or poor. It is not possible to remove that animal or to change those conditions until a specific act of cruelty is committed; we can only wait until there is an offence, although we know that one is about to occur. It would be helpful if the Committee could specifically address that issue, to clarify it and to get it out in the open.

One purpose of private Member's Bills is to tidy up legislation, and another is to fill loopholes that are discovered after legislation has been operating. Earlier today, in our consideration of the Health Service Commissioners (Amendment) Bill, we were able to close one important loophole, and I am pleased about that. The Protection of Animals (Amendment) Bill will make an important contribution in improving animal welfare and to improving perhaps the most important animal welfare legislation of the past 200 years.

2.2 pm

Mr. Dominic Grieve (Beaconsfield): When the Bill was previously considered by the House, before debate on it was adjourned, my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) welcomed it. I repeat that welcome. Today's short debate on it has been most helpful and constructive, enabling us to clarify some of its aspects. It is clearly desirable legislation.

There is a loophole in the Protection of Animals Act 1911, and I think that the hon. Member for Basildon (Angela Smith) may have put her finger on it when she

[Mr. Dominic Grieve]

said that, in 1911, matters came to court much faster. I also suspect that in 1911, in many cases, the animal itself may have been at the centre of the livelihood of the person concerned, so that its removal would have caused the loss of that livelihood—if one did not have one's horse, one could not earn one's living. That may have been another consideration in development of the original legislation.

Clearly, times have changed. Now, it is desirable that, when a prosecution is brought and it is felt necessary that the animal should be cared for elsewhere or sent away for some other purpose, it should be possible to do so. I therefore hope that the hon. Member for Crosby (Mrs. Curtis-Thomas) will take in good part the one matter that I flagged up as causing me some concern and that, undoubtedly, can be examined in greater detail in Committee. However, perhaps it is right to explain the point now.

Few people would consider that, in cases in which a prosecution is brought, someone is subsequently convicted and an animal is, essentially, taken into care by the prosecutor, it is wrong that reasonable costs of looking after that animal should be paid. I dare say that as long as the care does not involve—as my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) said—a gold-plated regime with astronomical costs, no one would consider it wrong that those costs should be paid for, and then recovered from, the owner.

However, there will be cases—I myself have had experience of such cases, having either prosecuted or defended in them—in which prosecutions are either mistakenly brought or, when the matter comes to court, the magistrates do not share the prosecutor's opinion. I recollect at least one case involving horses in which veterinary evidence was advanced—and preferred by the court—that said that no cruelty had been involved and that the horses concerned were properly cared for. The defendant was acquitted.

As I understand it, in those circumstances, the Bill provides that the owner of those animals—the farmer—would still be liable for the costs incurred in looking after the animals when they were removed from his care and control. In many cases, those costs ought to be similar to those that he would have to bear if he was looking after the animal, but sometimes there will be extra costs. For example, transport costs to remove the animal from the farm to a new place of residence might not have been incurred if the farmer were looking after the animals. On farms, the costs often pan out, with members of the family looking after animals, and may not reflect in pounds and pence the same costs that may be incurred elsewhere.

The Opposition support this well intentioned Bill and I have no hesitation in commending it to the House on Second Reading. I share the enthusiasm with which it has been greeted. It would be a pity if it were subsequently criticised when individuals were acquitted and complained that an unfair financial burden had been placed on them as a result of the way in which the provisions are framed. I hope that we can look at that in Committee, because, having examined it with—dare I say it—a lawyer's eye, I have a slight anxiety. It would be beneficial if the issue could be resolved. It is possible that I am worrying about nothing and my anxieties can be allayed, but we should not unfairly add to the economic burdens on members of the agricultural community and those with animals.

I repeat my welcome for the Bill and my hope that it will receive a Second Reading today.

2.7 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): With the leave of the House, I shall respond to the debate. I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on introducing the Bill and on her detailed and careful presentation of it, which has been helpful to the House. I am glad that we have had an opportunity for a longer debate. I appreciate the comments of all those who have spoken and the constructive assistance that they have given. Some reasonable points have been made about details and I shall try to reassure hon. Members. We shall have an opportunity to consider some of them seriously in Committee.

I welcome the constructive contribution of the right hon. Member for Bromley and Chislehurst (Mr. Forth). I assure him that anyone wanting to prosecute under the Bill must have written agreement—from MAFF in England or from the National Assembly in Wales. It is not possible for just anybody to take action. There are controls to ensure that the action is proper and proportionate and is taken by proper organisations for proper reasons.

Mr. Forth: I am grateful to the Minister for that explanation. Can he give us an idea of the sort of people the Ministry has in mind? There must be some requirement, qualification or limitation.

Mr. Morley: I can give the right hon. Gentleman an idea of those whom we regard as appropriate persons and organisations. They include the veterinary investigation service, local authority officials and bodies such as the RSPCA. They are all respectable bodies with experience that know how the system operates.

The hon. Member for Beaconsfield (Mr. Grieve) talked about apportioning the costs involved in looking after animals. The interests of the owner are taken into account in the Bill. I was asked what would happen if a person were acquitted. The care of the animals primarily involves feeding them. In some cases they may need veterinary attention. Those costs would have been incurred anyway. There are powers to sell the animals, but generally speaking there would be no need to do that and they would simply be fed on site. However, in some commercial operations, agricultural animals such as pigs need to be sold when they reach a certain optimum weight otherwise their value starts to decrease. The Bill includes an obligation to get the best value for the owner, so if for some reason the owner is unable to sell the animals or run the farm it might be better for them to be sold at the appropriate time in order to maximise the return. Any surplus after costs have been met will be returned to the owner.

Mr. Grieve: I follow that. I accept that the cost of foodstuffs, to which the Minister referred, is likely to be pretty much identical, whether they are provided by the

farmer or someone else. However, I also referred to transport costs. Is the Minister in a position to cover that now?

Mr. Morley: I shall come to that. I wrote down all the points in the order in which they were made and I am working through them in a linear way.

In response to the points raised by the hon. Member for Westmorland and Lonsdale (Mr. Collins), the 1911 Act is very broad and that is helpful in relation to its application. Many of the speeches today referred to farm animals, which are indeed covered by the 1911 Act. However, the legislation covers all commercial animals. Therefore, it applies to pet shops and other commercial enterprises where there have been problems, such as puppy farms and commercial dog breeding, in respect of which there is a loophole in the law.

Hon. Members were right to say that the Bill addresses a small minority of cases. There are only a few cases each year, but they involve unacceptable suffering by the animals concerned so we are trying to close the loophole.

The hon. Member for Westmorland and Lonsdale was right about the identification of animals. In some cases it is necessary to determine which animals are subject to the order as they might be in mixed flocks or mixed ownership. In some cases the owner might not be complying with the law and the Bill includes powers to enforce compliance in relation to marking.

My response to my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller), is that the legislation covering pets is generally regarded as adequate although there may be a case for reviewing the 1911 Act. The Bill extends the 1911 Act to commercial animals. However, the Bill also covers fish in commercial operations when there is an appropriate requirement to take action.

The right hon. Member for Bromley and Chislehurst may be reassured to know that the powers in the Bill cannot be applied without the recommendation of a veterinary surgeon. That is another safeguard.

The right hon. Member for Penrith and The Border (Mr. Maclean) asked about the definition of "commercial". In the Bill, the term applies to animals that are being reared solely for profit as part of a commercial operation. That is an interesting point that we shall consider to ensure that the provisions have adequate grounds—although he may be right that it will be a matter for the courts to determine; he makes a fair point.

In response to the right hon. Gentleman's point about horses, there are regulations relating to the welfare of horses in addition to the 1911 Act. Of course, he is right that responsibility for horses is spread across a number of Government Departments—the Home Office, the Department of Trade and Industry and the Ministry of Agriculture, Fisheries and Food. However, he may be pleased to know that when the Prime Minister's action plan was discussed with representatives from the farming sector, one of the points that was made—although it was not one of the headline points—was that MAFF was to take a stronger role in relation to co-ordinating issues relating to horses. This applies not only to welfare but to the promotion of the rural economy, and the valuable and expanding role of equine businesses in it. However, welfare issues will also be included. I take the right hon. Gentleman's point, and will consider it further.

The right hon. Gentleman spoke about the unauthorised release of non-native species, such as American bullfrogs. That is already covered by legislation. It is against the law, but enforcement is difficult. There are only a few such cases. Most of those who keep, breed and sell animals commercially, whether for agricultural purposes or the pet trade, are perfectly respectable and proper people, who look after their animals. We may only be talking about a minority, but there is a problem. It might help if I give examples not related to agriculture that show how the Bill would work.

My hon. Friend the Member for Basildon (Angela Smith) spoke about costs. She went into some detail about how the Protection of Animals Act 1911 worked, and its weaknesses. She made a good case. Some of her points went beyond the Bill, which closes a loophole and is fairly limited in its scope. However, she made a good argument for considering how the 1911 Act works and how it could be strengthened. I repeat that it is a very broad Act, which is helpful when it comes to bringing prosecutions. However, I do not say that it could not be improved. The Bill is part of improving it.

Generally speaking, the ownership of the 1911 Act is with the Home Office, and my colleagues there might like to consider it. I know that my hon. Friend is not without influence in the Home Office, and she may like to raise the matter herself.

The hon. Member for Beaconsfield spoke about protecting the owner's interests. Clause 2(3) makes it clear that the owner's interest must be taken into account. He noted that there may be additional costs that have not been included, such as those of transporting animals. I would have thought that that is more the exception than the rule. It is easy for all concerned, if the animals are in good condition, to feed them on site, make sure that they are properly fed and watered and have adequate care. In some cases, however, it may be desirable to move them to another site where they can have proper care. We must bear it in mind that the provisions do not apply only to agriculture; they could apply to a horse sanctuary that has gone bankrupt, which is not unknown. If that happens and there is no one to care for the horses, it would be best to transport them to other sanctuaries to ensure that they have adequate care. Any action must be proportionate; we must take into account the needs of the owners, but there must be the flexibility to deal with a range of circumstances that might arise.

By way of conclusion, the example that I shall give concerns the commercial breeding of dogs. If some dogs were in very poor condition and it was necessary to ensure that they were cared for properly, the answer would be to disperse or even sell them, because the value of puppies bred commercially falls dramatically after three months. There is a need for such powers, not only in relation to the welfare of the animals, which is implicit in the Bill, but to make sure that the owners of the animals are not unreasonably denied their legal entitlement, bearing it in mind that they may ultimately be acquitted. In those circumstances, the action must be proportionate, and the Bill has been drafted so as to ensure that that is the case.

Because this is a continuation of the debate that took place earlier, my hon. Friend the Member for Crosby will not have the opportunity of replying. I know that she would want to thank all the people who have spoken in the debate for their constructive and thoughtful remarks. Of course, the Government will consider those remarks

[Mr. Morley]

carefully in relation to our responsibility and influence in such measures. I know that my hon. Friend appreciates the comments that have been made—as I, on behalf of the Government, appreciate her work in introducing the measure. It is important for animal welfare, and plugs a loophole that has existed for far too long and led to cases of unacceptable suffering for animals. Thanks to her, such cases will be brought to an end.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Building Societies (Transfer Resolutions) Bill

Order for Second Reading read.

2.20 pm

Mr. Tony McWalter (Hemel Hempstead): I beg to move, That the Bill be now read a Second time.

As there are only 10 minutes before the Adjournment debate, I speak with a sense of foreboding. It would be inappropriate to ask the House to agree to a Second Reading in such a short time. However, I hope to make enough points to suggest to my hon. Friend the Economic Secretary to the Treasury and to other hon. Members the importance of realising that the status quo on building societies is unacceptable. As someone who was elected to this place not only as a Labour but a Co-operative Member, I have a strong sense of the contribution that co-operation can make to an effective economy.

I want significant obstacles to be placed in the way of those—be they boards of directors or members—who want to asset strip building societies. I know that the Government have already tried. Indeed, if there had been a 3 ft fence over which carpetbaggers had to jump when the Government came into office, it would now be somewhat higher—perhaps a 5 ft fence. That is because the Government amended the regulations to require 500 members of a society to call for a resolution of transfer instead of 50.

I appreciate that effort. It showed that the Government were prepared to take action to support the principle of mutuality. However, while that obstacle was being fashioned, a type of 5 ft-fence jumper was evolving. The rising use of the internet means that, in 2000, it is easier to obtain 500 signatures than it was to get 50 in 1995. Although that tool was not fashioned by the carpetbaggers, it has been of considerable use to them. In practice, the Government's efforts to try to protect building societies have proved to be nugatory.

The Bill proposes to construct an even higher fence—a 10 ft fence. However, it is not my intention to prevent a transfer of mutuals to the shareholding sector. We cannot do that; it would be undemocratic. None the less, it is right to make that more difficult. All democracies have a high threshold for fundamental changes to their constitution. In that, the building society sector is no exception.

I draw the attention of hon. Members especially to clause 3. It proposes a turnout of 50 per cent. to try to ensure the right of borrowers to have a full say in the process of transfer. At present, borrowers are often neglected in the rush of savers to get their golden handout. Indeed, as savers currently outnumber borrowers by seven to one, the carpetbaggers need activate only savers in order to pass a transfer resolution. Those who stand to lose most—the borrowers—are often unaware of their rights and they vote in numbers too few to make a real difference.

If the Bill were passed, boards of directors would have to show borrowers, as well as savers, the virtues of their decision. I agree that that might sometimes be difficult, because a borrower would be much less likely to vote for a handout, if they suspected that they would pay dearly for it in the future through higher interest rates over a protracted period.

I have said that the status quo is not acceptable. I urge the Government to change it more fundamentally than they have been willing to do heretofore. Last year, the Britannia building society lost £3 million when one of its members called a ballot on transfer only to call it off at the last minute. Those resources could have gone to providing a local financial service to a community or towards ensuring a continuation of the Britannia's competitive rates for savings and loans.

Again only last year, the Portman building society removed some of its members who had joined entirely with a view to scuppering its mutual status. If my hon. Friend the Economic Secretary has a minute or two at the end of my speech or can do so in writing, I will be grateful if she will say whether it is true that the Treasury was mad at the Portman building society. From my perspective, I compare the action of the Portman to the action of the Labour party when it removed the Militant Tendency. It is a democratic principle that those who sign up to an organisation, who say that they accept its objectives, but who then seek to change it fundamentally or destroy it, can be legitimately excluded from deciding the future of that organisation.

Mr. John Butterfill (Bournemouth, West): Does the hon. Gentleman agree that it is a national disgrace and contrary to our national interest that so many mutuals—both building societies and insurance companies—are under attack? Is it not the Government's duty to do more to protect them and to support the Bill that he is introducing today?

Mr. McWalter: I am grateful to the hon. Gentleman. The Bill is about mutuality, democracy and the inadequacy of the status quo. It is not about imposing a single economic model on the rest of the financial sector. Our financial sector is strong because of the great pluralism of its structure, and building societies play a particularly important role in local communities.

A recent article in *The Times* suggested that building societies offer a 0.54 per cent. advantage to their savers and borrowers. I know that that does not sound a lot, but when one is dealing with very large loans or savings, the figure is significant. It results from the fact that a resource has been built up over time and has allowed people to obtain a very good deal from the building society sector.

Building societies also help to deliver the Government's inclusiveness agenda. Branches that provide a local financial service are much less likely to shut than those of the banks and the ex-building societies. Building societies were in the forefront of seeking to curb the desire of the banks to charge astronomical amounts for the use of automated teller machines, and their charges are modest. It is no surprise that a recent study by the university of Newcastle found that building societies made an important contribution to the Government's agenda that seeks to tackle social exclusion.

The building society sector is under attack. Resources are being applied to aims that do not include the welfare of its members. Some 69 building societies are left in this country and every one of them is, in various ways, being looked at by people in whose vocabulary "mutuality" is the last word.

I do not wish to be a killjoy. I have often experienced periods when, if somebody offered me £1,000 because I had got lucky, I would have been very grateful for it. However, such handouts have a cost. Adam Smith once said:

> Men love to reap where they never sowed.

I find repugnant the sight of a single generation destroying a mutual system that has been so beneficial to so many. I urge the Government to reconsider whether they want to accept the status quo as it stands.

There is much in-work poverty in my constituency, where a semi-detached house costs £150,000. The Government are rightly trying to hold down interest rates and building societies are rightly an aid to the process of trying to keep in-work poverty and the poverty that results from extremely high house prices in check. I urge the Government to give further consideration to supporting my Bill.

The Economic Secretary to the Treasury (Miss Melanie Johnson): Thank you—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 21 July.

Remaining Private Members' Bills

URBAN REGENERATION AND COUNTRYSIDE PROTECTION BILL

Order for resuming adjourned debate on Question [24 March], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 9 June.

FIRE PREVENTION BILL

Mr. Deputy Speaker: Not moved.

CENSUS (AMENDMENT) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

CORPORATE HOMICIDE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

ZOO LICENSING (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

ROAD TRAFFIC BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 9 June.

Hospital Waiting Times

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Tony McNulty.]*

2.32 pm

Mr. Owen Paterson (North Shropshire): I thank you, Mr. Deputy Speaker, and through you, Madam Speaker and her staff, for picking my name out of the hat in the ballot. I thank the Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart) for attending what may be a lonely vigil this afternoon.

The subject of this debate is the severe problems and lack of capacity which were brought to my attention in January by my constituent Dr. Ian Rummens of Oswestry, who is secretary of the Shropshire local medical committee. I also wish to discuss the difficulties that I have had in bringing the matter to the attention of the Secretary of State through the medium of Health questions.

Dr. Rummens wrote to me in January, and sent me a copy of a letter he had written to the Shropshire health authority. He also sent copies to all the Shropshire Members of Parliament and even the Prime Minister. I shall give a flavour of the problem by quoting from that letter, in which Dr. Rummens says,

> it remains our firm belief that, despite the best efforts of the Health Authority in preparation and contingency planning, Shropshire Hospitals were unable to cope because there were insufficient acute beds. We, as general practitioners, have no doubt that we did not see a flu epidemic this winter and this is borne out by the statistics. Even so, cold surgery was cancelled for weeks on end.

He continues:

> There were times when general practitioners were told that no bed was available in Shropshire to admit acutely ill patients and the ambulance service was reduced to taking 999 calls only. This was a fairly normal winter with the sort of seasonal rise in activity that is predictable and which should be coped with as a matter of routine. Had a flu epidemic occurred, the picture would have been very much worse.

He adds:

> We fully appreciate that staff in the Hospital Trusts and the Health Authority have worked extremely hard to provide the best service possible. In our view bed numbers and staffing are largely determined by funding from Central Government and this is clearly inadequate.

I should like to say at the outset that in no way am I blaming the health authority or the hospitals concerned for the problems over the winter. Using great skill, they have to make do with the tools that central Government give them. It is my role to bring those problems to the Government's attention. I have tried to do that, and I was lucky enough to have the sixth question at Health questions on 1 February. I quoted from Dr. Rummens's letter, and read out the passage stating that cold surgery was cancelled for weeks last winter. I was surprised that the Secretary of State did not listen to the problem, instead demanding to see a dossier of evidence to prove that priorities were any different from those in previous winters.

I therefore set about putting together a dossier with Dr. Rummens's aid. I have a substantial number of letters, although there is not time to go through them today. To give their flavour, I shall quote from one from a doctor in Bishop's Castle, which gives a sense of the problems faced by GPs in that period. He states:

I had to visit a patient urgently with a suspected coronary. He had collapsed with chest pain and had previously had a heart attack and needed urgent admission to coronary care. On attempting to admit him to Royal Shrewsbury Hospital I was told by bed bureau that they were closed and had been instructed by their board of directors not even to take the name of the patients. I then attempted to admit him to Princess Royal Hospital—

in Telford—

Wrexham Maelor Hospital and Hereford Hospital all of whom were closed. Royal Shrewsbury Hospital is 23 miles from Bishop's Castle and all the others were at least 40. On telephoning the Director of Commissioning at the Shropshire Health Authority to ask what I could do I explained that Royal Shrewsbury was closed and was not accepting patients of which act he was unaware. He phoned back 10 minutes later to confirm that indeed Royal Shrewsbury Hospital was unable to accept patients. I explained that I had an ambulance with me but that they were unable to take the patient anywhere unless I was able to find a bed. In the event I made a pragmatic if not clinically correct or safe decision to admit this man to Bishop's Castle Community Hospital, on the grounds that he was better being monitored by nursing staff who could resuscitate him rather than risk not only the journey but also a long unpredictable wait in casualty and the increased stress that this would cause.

Cases do not come much worse than that: a suspected heart attack, an inability to find a bed at any district general hospital and a man ending up in a local cottage hospital.

A sense of doctors' determination comes through in a letter from a doctor in Shrewsbury, who says;

It is true that with monotonous regularity bed bureau's opening gambit is "We've got no beds", but I've simply said that the patient has got to come in and there has been no further discussion. Some of the patients have had to wait at home for a phone call summoning them some hours later.

Some cases are very sad. A doctor in Wem in my constituency said:

I attempted to admit to Royal Shrewsbury Hospital a patient . . . who was in the terminal stages of renal failure and heart failure . . . the bed bureau informed me that there were no medical beds . . . but that Telford still had some . . . Telford hospital was closed to patients from the Shrewsbury area.

He said that he could not admit the patient to the Royal Shrewsbury until the following day, after approximately a three-hour wait for a bed to become available. The patient died the following day. I could go on at some length; what comes through in all such letters are the practical problems that Shropshire GPs face in emergency cases. Such cases should have been admitted immediately. That point completely ignores elective cases, for which there was no capacity at all.

One explanation could have been the incidence of flu, about which I went back to the local medical committee. The secretary told me that the incidence peaked in the west midlands at 230 per 100,000 population for a short period only, whereas normal seasonal activity is defined as between 200 and 400 per 100,000, and an epidemic as greater than 400 per 100,000. He also confirmed:

planned surgery was cancelled as early as the last week in October at the Royal Shrewsbury . . . because of pressure from acute admissions.

My constituent, Dr. Ian Rummens, was somewhat dismayed at the Secretary of State's reply in the House, saying that the situation had progressively deteriorated over the past two to three years and that the right hon. Gentleman's answer

indicates a degree of complacency large numbers of Shropshire patients would not share.

He was also concerned about the fixation with waiting lists, stating that now that there was a waiting list to go on the waiting list, such figures were discredited.

Yesterday, the Government had a big spin success, announcing that they had met their election target on waiting lists. However, that ignores those waiting to get on the waiting list. Those national figures are significant. The number of people waiting more than 13 weeks and up to 26 weeks increased from 262,484 in March 1997 to 401,833 by March 2000, and from 55,248 to 132,243 for those waiting more than 26 weeks.

One solution is spare capacity in the private sector. BUPA, the second largest private health care provider, was recently quoted as having spare capacity for 10,000 to 20,000 extra patients a year. Overall, the private sector could take up to 200,000 extra cases annually. Independent providers are willing to co-operate closely with the Government in any area where NHS capacity is currently inadequate and they have spare capacity.

It is worrying that increasing numbers of people are being forced to pay twice—first through their taxes and secondly by direct payment. On 19 March, *The Observer* reported that BUPA carried out 25,000 operations that were paid for directly by patients who did not have insurance. The incidence of that has increased by 30 per cent. in two years. That has been brought home to me in human terms in one or two cases. A typical case is that of Mrs. Hough of Whixall—a meritorious case which I should have thought would take priority. She looks after her husband, who has had two strokes, and she had two bad hips—so bad that last January it was agreed that both should be operated on through the NHS. Unfortunately, one of the hips collapsed, and she was forced to have it operated on privately in June, but she was promised at that time that the second operation would be done on the NHS. Here we are in May, and the other hip is so painful that although I wrote to the Minister of State, Department of Health, the hon. Member for Southampton, Itchen (Mr. Denham), on 1 May, Mrs. Hough will be forced to go private and pay for the operation again on 8 June.

The obsession with waiting lists causes distortion. A case such as Mrs. Hough's should take priority, as she is doing society a great service by looking after her very ill husband. I raised the question again on 2 May, and mentioned the heart attack patients and the fact that at times no beds were free. I was surprised when the Secretary of State savaged me and said:

As for the hon. Gentleman's allegation, he is simply wrong.—[*Official Report*, 2 May 2000; Vol. 349, c. 2.]

Meanwhile, I had been discussing the matter with—

Mr. John Butterfill (Bournemouth, West): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Sir Alan Haselhurst): May I take the point of order at the end, so as not to take up the valuable time of the hon. Member for North Shropshire (Mr. Paterson)?

Mr. Paterson: Thank you, Mr. Deputy Speaker.

I discussed the matter with Shropshire health authority, which, in fairness, had gone into great detail and done a lot of work with the representatives of hospitals, primary care and social services, and had daily meetings to co-ordinate those agencies during the winter period.

[Mr. Paterson]

Because of the lack of capacity, the health authority was forced to deliver a plan to suspend routine surgery for three weeks and admitted to me that the number of intensive care beds was at times insufficient.

It is clear that there is not adequate capacity to cope with the rising population of Shropshire and the extra costs of providing health services in a widely dispersed rural area. There are extra costs involved in staff travel, ambulance travel, and the need for more facilities. That has been confirmed by studies in Wales, Scotland and Cornwall. The formula appears to militate against a rural area such as Shropshire.

I understand that the allocation formula is frozen until 2001-02, but that the Government are reviewing it. I hope that the review will examine the costs of delivering in rural areas. In Shropshire, the population is set to grow over the next five years from 431,400 to 441,800—a growth of 2.4 per cent. It is worth pointing out that, currently, 57 per cent. of the people in that health authority live in rural areas with fewer than 25 people per hectare. In addition, those who are moving in tend to be rather more elderly: 17.3 per cent. are in the middle-aged group, 55 to 64, and 7.8 per cent. are over 65. Obviously, they are heavier users of health care services.

I am sure the Minister will tell the House that she is proud of her Government's achievement in giving Shropshire health authority a further £23 million in two tranches, in December and March. Of course, that is gratefully received, and I do not want to sound churlish, but there is a worry that almost £4 million of that money will be spent on paying back past debt or past overspend, not increasing capacity. There are anxieties about what will happen this winter.

I should like the Minister to study two reports, which are well worth reading, on the extra costs of delivering in rural areas. The first is a Welsh Office report from June last year entitled "The Allocation of Health Authority Discretionary Resources in Wales." The other, commissioned by the Cornwall and Isles of Scilly health authority in May last year, is entitled "The additional costs of providing health services to rural areas." The reports highlight the lack of economies of scale, additional travel costs, the high level of unproductive time, additional telecommunications costs, poorer access to training, and difficulties with consulting and other support services.

On travel, there is empirical evidence to confirm that significant differences exist between urban and rural areas. In Dorset, for example, occupational therapists in urban areas travelled 1,952 miles, compared to the 4,880 miles travelled by those in rural areas.

In conclusion, it is clear that demand is outstripping supply in Shropshire, particularly during the winter period, and that some waiting times have been intolerable. The current funding formula is not reflecting Shropshire's rural nature or its growing population. Last winter showed that capacity is inadequate. It is unacceptable for elective surgery to be stopped, or for such stoppage to be planned, and for emergencies to struggle to find beds.

Will the Minister please investigate the formula and the real problems that were created last winter, which have so far been dismissed at Health questions by the Secretary of State? Will she also consider the problem that £4 million of the extra £23 million has been spent on clearing debt instead of on increasing capacity to prevent problems next winter? Will she consider dropping the political slogan about waiting lists, which is now discredited, and concentrate on waiting times, which is the measure that counts for patients, and judging admissions on the basis of clinical need? Will the Minister also consider allowing health authorities to take advantage of private capacity, if it is available, to reduce waiting times for taxpayers when NHS capacity is inadequate?

If the Government insist on running the NHS rigidly from the centre, will they please listen to those like me, who represent patients, and not arrogantly dismiss us as they have dismissed me at Health questions.

2.46 pm

Mr. Butterfill: On a point of order, Mr. Deputy Speaker. For most of this morning, Whitehall has been blocked by a violent demonstration. Hon. Members have been hindered when trying to reach the House; access to Ministers' and Members' offices and Downing street has been impeded. Have you received any request from the Home Secretary to come to the House to make a statement about why Whitehall has not been cleared?

Mr. Deputy Speaker (Sir Alan Haselhurst): I am grateful to the hon. Gentleman for raising that matter. The answer to the specific question is no, there has been no request for a ministerial statement. However, I am aware of the difficulties that hon. Members have experienced. I naturally regret that. I understand that the difficult problem has been confined to Parliament street and that the police are making all efforts to clear that street.

2.47 pm

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I am grateful for the opportunity to discuss the subject of waiting times for hospital treatment in winter. I congratulate the hon. Member for North Shropshire (Mr. Paterson) on securing the debate. While parliamentary rules allow me to wear a hat, I am sure that he will appreciate the fact that I have not taken the opportunity to do so. That implies no discourtesy to the House. I hope that I shall be able to convince hon. Members that there is no need for either the Secretary of State or me to take up the challenge with which we were issued.

Before I focus on waiting times, I shall deal with several issues that the hon. Gentleman raised in his speech. He is right to say that we are facing a lack of capacity throughout the national health service. To facilitate expanding capacity, we have introduced several measures nationally and locally. It is important to consider the extension of manpower capacity through extra nurses and doctors, and training places. The national beds inquiry is also important. It has reported and we shall be able to reflect more carefully on where extra capacity is needed.

The hon. Gentleman also referred to the review of the allocation formula. He is right to say that the current formula is frozen until 2001. All factors, including those that he raised, will be taken into account in arriving at the new formula.

As for past debts, it is the statutory duty of any health authority to operate within its financial framework. We expect health authorities to work within their allocation. I

am therefore afraid that I shall not be able to offer the hon. Gentleman any comfort on past debts. They simply have to be paid, as in any other organisation.

The hon. Gentleman also mentioned the private sector. I assure him that, for geographical reasons, there are capacity problems in the private sector. He will be aware of that when he considers the location of BUPA facilities and the needs of his constituents.

Overall, health authorities have worked with the private sector where that is advantageous and cost-effective, and many hospitals have made such arrangements where they are in patients' interests. The bottom line is that NHS patients receive the treatment that they need, and that that is funded by the NHS. My right hon. Friend the Prime Minister made it absolutely clear that there is no ideological aversion to such local arrangements.

I shall deal with winter hospital waiting lists and explain how we prepared for the winter pressures overall. The system coped much better than in previous years. That did not happen by accident, but because of careful planning. We established local winter planning groups, which first met last April, in all areas. For the first time ever, they provided careful co-ordination between all health providers including social services, health authorities, trusts, primary care groups, out-of-hours services, deputising services, pharmacists, and even the police and fire services and other local organisations. Last year, we also provided the money much earlier so that that planning was underpinned by funding. We allocated an additional £2.24 million, which was specifically targeted at waiting lists, to Shropshire health authority.

Before saying more about the effect of that money, I shall address the hon. Gentleman's concerns about the priorities in Shropshire being different from those for previous years. The overall plan in Shropshire for last winter was for routine elective in-patient work to cease in the three weeks from 20 December to 10 January. I accept that that was slightly longer than in previous years, but there was an extremely valid reason for that: the extended bank holiday period and the extra emphasis on winter planning over the millennium.

Some elective day-case procedures continued after 20 December and resumed fully in January. Emergency and urgent surgery was carried out as necessary during that period, so the NHS did what it normally does: it ensured that there was sufficient capacity to put emergency cases first. There was no distortion of clinical priorities; the right ones were used.

There were busy periods. I am advised that local hospitals were very busy over the new year because high levels of flu, bronchial infections, which disproportionately affected the elderly population, and viral pneumonia, which put greater pressure on the NHS. That, in turn, led to more emergency hospital admissions. Many of those admitted had more serious illnesses and needed to stay for longer, which resulted in increased demand for beds, especially among the elderly and other vulnerable groups.

Despite those pressures, the NHS in Shropshire coped admirably. No local hospital was closed to blue-light cases. Sound bed management between trusts kept disruption to the minimum. As far as I am aware, no individual complaints were logged with the health authority about services during that period, and I have not been made aware of any investigation by local trusts. As always, I should be happy to mount a proper investigation into any of the cases that the hon. Gentleman raised and let him have the results.

Taking account of the expected close-down during the holiday period, and the reductions in activity caused by winter pressures, is part of the normal winter planning that deals with waiting lists. Indeed, we always expect less elective activity to take place during December and January.

The waiting list figures rose in December and January, both nationally and locally, and those increases reflected the priority given to emergency cases by the NHS. The increases were anticipated and did not prevent us from meeting our manifesto commitment well in advance of the date pledged. The waiting list in Shropshire fell by 578 between the end of November 1999 and the end of March 2000.

Now I shall deal specifically with waiting lists. On coming to office, we inherited a record and disgraceful number of people waiting for NHS treatment, and increasing waiting times, which were unacceptable in the modern health service. That is why, unlike the Conservative party, we are committed to reducing not only the number of people waiting, but the time that they wait. We have already achieved our manifesto commitment to reduce NHS waiting lists by 100,000 from the numbers that we inherited, during the lifetime of this Parliament—and we did so well in advance of the deadline. The waiting list fell by 51,000 in March and is now 121,000 below the level inherited from the previous Government. In Shropshire, the in-patient waiting list fell by 704 last year, which made a welcome contribution to our achievement of the manifesto commitment.

As in-patient waiting lists have fallen, so have waiting times. It is important to recognise that the number of over-12-month waiters is a third lower than in June 1998. Most in-patients are seen within a much shorter time. The latest figures show that about 70 per cent. are admitted within three months of being placed on a waiting list.

Last year, the in-patient waiting list fell by 36,000, and the number of over-13-week out-patient waiters fell by 54,000. In the final year of the previous Administration, the number of in-patients rose by 110,000 and the number of over-13-week out-patient waiters by 31,000.

As I said earlier, we allocated a recurrent £2.24 million to Shropshire health authority to support reductions in waiting lists and times. The £660 million allocated to the service following the Chancellor's Budget statement included a further £5.3 million for Shropshire health authority.

That money will support various initiatives under way in Shropshire to reduce waiting lists and times. Those measures are important for the long-term planning and expansion of capacity, and for speed of treatment. They include the funding of additional out-patient and in-patient sessions at the Royal Shrewsbury, Princess Royal and Robert Jones Hunt hospitals, the employment of an extra consultant and part-time anaesthetist at the Robert Jones and Agnes Hunt Trust, and the use of fast-track back pain clinics run by physiotherapists.

We promised to tackle in-patient waiting lists, and we have done so. Now we are applying the same determination to tackling out-patient waiting lists and

[Ms Gisela Stuart]

times. Between December 1999 and March 2000, the number of people waiting more than 13 weeks for an out-patient appointment fell by 94,000.

Mr. Paterson: Does the Minister think that the measures that the Government have taken will be enough to prevent similar problems from occurring this winter if the incidence of flu is roughly what it was in 1999-2000?

Ms Stuart: We hope that, with the measures that we are taking, we will manage the extra pressures over the winter period even more efficiently than we did this year.

We have also put in place measures for patients who are referred urgently with suspected cancer. They should be seen by a specialist within two weeks of their GP referring them. Patients with coronary heart disease will also be able to get easier and faster access to treatment. That is often achieved by reconfiguring the way in which the services are run. In October last year, we announced £50 million to be used over the next two years to increase the number of heart operations by 3,000.

On 6 March, my right hon. Friend the Secretary of State announced the national service framework for coronary heart disease. He also announced a new £3 million plan to test the streamlining of cardiac services to provide better and faster services for patients in different parts of the country—for example, through one-stop diagnosis or re-engineering services to reduce waiting times and cancellations.

We are improving services for patients with suspected or diagnosed cancer through the cancer services collaborative. The programme, which is funded by £6 million over two years, aims to streamline and re-design services at nine cancer networks across the country.

The cancer services collaborative is already producing excellent results. The hon. Gentleman may be interested to know that the Birmingham collaborative team have been able to cut the waiting time for oncology for patients with bowel cancer from 13 weeks to six weeks. We are encouraging the spread of the good practice developed by the Birmingham collaborative across the west midlands region. This year, we will be taking a similar approach to the cancer services collaborative for coronary heart disease.

We shall continue to ensure that clinical priority is the main determinant of when patients are treated. We have repeatedly made it clear that patients in the greatest need must continue to be treated first. We expect the NHS to implement this guidance in meeting its waiting list targets, and we have been absolutely clear about that. We have great expectations that those guidelines will be followed.

We want to modernise the NHS. That means re-designing the services that are crucial to patients. At a national level, the national booked admissions programme is part of our on-going commitment to modernising the health service. Through the use of booking systems, patients are able to agree dates that suit them, allowing them to make the necessary work and child care arrangements. The system also takes away the uncertainty of not knowing how long the wait will be. Booking means fewer operations cancelled by the hospital, and ensures that fewer patients fail to turn up for their appointments. The Royal Shrewsbury and Princess Royal hospitals in Shropshire were chosen to participate in the first wave of the national booked admissions programme, which began in November 1998. The trusts' work on booked admissions was supported by £195,000 in funding. A further project at the Princess Royal NHS trust to investigate different processes of care in delivering booked admissions will be funded until March 2001. We announced a third wave of the national booked admissions programme on 12 April, and we want every acute hospital to have such a programme eventually.

We want to bring down waiting lists and times and keep them down, and we are determined to ensure that the improvements we make are sustainable. This is not a one-off, short-term initiative. We have already started planning for next winter, and I am confident that an even better service will be provided for the hon. Gentleman's constituents next winter than the excellent service provided this year.

Question put and agreed to.

Adjourned accordingly at one minute past Three o'clock.

House of Commons

Monday 22 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Police Manpower

1. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on future trends in the number of police officers. [121530]

The Secretary of State for the Home Department (Mr. Jack Straw): I announced on 17 May that the additional funding in the Budget provided by my right hon. Friend the Chancellor of the Exchequer will allow us to provide for the recruitment of the 5,000 officers allocated under the crimefighting fund by March 2002, a year ahead of my original plans, which were announced on 9 February. Police forces will be able to recruit 3,000 extra officers this year and 2,000 next year.

The projections of police numbers based on forces' estimates for recruitment and wastage now rise as follows: it is projected that, in March 2001, the number will be 126,500 and that, in March 2002, it will be 127,000.

Mr. Paterson: The Home Secretary did not tell us that the previous Government increased police numbers in West Mercia by 405. In only three years, his policies have reduced West Mercia's numbers by 101. The much trumpeted crimefighting fund will still leave West Mercia 12 officers behind in two years' time. When will he wake up to the needs of police in a rural area, get numbers up to those left by the Conservative Government and increase them?

Mr. Straw: As the hon. Gentleman says, police numbers have fallen in West Mercia. They are due to rise by 89 under the crimefighting fund. I congratulate the West Mercia police force: in the year up to September 1999, there was a reduction in recorded crime throughout West Mercia of 2.4 per cent.

Gillian Merron (Lincoln): I welcome my right hon. Friend's announcement last week of 41 extra police officers for Lincolnshire, whom we will see in two years, not three. What further Government initiatives to support improved policing can we look forward to in Lincolnshire?

Mr. Straw: In addition to the extra investment in policing in Lincolnshire, which has enjoyed a 4 per cent. increase in support from Government this year, which is above the national average, and the additional investment under the crimefighting fund, there has been investment under the crime reduction programme, which has led to the introduction of closed circuit television and a range of other measures, all of which are designed to assist Lincolnshire police and their excellent record in reducing crime.

Mr. Gerald Howarth (Aldershot): Is the Home Secretary aware that nothing better illustrates the need for more policemen than the nonsense that is going on in Whitehall? Is he aware that the whole of central London was paralysed on Friday for five hours? It has been paralysed again this morning. Right hon. and hon. Members have found it impossible to get to the House because of a whole load of foreigners who are demonstrating and blocking Whitehall. When I spoke to the inspector, he said that the police were still waiting for enough reinforcements to come to deal with those people. None of us has been able to work because of the noise from the helicopter. If the Home Secretary cannot find us a policeman, perhaps he could introduce some water cannon to deal with the problem, failing which, we still have a few paras left in Aldershot.

Mr. Straw: As you are aware, Madam Speaker, I am fully seized of the problems that have arisen in Parliament street and in Whitehall. I raised them with the Deputy Commissioner of the police in the absence of the Commissioner at 9 o'clock this morning as soon as I saw what the problem was. I understand that the northbound carriageway of Whitehall has been cleared to vehicular traffic and that the southbound carriageway has either been cleared or is about to be.

I say two things to the hon. Gentleman. First, in all the public order situations in which I have been involved since becoming Home Secretary, the Commissioner has never raised the issue of police numbers as something that has been holding him back in terms of dealing with those problems. Nor has it been raised this morning. Secondly, as is often the case, the situation has turned out to be more complicated to police. I suggest that water cannon would not have been entirely appropriate—although it is an operational matter for the Commissioner—because women and children were among those demonstrating in the carriageway.

Mrs. Maria Fyfe (Glasgow, Maryhill): Has my right hon. Friend considered the policing requirements in relation to the Mike Tyson fight? Is he aware that one of the promoters of the fight has a violent criminal past and has connections with Glasgow's criminal underworld?

Mr. Straw: As far as that is relevant to this question—it is hard to see how it is; it is about policing in England and Wales—may I say that I took advice about the

possible public order and policing consequences of the latest application in respect of Mr. Tyson, as I did in respect of the one earlier this year.

Mr. Oliver Heald (North-East Hertfordshire): Does the Home Secretary agree that recruitment and retention of officers are vital to reversing the trend of declining police numbers? At a time when the police are saying that support and respect for the police are a key factor in recruitment, how can he justify the early release so far of 100 criminals jailed for assault on police under his early release scheme? Is that not a kick in the teeth for hard-pressed police? Does he not remember the era when even the Kray twins would think twice about assaulting a police officer? Is it not time that respect for the police was restored?

Mr. Straw: I fully support the need for respect to be shown for police in dealing with difficult operational matters. The home detention curfew scheme is a success, and it was backed fully by the unanimous report of the Home Affairs Select Committee, including the hon. Member for Surrey Heath (Mr. Hawkins).

Mr. Heald: No; not in serious cases.

Mr. Straw: Yes, it was backed in respect of summary offences, of which assault on police is one. I also do not think that we want to hear from Conservative Members about early releases from prison, given the fact that, in one short week, more than 500 prisoners were inadvertently and mistakenly released by the right hon. Member for Maidstone and The Weald (Miss Widdecombe) when she was a Minister of State at the Home Office.

As for respect for the police, the Opposition cannot have it both ways. Their continuous challenging of difficult operational decisions made by the police service in the policing of public demonstrations and in the investigation of difficult murder cases is undermining confidence in the police. It is the Opposition who are doing that.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend recall that we were short of police in 1984, but that the Tory Government decided to concentrate use of police in the coalfields during the miners' strike? Does he remember that the result was that burglary and various other offences were committed elsewhere after those police officers had been herded into Yorkshire, Derbyshire, Nottinghamshire, Scotland and Wales?

As for that demonstration in Whitehall, I have been seriously mistaken. When I spotted all those people, I thought that they were queueing up to see the baby.

Mr. Straw: My hon. Friend is entirely correct on his first point. All I can say on the baby is that I am sure that all of us wish the Prime Minister and his wife every congratulation. [HON. MEMBERS: "Hear, hear."] Those of us who are of a certain age might also wish to add that we are glad that it is him and not us. However, I am sure that we all wish to send the Blair family every congratulation on their fourth addition.

My hon. Friend's other serious point was very interesting. He is—as ever—correct that, in 1984, under the previous, Conservative Government, there were 4,500 fewer police officers than there are today. Notwithstanding that and rising crime, the then Conservative Government decided to abstract thousands and thousands of officers to fight industrial action, rather than to deal with that increasing crime. That—with the flawed introduction of the Police and Criminal Evidence Act 1984, and the thoroughly flawed introduction of the Crown Prosecution Service—explains why, although police numbers increased until 1993, crime doubled under the Conservatives. They lost the plot entirely on law and order.

Spoilt Ballot Papers

2. **Mr. Nigel Waterson** (Eastbourne): What proportion of ballot papers have been spoilt *(a)* under systems of proportional representation and *(b)* in elections to the House in the last five years; and if he will make a statement. [121531]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Approximately 0.3 per cent. of the ballot papers that were issued at the 1997 general election were spoiled. Slightly fewer were spoiled in the European parliamentary elections, but marginally more were spoiled in last year's Scottish parliamentary elections. The figure for the elections to the Greater London Authority were higher—largely because a significant number of ballot papers were left blank, but with some people deciding to vote only for the Assembly, and others to vote only for the mayorship.

Mr. Waterson: Does the Minister accept that there is some disappointment because, despite all the ballyhoo over the London elections, turnout was only 33 per cent. compared with a national average of about 30 per cent? To what does he ascribe that turnout—to people's confusion about the Government's ill-judged attempts to tinker with the British voting system, or to a lack of public interest in the new Labour concept of directly elected mayors?

Mr. O'Brien: There is no evidence in the actual statistics suggesting that voters are turned off by the electoral system. In relation to proportional representation, the only thing that is certain about the statistics is that there is uncertainty about how to read them. Our view is that a significant number of people decided that they wanted to vote only for the mayorship. They took the view that they would do it in that way and that they would not vote for the GLA, and that, of course, is their democratic right.

I note in passing that turnout was higher for the Scottish parliamentary elections and the Welsh Assembly elections, for which proportional representation was used, than it was for Britain's council elections, which used first past the post. However, again there is no conclusive evidence on whether people were encouraged or discouraged by the system.

Asylum Seekers

3. **Sir Teddy Taylor** (Rochford and Southend, East): If he will make a statement on progress made in dealing with the numbers of asylum seekers. [121533]

The Minister of State, Home Office (Mrs. Barbara Roche): We are committing substantial new resources to speed up all stages of the asylum system. Over 11,000

initial asylum decisions were taken in March—an all-time record—and the backlog of applications has begun to fall. We are determined to create a system that is genuinely fairer, faster and firmer.

Sir Teddy Taylor: Is the Minister aware that her recent visit to Southend-on-Sea, when she saw for herself the special problems of seaside towns, was greatly appreciated by officials and, unusually, by councillors of all parties? On the wider front, is she aware of the growing evidence from asylum seekers in Southend and elsewhere that there appears to be a highly organised international criminal group that is offering highly priced places in lorries to potential asylum seekers? Will she consult with the Governments of France and Belgium to see how that appalling activity can best be publicised and tackled?

Mrs. Roche: I am grateful to the hon. Gentleman for his kind remarks and for his original invitation to Southend. I was very impressed by the excellent work that has been done by a number of people in Southend, particularly by social services and housing officials. I agree with his point about organised crime. The smuggling of vulnerable human beings is a worldwide trade. Unfortunately, sometimes those involved are in cahoots with some of the unscrupulous immigration advisers whom we are determined to tackle. It is sad that the Conservative Government did not deal with that problem, but we intend to do so.

Mr. Jeremy Corbyn (Islington, North): Will the Minister comment on the cost of holding a large number of asylum seekers in prison, the poverty of asylum-seeking families who are denied access to income support and forced to live on less than 70 per cent. of it and the violent language that is being used by many commentators and others towards asylum seekers, which permeates down and ends up in violent racist attacks on asylum seekers on the streets of this country? Will she call for calm, tolerance and understanding of the reasons why people seek asylum when they are often fleeing from oppression and injustice in their own country?

Mrs. Roche: I share my hon. Friend's view and that of my right hon. Friend the Prime Minister, who has spoken recently on the issue, that across the decades this country has a proud record of welcoming people. I am pleased that we have had that policy, which this Government will continue. It would be nice to see more press attention given to policies such as those that we have promoted on refugee integration. However, we have to keep a balance. It is also right that we seek to deter those who make unfounded applications. While people are here having their claims processed, we must offer them sanctuary and safety, and maintain and accommodate them. It is in everybody's interests that we speed up the system. We are doing that.

Miss Ann Widdecombe (Maidstone and The Weald): Some weeks ago we were entertained by the spectacle of the Home Secretary greeting nine clandestine entrants off the back of a lorry. In a parliamentary answer, he subsequently told me that six of them had claimed asylum, but he was not sure where the other three were. Is the Minister able to tell us how many of those six are in the country and where the other three are?

Mrs. Roche: As far as greeting is concerned, my right hon. Friend was visiting Dover to see the excellent work done by our immigration service in implementing the new civil penalty, which has been a tremendous success in the few weeks that it has been up and running. That throws the opposition of the right hon. Lady and her colleagues into sharp relief. The asylum seekers mentioned are going through the process in the normal way. The difference is that we are speeding up the system so that everybody's claim can be treated fairly. We will give refugee status—quite rightly—to those who have made a genuine claim for asylum. However, we will swiftly return those who have made unfounded claims.

Miss Widdecombe: So the conclusion is that six are still here and the whereabouts of three are not yet known. How many of the 37 who applied for asylum after the Afghan plane hijacking are still here?

Mrs. Roche: The right hon. Lady knows that those people are still here because they are going through the appeals process. Is it a new Conservative policy to remove the right to appeal? If so, the House and the British public have a right to know.

Miss Widdecombe: So they are still here as well. How many applications for asylum have been refused, including on appeal, since the Government came to power? How many of those who have been refused have been removed? How many are still here?

Mrs. Roche: In the last period for which figures are available, about 7,600 were removed. That is the highest number of people ever removed. To continue that, we will need more detention capacity at the end of this period. It is no good the right hon. Lady chuntering on if she wishes to deny the implementation of the civil penalty.

Miss Widdecombe: How many?

Mrs. Roche: I have given the right hon. Lady the figure. The right hon. Lady denies that her Government's record was much worse than ours and left us with a system that needed extra staff and resources. We are delivering; the Conservatives continue to oppose.

Dr. Norman A. Godman (Greenock and Inverclyde): They may not be genuine asylum seekers, but the Minister knows of my concern over the jailing in Greenock prison—a decision made by immigration officials—of two young Algerian brothers, Hisham and Mohammed Shetto, aged 15 and 17 respectively. They may be young scallywags, but they surely do not deserve such treatment. When will they be transferred to suitable accommodation? It has been put to me that they ought to receive a smidgen of the sympathetic consideration given to Mr. Mike Tyson.

Mrs. Roche: I am grateful to my hon. Friend, who gave me notice that he hoped to catch your eye, Madam

Speaker, to raise this matter. It is certainly not normal practice to detain young people under the age of 18. However, detention may be appropriate under exceptional circumstances. I will be delighted to go into more detail with my hon. Friend. However, I can say that the ages of the boys are unclear. The brothers were given temporary admission into the care of the local authority, but their extreme behaviour meant that the arrangement could not continue. The Immigration Service is making strenuous efforts to find appropriate care arrangements.

Security Service

4. **Dr. Julian Lewis** (New Forest, East): If he will make a statement on the capability of the Security Service to monitor subversive groups. [121534]

The Secretary of State for the Home Department (Mr. Jack Straw): The functions of the Security Service are set out in section 1 of the Security Service Act 1989 as amended by the 1996 Act. The Security Service cannot, on its own account, investigate activities, or planned activities, unless they are threats to national security.

It has been the long-standing policy of successive Governments not to comment on the operations and capabilities of the Security Service. However, I can say that I, as Home Secretary, and the director general of the service are both content that the service is properly resourced to undertake its statutory functions.

Dr. Lewis: All I can say in response is that they are two people with a minority opinion. Did not the Security Service used to have as its F branch a highly effective organisation for monitoring subversion on the extreme left and the extreme right? Is not it a fact that, both last year and this year, the Home Secretary came to the House bemoaning the fact that demonstrations in the City and Whitehall were impossible properly to take precautions against because of a lack of advance knowledge of what the demonstrators were going to do? Will the Home Secretary now confirm that it was a mistake for his Government to close down F branch of the Security Service as they did, thus enfeebling the ability of the Security Service to take preventive measures, notwithstanding the grudges that he and many of his right hon. and hon. Friends have against F section for its successful monitoring of their activities in the past?

Mr. Straw: I have to explain to the hon. Gentleman that I bear few grudges and I bear no grudge against whoever it was who thought that their days could best be spent on deciding whether I was subversive. Events showed at the time, as they have since, that that was—generally speaking—a waste of public money. The hon. Gentleman's definition of subversion stretches more widely than that of the director general of the Security Service and that in the Security Service Act 1989. The Act's definition is particular and, as the then Home Secretary—now Lord Hurd—said at the time of its passage,

> There is no power in the Bill to enable the Security Service to take any interest in any person or organisation or any activity or enterprise which presents no threat to the security of the nation as a whole.—[*Official Report*, 17 January 1989; Vol. 145, c. 218.]

That has been the template for the service since the Act came into force in 1989. On the other hand, the hon. Gentleman's view is that even the new Labour party is a deeply subversive organisation.

Mr. Tam Dalyell (Linlithgow): Unlike the Home Secretary, I do bear a grudge, and it is against Mrs. Stella Rimington for what she did to the miners in 1984 by abusing the security services. Will the Home Secretary carefully consider the serious allegations contained in this weekend's *The Sunday Times* in relation to Mrs. Rimington and Mr. Michael Bettaney and, in particular, whether Mr. Bettaney was an alcoholic who had no business operating in the most sensitive areas of the security services? I do not ask for a reply off the top of my right hon. Friend's head, but I would like a considered reply from the Home Office.

Mr. Straw: I am grateful to my hon. Friend for the saving clause added to his question, because I cannot give a reply off the top of my head. I will look into the matter. I would also point out that if there is a responsibility for the fact that in any period in our history the activities of the Security Service have ranged more widely than they would do today, that responsibility ultimately lies with those Ministers directly involved—the Home Secretary and Prime Minister of the day—not with those who were public servants.

Mr. Crispin Blunt (Reigate): Does the Home Secretary agree that the capability of the Security Service to monitor subversive groups, or perform any other activity successfully, is wholly undermined by the example being set by Dame Stella Rimington in seeking to publish her memoirs? Does he further agree that members of the Security Service should be under a lifetime duty of confidentiality and that Dame Stella's actions set a wholly unwelcome precedent?

Mr. Straw: I understand the point that the hon. Gentleman makes. Members of the Security Service and other similar agencies are under lifetime obligations that they entered into voluntarily upon their employment. I understand that Dame Stella Rimington's manuscript was submitted by her in draft to the Cabinet Secretary in accordance with the normal procedures and will be dealt with according to those same procedures.

Hunting with Hounds

5. **Mr. Gordon Prentice** (Pendle): When he expects to receive the report of the Burns Inquiry; and if he will make a statement. [121535]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): We have always indicated that Lord Burns hopes to submit his report to my right hon. Friend the Home Secretary by late spring. My right hon. Friend hopes to publish it shortly thereafter.

Mr. Prentice: That is splendid news, but what is the Government's general position? Do they still want a ban on hunting with dogs to be piloted through the Commons by means of the private Member's Bill mechanism? If so, would not that risk the measure being torpedoed in the

House of Lords? Would not it make sense for the Government to bring forward a multi-option Bill, along the lines of the one that became the Sunday Trading Act 1994? That would allow hon. Members of all parties to express a definitive and conclusive opinion on an issue that at present is merely festering?

Mr. O'Brien: I understand the point that my hon. Friend makes. The Government are, of course, neutral on the issue, which is a matter for a free vote in the House of Commons. The Government took the view that the best way forward was by way of a private Member's Bill, after the Burns inquiry has reported. We have said that we will offer reasonable Government time, if necessary, and drafting assistance for a private Member's Bill, which would be considered by the House on a free vote. I understand that all parties are likely to allow a free vote.

I am sure that my hon. Friend would be pleased to welcome to his camp the right hon. Member for Maidstone and The Weald (Miss Widdecombe). Unlike the rest of the Conservative party, she has always made clear her belief that there should be a ban on fox hunting.

Mr. John Bercow (Buckingham): Has the Burns inquiry assessed the likelihood of Britons hunting abroad in the event that hunting is banned in this country?

Mr. O'Brien: What the Burns inquiry assesses must be included in the terms of reference that we have set for it. It is for the inquiry to determine how to interpret the terms of reference.

Crime Statistics

6. **Fiona Mactaggart** (Slough): What progress he has made with preparations for collating statistics about crime, police numbers and achievements in preventing and tackling crime by basic command units. [121536]

The Minister of State, Home Office (Mr. Charles Clarke): We are committed to publishing information that allows local people to judge and compare performance. Recorded crime statistics were published at basic command unit level for the first time in January this year. The next publication will be in July. We are currently preparing an analysis of statistical families of basic command units, which would allow more effective comparison between different parts of the country.

Fiona Mactaggart: I thank my hon. Friend for that reply. However, is he aware that the figures that have been published so far seem to demonstrate that police in the town of Slough work much harder than do police in the rest of the Thames valley? Will he consider making that information more widely available by publishing how many constables are attached to each basic command unit, as well as the number of crimes that have been committed? That would show where the police have to work hardest, and it might persuade our chief constable that he should allocate more constables to Slough.

Mr. Clarke: The question of the work rates of officers in different parts of the Thames Valley police force is a matter not for me but for the chief constable. We are prepared to consider publishing more data about what is happening at basic command unit level. That data would include the number of officers allocated to each unit. The inspectorate of constabulary intends to carry out a rolling range of inspections at basic command unit level from April 2001, which will allow a detailed analysis of the sort of matter that my hon. Friend has raised.

Mr. Simon Hughes (Southwark, North and Bermondsey): Figures from the Home Office research department and the British crime survey show that, out of every 100 crimes committed, 47 are reported and 27 are recorded. However, only five crimes are cleared up, and only three result in a caution or conviction.

Does the Minister agree that the priorities are to prevent crime and to detect it? To avoid an increasingly ridiculous British auction of ever-more draconian sentences being imposed—an approach that has not been effective in the past—will he convene a meeting with his counterparts in the other two main parties to examine what works to deter crime? Will he undertake to ensure that every community, rural and urban, can at least have officers on the ground? That would reassure those communities, and make sure that someone is in the front line, preventing and detecting crime.

Mr. Clarke: The hon. Gentleman asks a compendium question. I certainly agree that we are focusing on reducing and detecting crime by all means possible. The whole thrust of our policy is, as the hon. Gentleman says, on what works, identifying the best technique and driving it forward. That is why we established the best value regime for the police earlier this year. I wish that politicians of all parties would share that aspiration and stop trying to undermine confidence in the police, as some of our opponents frequently do in what they say. I confirm that our approach is to see what works and to drive crime down.

Mr. Robin Corbett (Birmingham, Erdington): There is a wide welcome in my constituency for the provision of such information at basic or operational command unit level. Does the Minister agree that it makes it far easier for members of the public to understand what the police are doing—their success and the challenges that they face—if these partnerships are built from the bottom up rather than from headquarters down?

Mr. Clarke: I completely agree with my hon. Friend. The purpose of what we intend to do is to raise public debate and have much more positive discussion about strategies and ways in which people can work together. An important part of publishing the data at BCU level is also to align the boundaries of basic command units and local authorities and therefore crime reduction partnerships. That allows us to establish the best ways of reducing crime in different parts of the country.

Mr. David Lidington (Aylesbury): But surely the Government's statistics demonstrate that after five years in which recorded crime consistently fell, we are now seeing a disturbing upward trend in recorded crime in England and Wales. What is the Minister's explanation for this renewed surge in crime?

Mr. Clarke: The statistics actually demonstrate strikingly different levels of crime reduction performance in various basic command units. That is the single most

striking factor. It is true for police authorities generally but, more important, it is true at basic command unit level. Basic command units which might be thought to be broadly similar in character are in fact demonstrating dramatically different levels of performance in bringing crime down. That is why we introduced the best value regime and why we are publishing the data—to get a much more effective and accurate fix on what really will bring crime down, which is the whole focus of what we are trying to do.

Community Police Officers

7. **Mr. Hilary Benn** (Leeds, Central): If he will make a statement on the role of community police officers. [121537]

The Minister of State, Home Office (Mr. Charles Clarke): The community beat officer is a vital link between the police service as a whole and the community policed by that particular officer. A dedicated, proactive community beat officer plays an important role in fighting crime, whether by identifying and tackling local crime problems, providing intelligence, or combating fear of crime. An inspection currently being carried out by Her Majesty's inspectorate of constabulary, entitled "Winning the Race 3", pays special attention to individual forces' use of community beat officers as a key factor in service delivery.

Mr. Benn: I am grateful to my hon. Friend for his reply, and in particular his comments about the valuable contribution made by community beat officers to visible local policing. When does he expect all police forces to have in place a policy covering the limited circumstances in which such officers can be taken off their beat duties, so that they can spend as much time as possible doing the job which they are employed to do?

Mr. Clarke: One of the aspirations of the inspectorate of constabulary's report, "Winning the Race 3", is to increase the number of forces that have policies of the kind referred to by my hon. Friend. Over the past 10 months or so, the number of forces that have policies in place has nearly doubled, and they continue to proceed. We do not have a specific timetable for all forces, but we have the aspiration of ensuring that that happens as quickly as possible.

Mr. John Wilkinson (Ruislip-Northwood): Is the Minister aware that, notwithstanding the very welcome visit of the noble Lord Bassam of Brighton to the Hillingdon borough, hosted by my hon. Friend the Member for Uxbridge (Mr. Randall) and the hon. Member for Hayes and Harlington (Mr. McDonnell), and our joint visit, as a threesome, to see the Commissioner of Police of the Metropolis about policing matters, especially community policing, I have been informed that our borough is to have not a single extra uniformed policeman to put on the beat or anywhere else? Is it not the case that Her Majesty's Government are seriously misleading the public, certainly as far as outer London is concerned, with their bland assertions that more manpower will be available, when clearly it will not?

Mr. Clarke: I remind the hon. Gentleman that under his Government, the number of Metropolitan police officers fell by 2,000. The subject of policing in outer London has been widely debated, not only by the hon. Gentleman and his hon. Friends but by others. It is an operational matter for the Commissioner of Police of the Metropolis to decide what the allocation of his resources is. I know that he is committed to very effective policing in outer London, including the area that the hon. Gentleman represents, and I am sure that he said that to the hon. Gentleman when he met him.

Ms Glenda Jackson (Hampstead and Highgate): The invaluable contribution that has been made to my constituency by community police officers is immensely valued by my constituents, not least in reducing the incidence of drug abuse, racial harassment and, more particularly, domestic violence. Therefore, my hon. Friend will be aware, as I am sure are all hon. Members, of the stupefaction felt by many of my constituents at the decision of my right hon. Friend the Home Secretary to allow into the country for the second time a proven abuser of women. Can my hon. Friend be sure that he will issue direct and reinforcing guidance to all community police officers that, despite my right hon. Friend's decision, violence against women is not endorsed by the Government?

Mr. Clarke: I can confirm that domestic violence, and particularly violence against women, is a significant target of the Government's policy. We have established many support programmes, which have been focused on reducing domestic violence, securing a better level of reporting of it and getting a much better level of co-operation between the police and social workers, for example, to fight domestic violence.

The particular decision to which my hon. Friend referred is a matter for my right hon. Friend the Home Secretary and is not related specifically to the role of community police officers.

Mr. David Heath (Somerton and Frome): I welcome what the Minister said about community policing, but does he agree that for many chief constables community policing and, indeed, the entire patrol function is a marginal activity when resources are scarce, and tends to be lost? If he is to produce figures relating to basic command units, as described in response to the previous question, would it not be important to ensure that resources follow need in basic command units, particularly in rural areas, and especially those rural areas that come under a force that covers urban areas as well? Will they get the additional support that they need for rural policing?

Mr. Clarke: I do not think that any chief constable thinks that community policing is a marginal activity, to use the hon. Gentleman's term. I have visited many forces and I have discussed this very matter with the senior police officers responsible. They are committed to establishing regimes of community policing that really will make a difference. As the hon. Gentleman says, publishing data at BCU level will enable us to have a much more informed debate about these matters in future, which will be in the interests of all concerned.

Burglaries (Greater Manchester)

8. **Ms Hazel Blears** (Salford): What targets for burglary reduction he has set for Greater Manchester police. [121538]

The Minister of State, Home Office (Mr. Paul Boateng): Local crime reduction targets for police forces are set by local police authorities. Greater Manchester police authority has set a target of achieving a 25 per cent. reduction in domestic burglary by April 2005.

Ms Blears: I thank my right hon. Friend for that answer. I am delighted that Salford has recently received nearly £1 million to tackle burglary in the city and to help meet the 25 per cent. reduction target. However, we have serious criminals who launder money. I am particularly pleased by the announcement of plans to seize the assets of criminals.

Does my right hon. Friend recall that the criminal career of Al Capone was brought to an end by convictions for tax evasion rather than murder? Will he, like Eliot Ness, pursue serious criminals in equally innovative ways in future?

Mr. Boateng: I am not so sure that Eliot Ness and the Untouchables are the immediate analogies that spring to mind, but the answer is yes.

Special Constables

9. **Mr. Andrew Stunell** (Hazel Grove): What measures he plans to encourage recruitment of additional special constables. [121539]

The Secretary of State for the Home Department (Mr. Jack Straw): The Government continue to support the efforts of the police to recruit more special constables. The Home Office has produced a recruitment video, a series of posters, and a recruitment brochure, and funded a two-week national radio and press campaign in March 2000, at a cost of £700,000. Research into why people join the special constabulary has been commissioned. The results of the research and the March campaign will be available shortly, will be made known to the House and will help focus plans for the next recruitment campaign.

Specials now meet higher recruitment standards and are better trained and equipped; and offer a much better support to their regular colleagues and, therefore, a better service to the public.

Mr. Stunell: I was pleased to hear the Home Secretary refer to a radio recruitment programme. Is he aware that in Stockport, which is part of Greater Manchester, special constables had to have their radios provided by funds from the local council because the Greater Manchester police force was not able to fund them? Does the right hon. Gentleman agree that there is a lack of status and a lack of funding, which make the job somewhat unattractive for those who really could play a constructive part in policing our community?

Mr. Straw: The way in which specials are used varies considerably from one force area to another. Some forces, and their regular officers, embrace the specials and use them effectively. In other forces, there remains an implication that they are unpaid labour, and the regular officers are slightly stand-offish. In truth, these members of the community give of their time freely and voluntarily to supplement the work of regular officers, which they do extremely well. We have sought to raise recruitment and training standards for those officers so that they can be relied on more readily than may sometimes have been the case in the past. We have taken steps to improve their expenses and sick pay, and—which is important—to provide them with insurance in case of legal action against them.

Mr. David Winnick (Walsall, North): As the role of special constables is obviously to fight criminality, what message do they receive if a convicted rapist such as Tyson is allowed into the United Kingdom? Is my right hon. Friend aware that men, as well as women, are deeply opposed to letting him in? I hope that my right hon. Friend will understand the feelings on his Back Benches and reconsider his decision.

Mr. Straw: It is hard to see quite how that question arises on this matter, but it is my responsibility to take such decisions on the basis of the rules and the law as they exist. The simple fact is that that particular immigration rule had been observed more in the breach than in the observance. No proper arrangements had been made for requiring such information from those who were not visa nationals and who were arriving in this country. As it turned out, other people with more serious convictions had come and gone without notice. Above all, I had to take account of whether Mr. Tyson's entry would pose a risk to the safety of the public. On the basis of the history of his application—

Mr. Winnick: That is not the issue.

Mr. Straw: With great respect to my hon. Friend, on the basis of the history of the application and the need for fairness and consistency, I took the decision that I took. I also laid before the House a consultative document, on which my hon. Friend may wish to comment, proposing changes in the rules and their more consistent application in future.

Mr. Edward Garnier (Harborough): The Home Secretary will recognise that special constables are prime examples of the citizen in uniform. They perform many of the community policing roles that we would wish regular officers to play. What has the Home Secretary to say to the police about housing costs, which are one of the reasons why it is so difficult to encourage police officers to live in the more expensive parts of the country?

Mr. Straw: I have two things to say about housing costs. First, as the hon. and learned Gentleman will recognise, following the abolition of the housing allowance in 1994, under the Sheehy changes, some forces, particularly the Metropolitan police, have, because of rising prices, found it increasingly difficult to recruit and retain officers. Secondly, in recognition of the particular problems faced in the Metropolitan police service, I have authorised the offer of a substantial increase in the London allowance for post-1994

Metropolitan police officers. The offer is currently in arbitration, but I hope that there will be a satisfactory outcome as soon as possible.

Ms Claire Ward (Watford): Is my right hon. Friend aware that the pay increase in the Metropolitan police to which he has just referred is causing severe problems for Hertfordshire police and other constabularies around London? It is making it more difficult for other forces to recruit and retain officers, not only as special constables but as regulars. What plans has he to assist those constabularies to retain officers as well as recruiting them?

Mr. Straw: A working group in the Police Negotiating Board is considering the matter. I am aware of representations made to me personally by the chief constable of Hertfordshire and two other chief constables in the home counties. I have to say that the quicker they produce firm evidence about their recruiting problems, the quicker and better able we shall be to respond.

Child Curfew Orders

10. **Mr. Desmond Swayne** (New Forest, West): How many child curfew orders have been *(a)* applied for and *(b)* granted. [121540]

The Minister of State, Home Office (Mr. Paul Boateng): No applications have been received from local authorities to establish child curfew schemes. The failure of some local authorities to recognise the importance of ensuring that they use the full range of powers that are now available to them to counter anti-social behaviour is a matter of continuing concern.

Mr. Swayne: What is a matter of concern is that the arrangements are entirely unworkable. What is the Minister going to do to make them operable?

Mr. Boateng: The hon. Gentleman is misguided. If he consults his own crime and disorder partnership, he will find that it makes good use of the Crime and Disorder Act 1998. Indeed, I have a copy of the partnership document; it indicates that a group has been established, led by the chief officer of police and the chief executive of the district council, to look at anti-social behaviour orders—which must be seen alongside the child curfew orders. That group is making considerable progress. The hon. Gentleman should be supporting his local partnerships, rather than knocking the Act that set them up.

Mr. Frank Roy (Motherwell and Wishaw): My right hon. Friend will be aware that child curfew orders have been used, as a last resort, on housing schemes in the west of Scotland. Does he agree that the use of role models is also important for children? If so, what would he tell children on the west of Scotland housing schemes whom I represent about looking to a rapist and a person who bites off someone else's ear during a boxing match as a role model. What would he tell children who think of Mike Tyson as a role model?

Mr. Boateng: I should tell them that a large range of role models is available and that they do not have to turn to Mike Tyson or anyone like him in order to find one.

Miss Anne McIntosh (Vale of York): The Minister referred to anti-social behaviour orders. Will he tell the House how many have been issued? Why does he think that the partnerships to which he referred actually work—rather than responsibility being taken by the police?

Mr. Boateng: Forty—and half of them were issued specifically in relation to juveniles. If the hon. Lady talks to her own local partnership, she will find that as valuable as the order itself is the fact that the Crime and Disorder Act has enabled local agencies—education, social services, health, probation and the police—to work together to tackle those problems, thus making it unnecessary in many cases to apply for an order. The important point is that the power exists; it is being used, and it is working.

Anti-drugs Policies (Netherlands)

11. **Mr. Paul Flynn** (Newport, West): What plans he has to visit the Netherlands to investigate anti-drugs policies. [121541]

The Minister of State, Home Office (Mr. Charles Clarke): None—although, recently, I was there for three days on holiday.

Mr. Flynn: How does the Minister respond to the conclusions of the Police Foundation that, after 20 years of decriminalisation in the Netherlands, cannabis use is far less than it is in Britain, and that that country has the lowest ratio of drug deaths in Europe? After 30 years of prohibition in this country, heroin use has increased by 2,000 per cent., and cannabis use is the highest in Europe. Has not the Police Foundation demolished the main plank of the Government's policy by also concluding that young people in Holland are far less likely to experiment with heroin than those elsewhere in Europe?

Apart from making jokes on the subject, will my hon. Friend fulfil his important duty as a Minister, to reduce drug deaths by examining fairly all the evidence, including the success of the Netherlands?

Mr. Clarke: I do not make jokes about the subject. Drug taking among young people is one of the most serious and tragic matters with which we have to deal. It is incumbent on Governments to try by all means possible to drive down drug taking by young people. For that reason, I did not accept the conclusions of the Police Foundation report.

It is not clear that the Dutch policy has been a success. The Dutch Government have reduced both the overall numbers of coffee shops and the amount of cannabis that can be bought with impunity in any one transaction. I understand that they will be reviewing the policy again this year. The semi-legal trade in cannabis in the Netherlands has also helped to make that country a safer place for big-time crooks. That is why there are substantial problems in that regard.

In addition, it is incumbent on us all to appreciate that there are significant contradictions between the coffee shop policy in the Netherlands and international agreements. The single convention on narcotic drugs 1961 states that effective measures against abuse of narcotic drugs require co-ordinated and universal action; the convention calls for international co-operation aimed at common objectives. That is our policy. It is not a joking matter at all; the Government are doing all that we can to drive down drug taking.

Asylum Seekers

12. **Mr. Mike Gapes** (Ilford, South): If he will make a statement on the dispersal programme for asylum seekers. [121542]

The Minister of State, Home Office (Mrs. Barbara Roche): We began to phase in the new support arrangements for destitute asylum seekers on 3 April 2000 for those who applied for asylum at port, and in-country in Scotland and Northern Ireland.

On 17 April, we extended the new arrangements to those applying while in Kent, and to applicants who have had their first refusal of asylum while living in Kent and are appealing against that decision. We hope to bring all other new applicants on to the new arrangements within six months.

Mr. Gapes: I am grateful for that reply, and my hon. Friend will know that I was one of the hon. Members who supported the idea of a dispersal policy because it would take pressure off the London boroughs. However, will she assure me that the policy will be properly funded, that the centres will be properly established and that problems will not lead to people leaving those areas, returning to London and becoming destitute because there are inadequate support mechanisms in those localities? Will she also assure me that the Government will not adopt the policy of the Conservative party of locking up all asylum seekers and stopping people living with their relatives in this country if they have them?

Mrs. Roche: I understand my hon. Friend's concerns. As another London Member, I know very well the situation in London. That is why we made the arrangements for dispersal, and I reassure my hon. Friend that we are making arrangements outside London. As he will know, we are grant-funding some refugee organisations to provide support services, to assist with a variety of matters and to help local authorities and other service providers. So far, the arrangements have gone very well and I am grateful to all the people who have supported them.

Dr. Evan Harris (Oxford, West and Abingdon): The Minister will know that we have corresponded over the possible use of a former old people's home in my constituency to house asylum seekers on a temporary basis until the site is sold for redevelopment. Its use is being considered because of the extremely high cost of bed-and-breakfast accommodation at a time when the accommodation situation is tight. Will the hon. Lady join me in condemning the activities of Conservatives locally, who have claimed that the proposal is to build a detention centre at Oseney Court on the Botley road, and will she also condemn the conduct of a local councillor who talks of strangers kicking elderly people out of their accommodation?

Mrs. Roche: I understand completely the points that the hon. Gentleman makes. They illustrate again the complete nonsense of the Conservatives' policy. I was very grateful to the hon. Gentleman for the contact that we have had on this issue and it is apparent that Members of Parliament on both sides of the House take such cases very seriously, particularly as they affect their constituencies. I am willing to discuss cases on an individual basis with hon. Members and I hope that the attitudes that they have taken will continue to prevail.

Electoral Procedures Experiment

13. **Maria Eagle** (Liverpool, Garston): What reports he has received about the response of the electorate to the experimental voting arrangements tried out in the May local elections. [121543]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Under the terms of the Representation of the People Act 2000, local authorities have three months in which to carry out a formal evaluation of their recent electoral pilot schemes. The evaluation reports are likely to include an assessment of the electorate's attitude towards the schemes.

Maria Eagle: Given that only the postal balloting experiment appears to have led to an appreciable increase in turnout, and that turnout at the recent local elections fell generally, will my hon. Friend consider extending the provisions of full postal balloting to all local council elections?

Mr. O'Brien: There is certainly a strong case, on its merits, for all-postal ballots in council elections. However, the way in which the evaluation reports will have to be examined and the consideration that we shall have to give to the administration of the pilot schemes means that we are not able, as yet, to make a decision about such ballots. We hope that many local authorities will apply to run pilot schemes in future elections.

Sir Sydney Chapman (Chipping Barnet): The Minister will know that an unusually high number of ballot papers were spoilt in the recent elections for the mayor and assembly of London. Earlier, the Minister seemed to imply that ballot papers were spoilt because many electors voted only for the mayor, not the assembly. As those ballots were completely separate, is the Minister prepared to publish a paper saying how the ballot papers were spoilt so that Londoners may be better informed on this important and worrying issue?

Mr. O'Brien: In the mayoral election, 38,141 ballot papers were spoilt, equivalent to 2.18 per cent. of those issued. In the Greater London Authority constituency elections, 88,142 ballots were spoilt, or 5.04 per cent. In the GLA top-up, 161,972 ballots were spoilt, equivalent to 9.27 per cent. I trust that that deals with the hon. Gentleman's question.

Steel Industry

3.31 pm

Mr. Dale Campbell-Savours (Workington):I beg to ask leave to move the Adjournment of the House, under Standing Order No. 24, to debate an important, urgent and specific matter, namely

the major announcement by Corus, formerly British Steel, to make 168 redundancies and reduce shift operations in my constituency.

The Workington plant is one of the world's principal railway line production plants. Last year, Corus controversially acquired its French competitor Sogerail, which it is now trying to maintain close to full capacity. The matter is important because the announcement is disastrous for the future of west Cumbria. Jobs are now at stake, not only in steel but more widely in support services and allied industries. Workington already has some of the highest levels of unemployment in the region, and we cannot afford for the steel industry to be run down.

The matter requires urgent debate because, at this very moment, Corus is considering further investment decisions both within and outside the euro area, especially in France, which totally undermine the viability of its west Cumbrian operations. Furthermore, decisions taken in Brussels to reduce percentage levels of regional assistance to west Cumbria on the basis that it has a healthy steel industry are no longer valid and need to be reconsidered.

The voice of the UK Parliament needs to be heard. The matter is specific to the national debate on Britain's export performance as, historically, the Workington plant has exported 70 per cent. of its production worldwide, as well as supplying almost the entire UK requirement for railway lines. The decision exposes the unpalatable truth that, thanks to Corus and its management, Britain will change from being the world's leading exporter of railtrack products to being one of its largest importers. The implications for the balance of payments are unacceptable and draconian. May we have a debate, Madam Speaker, if not today, certainly in the near future?

Madam Speaker: I have listened carefully to the hon. Gentleman. As he knows, I must give a decision without stating my reasons for it. I am afraid that I do not consider that the matter that he raised is appropriate for discussion under Standing Order No. 24. Therefore, I cannot submit his application to the House.

Points of Order

3.33 pm

Mr. Edward Leigh (Gainsborough): On a point of order, Madam Speaker. May I refer you to Question 9 on additional special constables, which was asked by the hon. Member for Hazel Grove (Mr. Stunell)? The hon. Member for Walsall, North (Mr. Winnick) used his supplementary question as an opportunity to ask a question about Mike Tyson. He is perfectly entitled to try his luck and I do not blame him for that. Indeed, we all try to do that occasionally. The Home Secretary gave a long reply on what I accept is a matter of public interest. However, the Home Secretary and the hon. Member for Walsall, North made no attempt to relate the matter to special constables. Has a precedent been set? Can we use any question on the Order Paper as an opportunity to ask about a matter of public interest, just because a Minister is taking a decision on that matter?

Madam Speaker: I believe that the supplementary question was in order on this occasion because the question on the Order Paper refers to "additional special constables". The Home Secretary was asked whether additional special constables were needed to police what was about to take place. As the hon. Member for Gainsborough (Mr. Leigh) knows, I try to be very careful not to allow hon. Members on either side of the House to raise issues and questions that do not relate directly to the Order Paper. I am most concerned about that and ask hon. Members to help me in that, as the hon. Gentleman has done today. I shall continue to watch the matter in the future.

Mr. Richard Burden (Birmingham, Northfield): On a point of order, Madam Speaker. I seek your guidance on the implications for procedure in the House of a report in *The Guardian* today. It is reported that the right hon. Member for Penrith and The Border (Mr. Maclean) wrote a letter on 14 May 1998 to a noble Lord, setting out his tactics for blocking a number of private Members' Bills. In that letter, he stated that the Government should not get the Fireworks Bill

as punishment for letting their backbenchers play around with hunting.

Does the right hon. Gentleman put chasing foxes before the welfare of children and animals?

In terms of procedure, is it right for a Member to seek to persuade the Government to prevent hon. Members from exercising their right to introduce private Members' legislation in the House?

Madam Speaker: I appreciate the fact that the hon. Gentleman gave me notice of his point of order, but he will understand that I can respond to it only in so far as it concerns the Chair. The proceedings on the Fireworks Bill in the 1997–98 Session were entirely in order. There is nothing in the press report that requires a ruling from me.

Mr. Gerald Howarth (Aldershot): On a point of order, Madam Speaker. You will recall that on 17 November last year—*[Laughter.]* We know that you have a wonderful

memory. On 17 November last year, the opening sitting of this Session, we passed a Sessional Order stating:

> That the Commissioner of Police of the Metropolis do take care that during the Session of Parliament the passages through the streets leading to this House be kept free and open and that no obstruction be permitted to hinder the passage of Members to and from this House and that no disorder be allowed in Westminster Hall, or in the passages leading to this House during the Sitting of Parliament, and that there be no annoyance therein or thereabouts; and that the Serjeant at Arms attending this House do communicate this Order to the Commissioner aforesaid.

You will have heard that the Home Secretary had a meeting with the Commissioner this morning, but the motion that we passed last year has been flouted.

What discussions have you had with the Serjeant at Arms so that he might imbue the police with a little more verve to get on with clearing the streets, not only so that right hon. and hon. Members may have access to the House, but so that those going about their business in the metropolis may not be disrupted?

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Further to that point of order, Madam Speaker. Three times this morning I passed the demonstration in Whitehall. Members of Parliament have access by various means from parliamentary buildings on to the embankment and into the House of Commons. The behaviour of the Metropolitan police on this occasion has been exemplary—they have dealt with a difficult situation in which large numbers of women and children have been sitting along Whitehall. I should not like our sessional use to be in some way a criticism of the Metropolitan police.

Madam Speaker: The House will have heard the Secretary of State answer a supplementary question today relating to the matter. I regret it if some hon. Members were delayed in reaching the House today, as I regret inconvenience that has been caused to the public. I went out at 12.45 pm today to look at the situation, and I found some hon. Members coming in, including the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), walking along as if nothing had happened. She told me that she had no problems getting through, but I expect that of the hon. Lady.

As the hon. Member for Aldershot (Mr. Howarth) says, the matter is serious and a Sessional Order requires the Commissioner to disperse all assemblies and proceedings that cause obstruction or disorder within the area covered by the order on any day when Parliament is sitting. Of course I recall that. We go through those orders when Parliament is opened and we take them seriously, as I do.

I discussed this morning's events with the Home Secretary, who was kind enough to telephone me to give me his view. I do not disclose what is said by the right hon. Gentleman or other Ministers, but I had confidence in what he said. The Home Secretary and I agreed that there was a clear breach of the Sessional Order. I know what action he took as soon as he was aware that there was some disturbance. I have been given an assurance by the Home Secretary that there will be a full investigation to try to ensure that there is no recurrence.

The hon. Member for Aldershot mentioned the Serjeant at Arms. I know that he has been doing his best all morning to deal with the problem on behalf of hon. Members.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Madam Speaker. In view of obvious public anxiety and the seriousness of the situation between Eritrea and Ethiopia, have you received any requests from the Foreign Office to make a statement about its efforts to invoke a United Nations-sponsored ceasefire and peace conference to settle an appalling conflict between two very poor countries where many innocent lives are being lost for no purpose?

Madam Speaker: No, I have received no indication that the Foreign Secretary wishes to make a statement on that.

Mr. John Bercow (Buckingham): Further to an earlier point of order, Madam Speaker. I am sure that the House is grateful for your ruling on Question 9. However, I seek your guidance on a general issue. If it transpired from the *Official Report* that an hon. Member had referred neither to the wording nor the meaning of the question on the Order Paper, should other hon. Members deduce that such a precedent should not be imitated?

Madam Speaker: If an hon. Member put a supplementary question that did not relate to the substantive question, I hope that I would stop him midway. I try to do that on such occasions. Earlier, I explained why I allowed the supplementary on Question 9. If the hon. Gentleman wishes to pursue the matter further, he can do that through an early-day motion.

Mr. Michael Fabricant (Lichfield): On a point of order, Madam Speaker. At noon today, an announcement was expected about the future of the millennium dome. At 2.30 pm, no announcement had been made. As you know, the Secretary of State for Culture, Media and Sport chairs the Millennium Commission. Has he approached you to say that he will come to the House to announce whether the dome will be sold early, or to explain the future of the dome, which was the shining light of new Labour?

Madam Speaker: I am sorry to have to disappoint the hon. Gentleman, but I do not believe that the Secretary of State for Culture, Media and Sport is seeking to make a statement on that issue today.

Nuclear Safeguards Bill *[Lords]* and Sea Fishing Grants (Charges) Bill (Allocation of Time)

3.42 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Nuclear Safeguards Bill *[Lords]* and the Sea Fishing Grants (Charges) Bill—

Timetable

1.—(1) Proceedings on Consideration and Third Reading of the Nuclear Safeguards Bill *[Lords]* shall be completed at today's sitting and brought to a conclusion (if not previously concluded) four hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and Third Reading of the Sea Fishing Grants (Charges) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) five hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on either Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on either Bill are taken or to recommit either Bill.

6. No dilatory Motion shall be made in relation to either Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. If at today's sitting—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then,

proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply to either Bill.

Supplemental Orders

9. The proceedings on any motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

I shall speak briefly because the House has important business to consider this afternoon. The motion would allow for up to five hours of debate on the timetable and both Bills. I hope that it will not be necessary to spend three hours debating the motion, and that we can move on swiftly to debate the substance of the Bills.

There can be no doubt about the value of both measures. Of course, some hon. Members want to probe and discuss various aspects of the Bills. As my right hon. Friend the Leader of the House said last Thursday, the Committee stages of the Bills—and, indeed, two other Bills that the House will consider later today—passed swiftly.

The Nuclear Safeguards Bill took one hour 48 minutes in Committee. Today, 33 amendments, four new clauses and one new schedule have been tabled. None of those amendments raises anything new, and the Government oppose them all.

The Sea Fishing Grants (Charges) Bill took one hour 13 minutes in Committee. The Government accepted no amendments, and no Government amendments have been tabled today.

Mr. John Bercow (Buckingham): Unless I misheard the Parliamentary Secretary, he suggested that the Nuclear Safeguards Bill absorbed one hour 48 minutes. Will he confirm that it in fact absorbed only one hour 12 minutes?

Mr. Tipping: I cannot confirm that, but I shall look at the matter. I understand that the Nuclear Safeguards Bill took one hour and 48 minutes and the Sea Fishing Grants (Charges) Bill one hour and 13 minutes. The three new clauses and two amendments, which have been tabled by an Opposition Member, would add nothing to the Sea Fishing Grants (Charges) Bill.

Mr. Bercow: I am grateful to the Minister for giving way a second time with his characteristic courtesy. Unless I am much mistaken, or there has been a misprint, the Standing Committee sitting began at 10.30 am on 18 April and consideration concluded at 18 minutes to 12. Even by new Labour calculations, that amounts not to one hour and 48 minutes, but to one hour and 12 minutes. That is germane to our consideration of the timetable motion.

Mr. Tipping: Clearly, if the *Official Report* is correct—I am sure that it is—the hon. Gentleman is better at his sums than other people. I apologise to him and the House.

There are important matters that the House needs to debate this afternoon. It is regrettable that a few Opposition Members seem to be less interested in the genuine scrutiny of legislation and more interested in disrupting the progress of business, regardless of the desirability of the legislation that they want to delay. Such behaviour may not be in the interests of the whole House and the industries concerned, nor in the public interest. However, it is for those Members to justify their actions.

I do not complain, nor should they complain of the Government's desire to pass legislation. I hope that the House will approve the motion quickly.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Can my hon. Friend the Minister tell me where, in the Government's view, the dividing line on applying timetable motions falls? Is it where Her Majesty's Opposition are being an irritant and, therefore, have to be taught a salutary lesson or where the legislation is of such major importance that it should be dealt with in an exemplary manner, without the Opposition having recourse to what are legitimate means of opposition?

Mr. Tipping: I remind my hon. Friend of what I have just said—I do not complain and those are legitimate tactics; nor should other hon. Members complain about the Government's desire to secure their business.

The Bills are important for the industries concerned. There has been widespread concern across the House that important issues are not given sufficient time for debate. For example, last week, the right hon. Member for Bromley and Chislehurst (Mr. Forth) pressed strongly for a debate on House of Lords reform. Small measures such as these may be blocked, which takes a great deal of time and causes the Government difficulties in initiating bigger debates.

Mr. David Winnick (Walsall, North): If the minority in the House has rights which are respected—I hope that that will always be the case—should not we also recognise the rights of the majority? If a small minority of Members causes lengthy delays, despite remaining perfectly in order, surely the majority has a right to put its foot down and say, "Enough is enough."

Mr. Tipping: My hon. Friend may have an opportunity to put his foot down if the motion is pressed to a Division. It is a matter for the House and he will be able to express his view. I have expressed mine: a small group of Members is needlessly holding up the business of the House to the inconvenience of a great many other Members.

Mr. Richard Shepherd (Aldridge-Brownhills): Why have the Government decided to consolidate what are effectively two guillotine motions into one? That denies the House the opportunity properly to discuss the motion. I should be grateful to the Minister if he would advise us why the Secretaries of State responsible for the Bills are not leading the debate. The precedent was in the 1970s when, as the Minister will recall, the relevant Secretaries of State spoke on the sections of the motion that related to their Bills and explained the necessity for a guillotine.

Mr. Tipping: I am supported by my hon. Friend the Minister for Competition and Consumer Affairs. The precedents on such matters are far from clear. The hon. Gentleman asks why two Bills are being guillotined by one motion. He makes the point that there is insufficient time, but three hours have been made available to discuss the motion. I hope that the House will debate the motion quickly so that we can deal with the important matters.

3.50 pm

Sir Patrick Cormack (South Staffordshire): The Minister is one of the most courteous Members in the House, and we all acknowledge that, but I am bound to tell him that he dealt with the motion in an exceptionally perfunctory manner. I am also bound to tell him that I think it a great pity that the Leader of the House is not here—indeed, I am sorry that she did not introduce the debate. Given that she too is a Member of impeccable courtesy, I would have expected her at the very least to be present.

We should consider the context of this debate. In last year's Queen's Speech, the Government put before us one of the heaviest legislative programmes of recent years. Since then, we have seen an attempt by them to push through non-controversial Bills as quickly as possible so that they can get the rest of their legislative programme through. In fact, they have not yet extracted themselves from a legislative quagmire of their own making.

I accept that although both the Bills we are discussing are important, they are not controversial in a party political sense; but to say that they are not controversial is not to say that they are unimportant. Many pieces of legislation put before the House are non-controversial in a party sense, but are extremely important. I do not think anyone could suggest that a Bill relating to nuclear safeguards, or, indeed, a Bill dealing with sea fishing, deals with an unimportant subject.

A number of important points were made on Second Reading of the Nuclear Safeguards Bill, which ran for some time. Although the Sea Fishing Grants (Charges) Bill had a briefer Second Reading, again important points were made, especially by my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss). I do not believe that the Government have answered either set of points adequately.

The trouble with the present Government—I acquit the Minister of this charge—is that they are excessively arrogant when it comes to Parliament. The purpose of Parliament is to serve by holding the Executive to account and by scrutinising legislation thoroughly. The present Government seem to be so hell bent on their legislative programme—their agenda—that they are not prepared to allow Parliament to fulfil its role properly.

We have already heard one reference to this in an intervention, but last week, in business questions, my right hon. Friend the Member for North-West Hampshire (Sir G. Young) asked yet again—I have lost count of the number of times he and I have asked for this—for a debate on the intergovernmental conference White Paper, and for a debate on reform of the House of Lords. Most important of all in the context of what is currently happening, he asked—for the second consecutive week—for a debate on Sierra Leone.

People outside Parliament find it incomprehensible that we have so distorted our patterns and procedures—or, rather, the Government have done so—that we do not have the opportunity to debate matters that are in the headlines of every newspaper and news bulletin, at a time when British troops are engaged, albeit with impeccable skill, in one of the most delicate operations in which British troops have been engaged for a long time.

Ms Tess Kingham (Gloucester): Does the hon. Gentleman not concede that we would have more time for

[Ms Tess Kingham]

important debates on such subjects as Sierra Leone, and other vital topics that concern our constituents, if we were not kept up all night by silly games that have very little to do with scrutinising legislation, and more to do with the Opposition's attempts to keep the Government up all night, make them tired and prevent discussion of the important issues of the day?

Sir Patrick Cormack: I read of the hon. Lady's declaration at the weekend. All I would say to her is that she has failed to understand what being a Member of Parliament is all about. She has failed to understand what she has to do in this place: she treats this as a job that should involve fixed hours, and clocking on and off. We are here as the servants of the people who sent us here, and we are expected to debate at length important issues, whether they be of a partisan nature or, as these two Bills are, of a non-partisan nature.

We would of course have made sure that the hon. Lady lost her seat at the next election, but I am sorry that she is voluntarily throwing in the towel. If people such as her treat the House as an ordinary place of work, they have fundamentally misunderstood the historic nature of the British Parliament.

Mr. Eric Forth (Bromley and Chislehurst): Is my hon. Friend aware that on Friday the House sat between the hours of 9.30 am and 2.30 pm and made law, very successfully as it turned out, yet none of the Members who are making the loudest protest about unsocial hours managed to be present?

Sir Patrick Cormack: I had better answer that rather carefully, because I was not here on Friday either. My right hon. Friend makes a valid point. I am well aware that on Fridays he regularly travels here from the far distances of Bromley. We could all learn from his parliamentary expertise.

The hon. Member for Gloucester (Ms Kingham), when she intervened, and the Parliamentary Secretary, when he introduced the debate, seemed to be suffering from a parliamentary amnesia. I well remember in the early 1970s, when we were in opposition, parliamentarians of the calibre of the late John Mendelson and the late Bob Cryer perfectly rightly and properly inconvenienced the then Conservative Government time after time, week after week. I am sorry that the hon. Member for Bolsover (Mr. Skinner) is not in his place, because he was a past master at that. I shall never forget when he kept us vastly entertained for some considerable time on a debate as to whether a by-election writ should be moved. He was properly exercising his parliamentary right to try to delay the Government of the day moving forward with legislation of which he wholeheartedly disapproved. That is a historic right of the Back Bencher, whoever the Government of the day are.

Mr. Winnick: I am grateful to the hon. Gentleman for giving way; he is always courteous. Does he realise that there is a difference between keeping us up all night on, say, the national minimum wage legislation, which is an issue of great importance to the Government and to the Opposition—I know of no Labour Member who complained about that—and keeping us all night on issues that are not particularly controversial? A small minority of Members—not Opposition Front-Benchers—legitimately consider it their duty to keep the debate going on and on, if necessary all night.

This should no longer be a gentleman's club. If my hon. Friend the Member for Gloucester (Ms Kingham) has come to the view that people of her generation and gender are not able to carry out their responsibilities as a Member of Parliament as they would like to, with all respect to the hon. Gentleman I believe that that is a loss to Parliament.

Sir Patrick Cormack: I disagree. I believe very strongly that it is not the job of Parliament to adjust its procedures for the convenience of individual Members. I believe passionately in this place. I believe in this Chamber. I readily concede that the hon. Gentleman has a point when he refers to the broad-brush approach of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

Mrs. Dunwoody *rose—*

Mr. Bercow *rose—*

Sir Patrick Cormack: May I reply to hon. Members one at a time? Then I will give way to the hon. Lady.

My right hon. Friend has been goaded beyond endurance by the cavalier manner in which the Government have treated the House over their general legislative programme. He is not the Rupert of debate, as a 19th century parliamentarian was once referred to; he is the Dick Turpin of debate—or being the American aficionado that he is, perhaps the Jesse James of debate. He wants to hold up everything in sight. He has done that for a purpose. He has perceived a Government who know only two instruments—the steamroller and the sledgehammer. He has done his best—I pay tribute to him—to underline that fact to the British people.

Mrs. Dunwoody: Does the hon. Gentleman remember the occasion when the present Chairman of the Liaison Committee and his very good friend, who is now in another place, held up every conceivable bit of legislation, irrespective of its worth, to ensure that the reformation of the House of Lords did not go ahead, because they had decided that what was on offer was in the interests neither of Parliament nor of anyone else?

Sir Patrick Cormack: Indeed I do, although that was just before I came into the House in 1970. It was a wholly legitimate exercise. If the Government are seeking to put through legislation that, in the view of certain Members, is not in the interests of the country or their constituents, they have every right to use every legitimate parliamentary weapon to seek to make it difficult for the Government to get their business through.

We all know that the present Government have a huge and overwhelming majority. We know that, because of that, it is inconceivable that, in the Division Lobby, we can overturn an item of Government legislation, but the hon. Lady is right. She is a consummate parliamentarian. The problem in the present House of Commons is that we have far too many Members of Parliament and not enough parliamentarians. She is right to underline not only the

historic opportunity of the Back Bencher, but the historic duty. It is the duty of a Member of Parliament, if he or she believes that what is being done is inimical to the interests of the country, to seek to use whatever legitimate device is available to stop it or to hold it up. If the debate achieves nothing else but to underline that historic right of Parliament, it will have achieved some purpose, even though it was introduced in such a brief way by the Parliamentary Secretary.

Mr. Bercow: Is my hon. Friend aware that, even if we were not debating the allocation of time motion, and instead all four hours available were devoted to the consideration of the 32 new clauses and amendments to the Nuclear Safeguards Bill, it would apparently be acceptable to the hon. Member for Gloucester (Ms Kingham) that, on average, each of them should receive consideration by the House for seven and a half minutes?

Sir Patrick Cormack: My hon. Friend makes a good point. I speak on the subject with, I hope, reasonable credentials. I well remember walking out of a debate on the guillotine during the Conservative Administration because I felt that not enough time was being given to a very important Bill. On a number of occasions, I refused to support a guillotine brought in by my own Government. One must use that weapon with extreme care. The current issue of "Erskine May" says that guillotine motions

> may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business, and the rights of debate.

That is what it is all about. It is the judgment of the Government in resorting to the guillotine that we question today.

I know that "programming" is a word that is anathema to my right hon. Friend the Member for Bromley and Chislehurst, but I think that even he would concede that there is perhaps a case, with certain non-controversial but important measures, perhaps to give some regard to that. However, just for the point of the argument, he is an absolutist. In a sense, he is the—what colour is his tie today? He is the technicolour incorruptible of this place. I cannot call him the sea-green incorruptible. *[Interruption.]* He is certainly not a Shi'ite, as the Minister for Competition and Consumer Affairs says from a sedentary position.

Putting on one side for a moment my right hon. Friend's extremely purist view, I should say that there is a case for programming certain measures. However, in this case, the Government did not attempt to come and say, "Should we programme these particular measures so that they receive adequate and proper discussion?" Indeed, on various occasions—we have the same tomorrow—the Government have scheduled two Bills for Second Reading on a single day. I believe that that is just not the way in which Parliament should be treated.

Mr. Shepherd: I am very interested in the argument that my hon. Friend is developing, not least because he played a part in that extraordinary day when the then Labour Government proposed five guillotines in one day. In this Parliament, however, the Government—with a little support from the official and the unofficial Opposition Front Benchers—have introduced about 40 guillotines. Use of the guillotine is now not only a ritual reminder of the Government's importance, but a deliberate attempt to manage the business of the House and to deny freedom of speech to many Back Benchers on both sides of the House.

Sir Patrick Cormack: I tell my hon. Friend that, as "Erskine May" has it, the Opposition have most certainly not connived at 40 guillotines; that is not right. What we have had is some agreed programmes. Regardless of who is in government, one has to balance the programme. Although the Government are in office now, potentially they are tomorrow's Opposition. A quite good political maxim is, "Do not do to others what you would not have done to yourself."

It is a matter of getting the balance right. I believe that, in this Parliament and in this matter, the balance has not been got right. The Government have treated Parliament with some disdain—as demonstrated in the number of announcements that they have made not to the House but outside it, before hon. Members have been told. In a sense, these guillotines show the ultimate disdain.

Mr. Keith Darvill (Upminster): The hon. Gentleman mentioned balance. However, when considering that balance, should not Back Benchers take into account, among other things, the number of amendments tabled to a Bill in Committee and the length of the Committee's consideration of that Bill? If the Committee has not examined legislation in great detail, does that not indicate how many important issues need to be addressed in the legislation?

Sir Patrick Cormack: With genuine respect, I think that the hon. Gentleman misunderstands the situation. Every amendment that is selected for consideration in Committee is selected by the Chairman of that Committee. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and I have been joint Chairmen of a number of Standing Committees. I think it is true to say that at the beginning of this Parliament, I had served on the panel of Chairmen longer than any other Opposition Member. The fact is that Chairmen select carefully, with regard to what is relevant, and that they are advised at every point by the Clerks.

Sometimes, it is appropriate that an amendment should be debated not so much in Committee, but on Report—on the Floor of the House—where every hon. Member will have the opportunity to attend. On Report, it is again a matter—as you will know all too well, Madam Speaker—of a proper selection of amendments; nothing is selected that is out of order. Therefore, everything that appears on the Order Paper and is selected for debate is proper, relevant and can be—indeed, should be—debated.

It is a matter of—I keep coming back to this word—balance. I believe that the Government have the balance wrong, and that, in the process, they have dealt a very real blow to the whole foundation of parliamentary representative democracy.

Mr. David Maclean (Penrith and The Border): Before my hon. Friend concludes his remarks, I hope that he will reflect once again on the point made by the hon. Member for Upminster (Mr. Darvill) and the preposterous notion that he seemed to be proposing to the House—that

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because a Committee of 12, 18 or 24 colleagues carefully considered a matter, there is no need for the other 630 colleagues who had not been on the Committee to consider it at all. That would make a mockery of Report and disallow all the rest of us from properly contributing to parliamentary debate and to Bills as they are passed by the House.

Sir Patrick Cormack: Of course; that is the point that I was seeking to make. Report stage is the one occasion when all hon. Members have the opportunity not just to attend—they can turn up and listen to the proceedings in Committee—but to take part.

Very often, the majority of amendments come not from the Back Benches or from the Opposition, but from the Government—and this Government have been as guilty of that as any that I can remember in my time here. Sometimes that is commendable, because it means that the Government have listened to the arguments, conceded a point and brought forward amendments on Report to remedy a situation. That has happened during this Parliament, but only on two or three Bills. For the most part, the Government amendments have been tabled to cover up their own technical ineptitude—and in some cases because of a misreading of the situation that beggars belief. I need only utter the two words "Utilities Bill" without expanding on that—and therefore being rebuked by you, Madam Speaker—to illustrate my point.

I ask the Minister—if he will be kind enough to listen—to talk to the Leader of the House and tell her that we regard her as our Leader of the House. Her job transcends the party political. Of course she is an important member of the Cabinet and has a party political role—no sensible Member of Parliament would dispute that for half a minute—but she also has a parliamentary role second in importance only to the supreme parliamentary role of Madam Speaker.

The Leader of the House is actively involved in the business of the House. It is not for Madam Speaker to say whether a Minister shall make a statement, as she has so often said. However, the Leader of the House has the regulation and control of Government business. We are suffering from the Government's disdainful and, on occasions, contemptuous approach to Parliament. We are not allowed time to debate issues of great importance, because the legislative programme crowds out everything else. It is so enormous that Members of Parliament do not have an opportunity adequately to digest, let alone debate, the measures that are put before us. Parliament's role is being unbalanced by the Executive. That is an extremely important point.

I accept that the inimitable behaviour of my right hon. Friends the Members for Bromley and Chislehurst and for Penrith and The Border (Mr. Maclean) is sometimes exasperating for all concerned. I remember once quoting to them Richter's famous words to the third flute:

> Your damned nonsense can I stand twice or once, but sometimes always, by God, never.

However, they are performing a service to Parliament and I pay an unreserved and unqualified tribute to that. They see a Parliament that is being railroaded by the Government. On the precept that was so very well enunciated by the hon. Member for Crewe and Nantwich, they are saying that they are not going to put up with it. In doing so, they have entered into the long and honourable lineage of fiercely independent, sometimes bloody-minded, true servants of Parliament in whose debt we all stand.

Mr. Michael Fabricant (Lichfield): Does my hon. Friend share the sentiment behind the words of the right hon. Member for Manchester, Gorton (Mr. Kaufman), who said to me two years before the last general election that when the Government get themselves into a hole, they legislate too much? Would it not be good advice to this Government not only to slow down the legislative process, but to stop it altogether?

Sir Patrick Cormack: It would be a good thing if the Government rationed the number of Bills that they placed before this House. I hope that, at the next general election—at which I am confident the Government and Opposition parties will be transposed—we will make a promise that is often made to the electorate; that there will be less legislation, not more. I hope that that is a promise that we then fulfil. We need legislation that is carefully considered and drafted, and legislation to which every hon. Member has the opportunity to contribute. That cannot be done if we submerge Parliament in a vast number of Bills which there is not enough time for hon. Members to digest, let alone debate.

The Government have their own legislative ineptitude to thank for the motion. They are doing a scant service to the Parliament they would pretend to honour in tabling the motion. I hope that when we come to vote, my right hon. and hon. Friends will all resolutely vote against it.

4.16 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): When the last election was called, I desperately wanted Labour to win because I felt that previous Governments over a period of about 20 years had increasingly behaved as if Parliament were not relevant to the government of the country. For a long time, we had had people in charge who no longer understood the role of Members of Parliament, and were not prepared to consider in detail either legislation affecting ordinary people or the implications of what they were doing.

I believed that my Government would be different. I believed that they would insist on parliamentary matters being dealt with seriously. Answers to parliamentary questions, even awkward ones, would be honest and straightforward. I believed that the parliamentary timetable would be organised in such a way that we would see a new era of responsibility and the flowering of the important role that Parliaments have played in the UK almost since the time of the Anglo-Saxons.

When I see an Order Paper with a timetable motion—for two Bills, not one—I am disappointed in terms of my hopes for the incoming Government. It is my duty to say these things, which will not make me popular on this side of the House. Nor will I be appreciated by many new Members of Parliament, who will only too readily write off the views of anyone who does not believe that our role in Parliament is to be a salaried employee of particular parties, answerable not to those who send us here and perhaps not even, in a wider sense, to the constituencies that are, to me, the final and most important arbiter of my role.

I am deeply saddened by the fact that, yet again, a timetable motion has been tabled. A dangerous idea is growing that if we were somehow to reorganise the hours of Parliament and go home at 5 pm—like well brought up office personnel—and if we were not to sit through the night, we would produce better legislation. We would be able to round off in simple and sonorous terms those legal opinions that are to be included in legislation. That is not the case.

Parliament has always existed to express the views of ordinary men and women, although it has at times been manipulated by those in government or in power. Sometimes it ignores those views or translates them in a way that many of us find unacceptable. Sometimes Parliament believes that it has such God-given rights that it can override the views of those who have a vote and a say in how people get here. In reality, Parliament—although it took a considerable time before it admitted women—has historically acted to represent the peoples of this country and, fundamentally, has protected the essential aspects of democracy.

I hope that the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) will forgive me if I say that neither of them are automatically high on the list of people whom I love dearly. Nevertheless, what they are doing and have done is not unique. Indeed, they are not even as efficient as some of my colleagues have been in the past. My hon. Friend the Member for Bolsover (Mr. Skinner) used often to be given instructions by previous Labour Whips to keep business going for as long as possible to cause the maximum difficulty.

I also remember my late friend John Golding, the former Member for Newcastle-under-Lyme, making the longest recorded speech in modern parliamentary history on a telecommunications Bill, because he believed that what was being offered to the House was inadequate and wrong. He chose to use the methods of Parliament to try to change that. In doing so, he used devices that would have seemed pathetically complicated to people outside. They could have been described as little boys' games, but they were based on an understanding of the procedures of the House of Commons and an ability to use those procedures to have an effect on the progress of legislation.

Such actions are legitimate, although they may be irritating. I do not particularly want to be here in the middle of the night. In fact, it occurred to me the other day that when I first entered the House, I was told that I should stay up all night because I was part of the payroll vote. Now I am told that I have to stay up all night because I am not part of the payroll vote. I cannot understand what happened in the interim when I got it all wrong.

The growing use of timetable motions is a retrograde step, and I say that no matter who introduces them. I do not even understand why timetable motions are necessary on the Bills that we are considering today. However, I am concerned by the idea that somehow Parliament can be organised, like local authorities, into short days or a shorter week. Parliament cannot be organised into a nice, neat tidy bundle so that the Executive take decisions, tell Parliament what they have decided and produce Bills that, even if they are wrong, can be presented as a package and pushed through, because no one any longer alters a word of them. Such an approach is dangerous and depressing.

It is also depressing—as the hon. Member for South Staffordshire (Sir P. Cormack) pointed out—that senior members of the Government are not even prepared to come to the House and argue the case. They could at least have the decency to tell us why we must accept this motion. All Members of Parliament understand that we got here with the support of party politicians and need to defend particular party political views, but we also have a duty to ordinary men and women who have let this Parliament grow up over 900 years because they thought that if they could hear their views expressed here by the Members whom they elected, they were defending democracy.

Parliament is not a rubber stamp for the arrangements of Executives or of Front Benchers. There have been occasions when it has suited Opposition Front Benchers to make arrangements with the Government, and I understand why that happens. Whips Offices must manage business, but we should not forget that there is something deeper about what we do here than getting the House's business on the statute book. That means that we cannot behave as if we are councillors. We will not be able to maintain a life in which our families can see us whenever they want. I had three children when I first entered the House, aged 12, 10 and 8. I therefore know what tremendous costs family life has to bear. That is the same for males and females. This is a brutal place. It destroys more people than it creates. Those of us who come here do so because we believe that democracy and the expression of the views of ordinary voters are of fundamental importance.

The House has withstood the arrogance of previous Prime Ministers. It has withstood the arrangements of elite groups who think that they can get what they want merely by dictating to Parliament. It can withstand the business arrangements of the Front-Bench Members of both large parties, who think it convenient not to allow people to get in the way of what they want. If ever those groups succeed in getting what they want, we shall know that Parliament no longer represents the interests of the United Kingdom.

4.26 pm

Mr. Andrew Stunell (Hazel Grove): It is a privilege to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). She is a formidable opponent, and one suspects that she could be a dangerous friend as well.

Liberal Democrat Members do not support the motion. We think that the Government have lost their nerve to some extent by requiring the House to consider two timetable motions and four Bills in one day. As has been boasted about and admitted in the House today, the Government have suffered some provocation, but Governments should not lose their temper when facing provocation from those they do not like. Governments with commanding majorities in the House should show responsibility, whereas Opposition parties are entitled to show irresponsibility on occasion. It is the job of Parliament to contain that diversity, and it is the job of Opposition Members to do their best to resist what the Government want to achieve.

I must say, however, that it is hard to support every detail of what the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) have been trying to do. I have had the sometimes doubtful privilege of sitting through many

[Mr. Andrew Stunell]

contribution from the right hon. Member for Bromley and Chislehurst in this House. It is occasionally hard to see how legislation is improved by that process, or how amendments tabled by those right hon. Gentlemen would allow it to emerge from the process in better shape.

Mr. Maclean: I invite the hon. Gentleman to check the *Hansard* report of last week's debate on the Fur Farming (Prohibition) Bill. The spokesman for the Liberal Democrats, the hon. Member for Lewes (Mr. Baker), commented on the new provisions on compensation for farmers and other matters that the Government had built into the Bill. Those issues were raised by me and by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), among others, a year before, when the original Bill on fur farming was before the House. We objected to that Bill, and obstructed its progress, because it lacked those provisions. The Government added them to this year's Bill because of the action that we took—a fact that won the praise of some Liberal Democrat Members.

Mr. Stunell: I thank the right hon. Gentleman for that intervention, but the Order Paper states that this motion refers to the Nuclear Safeguards Bill and the Sea Fishing Grants (Charges) Bill. Moreover, given enough time, a group of monkeys will type the collected works of Shakespeare, so sooner or later any hon. Member might come up with an amendment that would improve a measure. By no means do I discount the process of scrutiny by the House, but it might be carried out more effectively and efficiently. I remind the right hon. Gentleman that I support his right to act as he chooses. I am simply drawing to the House's attention the factors that I consider render the Government's reaction wrong.

Mr. Bercow: Is the hon. Gentleman aware that in the course of five hours' debate on the Bill's Second Reading on 10 April, my right hon. and hon. Friends and I asked innumerable questions? Is he further aware that the Minister for Competition and Consumer Affairs was denied the opportunity of a reply to that debate, because the rug was pulled out from under his feet by the Parliamentary Secretary, Privy Council Office? Is the hon. Gentleman further aware that on 18 April the hon. Member for Hereford (Mr. Keetch) aired concerns in Committee to which he required a response? In those circumstances, does the hon. Gentleman agree that it would be helpful if the Minister indicated whether he intends to respond to the debate on the new clauses and amendments this afternoon?

Mr. Stunell: The hon. Gentleman makes a fair point. I would simply say that even the Secretary of State should be able to squeeze that in during the course of a four-hour debate. Perhaps he needs longer, but four hours seem a reasonable time in which to do so.

I stress that I am not supporting the timetable motion. I accept, as a given, that the process of debate is beneficial to legislation. Ministers should be held to account and we expect viable, comprehensible and comprehensive answers to issues raised by Opposition Members and Government Back Benchers. That is not in dispute. I might question whether that is the most effective way for contributions to be made, but that is not the essence of my remarks.

The hon. Member for Crewe and Nantwich made some powerful points. I hope that right hon. and hon. Members who were not in the Chamber to hear the hon. Lady's speech will take the trouble to read it in *Hansard*. She warned of the risk of increasing Government dictatorship over the House. She referred eloquently to the House's 900-year history. The first 800 years may not have gone according to Labour Members' wishes but, depending on the culture of the times, the House has been a powerful way of controlling the Executive for a long time. Hardly anyone would dispute that it has become less effective, however. The reasons for that are not all connected with the introduction of too many guillotine motions. They include the introduction of a very strong party structure and, in the past century, almost continuous universal majority party rule of Parliament and the Executive.

The hon. Lady might want to reflect on whether her views give a complete picture of the situation when it comes to seemingly relishing the masochistic aspect of Parliament. The idea is that one should expect to start work at 2.30 in the afternoon and work until 2.30 in the morning. If not, one could not be said to be qualified for Parliament. I put it to the hon. Lady that that is not a complete picture.

Mrs. Dunwoody: I agree absolutely. That is why the Committees of the House do not start at half-past two in the afternoon. That is why Select Committees frequently meet at different times. Members of Parliament take part in debates elsewhere in the House—in Westminster Hall, in the Committee Rooms and in Standing Committees. The idea that the House starts work at half-past two in the afternoon may be propagated generally, but it is not accurate.

Mr. Stunell: I thank the hon. Lady for that confirmation of her point of view. I am what is generally described as an owl, rather than a lark, and it suits me very well to be up at 2:30 in the morning. I look forward to being kept up by the right hon. Member for Penrith and The Border in future. However, although such a course looks convincing in the statistics, it is not the best way of employing Members of the House in holding the Government to account.

I have made the point repeatedly in the debate—and I shall continue to make it outside the Chamber—that imposing a guillotine motion is not the response that a mature and responsible Government should make to the deficiencies in the running of this place. If there are deficiencies in the direction of there being too great a control of the House by the Executive, the solution is not to increase that control by the imposition of guillotines.

Mr. Fabricant: I am finding the hon. Gentleman's argument somewhat confused. What is he arguing for as a way of holding the Government to account—a Government who have a larger majority than there are Conservative Members? What other mechanisms would he propose?

Mr. Stunell: I am in danger of being led out of order. I could mention many mechanisms. One would be a

Parliament that represented the people by the introduction of proportional representation. Another would be the extension of pre-legislative scrutiny, as recommended to the House. Yet another would be the implementation of a proper procedure for having our business organised throughout the year as well as throughout the week. Those are all matters on which I have gone on the record, as has my party, and we shall continue to do so. However, there are Conservative Members who prefer to continue with the old techniques, which did not prevent the poll tax or the Child Support Agency. Similarly, they did not rescue Parliament from gaining a reputation for passing bad law too often.

Mr. Owen Paterson (North Shropshire): What is the Liberal definition of a proper procedure?

Mr. Stunell: I can define what the procedure is according to Liberal Democrats. I cannot speak for anybody else. I and my hon. Friend the Member for North Cornwall (Mr. Tyler) have submitted a paper, which I trust will be published in the proceedings of the Modernisation Committee. It is being considered almost as we speak. Perhaps those are matters for another debate.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Stunell: I am happy to follow this line but I am not sure, Mr. Deputy Speaker, how far I should stray from the terms of the motion.

Mr. Bercow: Unfortunately, the hon. Gentleman is wallowing in a sea of obfuscation. I suspect that most Opposition Members believe that the country suffers from over-government. As we are considering the allocation of time for consideration of legislation, will the hon. Gentleman, on behalf of the Liberal Democrats, tell the House whether he agrees with the Conservative Opposition that it is objectionable in principle that the Government should be allowed to ram through the House in one parliamentary day no fewer than four Bills?

Mr. Stunell: I started by saying yes to that question, and I will say it again—yes. To have two guillotine motions in respect of four Bills in one day is a sign of a Government who have lost their nerve and are responding immaturely to provocation. I do not know whether I can make myself any plainer than that. That is our view.

There is a better organised and more formal approach. The business of the House should be planned in a much better way, and we have definite proposals that would enable that to be done. Sadly, they are not on the Order Paper.

I strongly urge the Government and the official Opposition to take notice of the public's views of the way in which the House conducts itself. I want them both to take account of the true quality of the outputs of the House. I think that Members on both sides of the House share the view, and the frustration, that it is not effective at holding the Government to account. It does not pass high-quality legislation and it does not allow the best form of representation of the people who elected its Members. That is a greater cause for concern than the motion.

The proposed guillotine does not have the support of Liberal Democrats. I hope that we shall reject it and proceed to consider other business.

4.39 pm

Mr. David Winnick (Walsall, North): I apologise in advance for having to leave this debate. I am a member of a Standing Committee on Delegated Legislation and if I do not attend it at some point, I shall doubtless be guillotined by my Whips. *[Interruption.]* Yes, no doubt the Opposition would greatly miss me.

A charge of arrogance has been made against the Government. I have the same respect for the House of Commons as I had when I first entered the House many years ago. The House is a place for debate, and even, sometimes, for delaying matters. I accept the rights of the Opposition. I spent 18 years on the Opposition Benches, and often heard Government spokesmen introducing guillotines by saying that they were absolutely necessary. This is no unique occasion on which a wicked Government are moving a guillotine. Successive Governments have reached the view that guillotines are necessary.

As I look across the House, the only Conservative Member whom I can see who, under the previous Government, and to his credit, opposed all—at least, almost all; he certainly gave the impression that he did—guillotine motions is the hon. Member for Aldridge-Brownhills (Mr. Shepherd). I cannot recall any other Conservative Member present being so strenuously opposed to guillotines when he sat on the Government Benches.

Minorities—even a minority within a minority—have rights and privileges. I do not say that it would be wrong to prevent such Members from prolonging proceedings. It is part of the House of Commons that they should be able to do so, and I have never argued otherwise. However, the time must come—as it has now—when the rights of the majority must also be considered. If that is not so, one or two Members on the Opposition Benches may prolong proceedings by speaking endlessly on a certain measure—within the rules of order, no doubt, and sometimes with the help of colleagues who rise to say, "Does my hon. Friend agree with me?"

All that may be perfectly in order, but the hon. Member for South Staffordshire (Sir P. Cormack)—who does not take part in such proceedings—cannot really be telling the House that the Government of the day should never respond by bringing in a timetable motion. Should it be that one or two Members—half a dozen at the most—can delay proceedings hour after hour, well into the night, leaving a large majority of Members powerless to act? I cannot accept that. The hon. Gentleman knows better than anyone the history of guillotine motions. They resulted from events in the 19th century, when Irish Members—for good reasons, I believe—delayed the House, and there was no machinery with which the House could respond. Thus was the first guillotine motion introduced, but they have since been used on many occasions by successive Governments.

Sir Patrick Cormack: Unlike the hon. Gentleman, I was not here in the 1880s. He knows full well that I was arguing that the Government are going in for overkill and distorting the balance of parliamentary priorities. They have so submerged Parliament in legislation that we have reached the pass that we have come to. If he casts his

[Sir Patrick Cormack]

mind back, the hon. Gentleman should know that I have opposed guillotines irrespective of which party has been in Government.

Mr. Winnick: I have been here for many years, but cannot claim to have been here in the 19th century. I do not want to wish to claim longer membership than the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). If the hon. Member for South Staffordshire opposed guillotine motions from his own side, I am glad to hear that he joined the hon. Member for Aldridge-Brownhills in doing so.

In a previous Parliament, the Jopling Committee looked into the hours of the House. It was chaired by a former Tory Minister and Chief Whip, and among its recommendations about our hours it argued that we should, in the main, not sit beyond 10 o'clock. Hon. Members, including my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), argue that we must not change our ways and that it would be quite wrong to do so; why then were the conclusions of the Jopling Committee accepted almost unanimously? Despite that, during this Parliament, we have sat after 10 o'clock more often than previously.

I hear the point made by some hon. Members that we are not really in a working place, but I disagree.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Winnick: No, because I shall keep my remarks brief.

This is a working place and it changes—as it has done over centuries. There is no reason why, for example, my hon. Friend the Member for Gloucester (Ms Kingham) should be forced to conclude that it is impossible for her to combine her domestic responsibilities with her parliamentary duties. Although it is unlikely that we shall sit from 9 to 5 o'clock—for all sorts of reasons—and I have never advocated anything of the kind, we must realise that there are people who could make a contribution to the House of Commons, but who have domestic responsibilities. They have a private life—and why not? Surely we are not saying that we cannot adjust—that we are so inflexible that it is not possible for us to change our ways at all.

Several hon. Members *rose—*

Mr. Winnick: I shall not give way, because I want to conclude.

I am willing to sit through the night on important issues. We can all decide for ourselves what is important—I gave the national minimum wage as one illustration. As my hon. Friend the Member for Crewe and Nantwich mentioned, I was in the Chamber when Michael Foot and Enoch Powell—for differing reasons—opposed changes to the House of Lords. Those were fundamental issues—of the greatest importance. I do not remember that Labour Members were complaining in the Tea Room then, because they understood what was involved.

However, why should we stay here hour after hour to discuss relatively non-controversial issues? We know that such matters are not of the greatest importance—although I do not want to minimise their importance. Why should we stay here through the night, simply because one or two Opposition Members believe that they are making a contribution for their party? As I said, they have a perfect right to try to do so, but surely we too have a right to say that enough is enough, and that we want to conclude the debate and move on to other business.

People outside—our constituents—find it impossible to understand why we sit here all night. They say, in effect, "Are you not too tired? Can you really pass important Bills that affect the lives of ordinary people by debating at 2, 4 or 5 o'clock in the morning? Why don't you have more sensible hours?" That is the view of the country. Although it may be a simplistic approach—

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Bercow: Will the hon. Gentleman give way?

Mr. Winnick: No.

The guillotine motion is perfectly justified. We have a right to proceed with our business. I see no reason why we should not do so tonight.

4.48 pm

Mr. Richard Shepherd (Aldridge-Brownhills): For many Members of the House the matter is not merely one of administrative convenience, as the hon. Member for Walsall, North (Mr. Winnick) seems to suggest. It is one of principle—as was reflected in the speech made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

The matter touches on the very purposes and functions of the House. Given the long parliamentary career of the hon. Member for Walsall, North, he will recall the processes whereby guillotines were introduced. During the 1945-51 Labour Government, there were only five guillotines. If the two motions are passed today, about 40 Bills will have been guillotined in less than three years.

Mr. Tipping: Perhaps I could correct the hon. Gentleman—as his hon. Friend the Member for South Staffordshire (Sir P. Cormack) tried to do earlier. If the guillotine motions are passed, the number will be 19—not 40.

Mr. Shepherd: I suggest that the hon. Gentleman look both at the Library briefing on guillotine motions and at the Sessional Orders. I think that the total number was 36 at the last count. The motions apply to four Bills; I am talking about the number of guillotined Bills.

In fact, the number of guillotine motions is higher than the number of Bills guillotined because sometimes a Bill requires a second, or even a third, guillotine motion—perhaps on Lords amendments or in Committee. However, the degrading of our processes in respect of such motions means that we no longer handle them with the respect that the House once expected.

I notice that the motion on the Order Paper is in the name of the Leader of the House, the Secretary of State for Trade and Industry and the Minister of Agriculture, Fisheries and Food. If the Parliamentary Secretary considers the five guillotine motions that were moved by Michael Foot in the mid-1970s, he will find that Secretaries of State themselves led the debate and explained why the motions were necessary.

The Government no longer have the courtesy to field the Minister responsible for the Bill so that he can tell the House why the process of debate has broken down to such an extent that they have to use a guillotine to expedite business. The Parliamentary Secretary said the fact that one Bill was discussed for one hour and 20 minutes and another for one hour and 13 minutes in Committee was sufficient. He therefore suggested that he did not have to explain why it was necessary to impose guillotine motions on them.

Mr. Maclean: My hon. Friend has considerable and honourable experience of such matters. Can he recall any other motion that imposed a guillotine on a Bill's Report stage before that stage had even begun and after a Bill had received such little consideration in Committee?

Mr. Shepherd: My right hon. Friend poses a question that I am unable to answer. Guillotines have become fashionable since the war and there have been many of them. Therefore, I regret to say that there is probably a precedent.

Mr. Bercow: Does my hon. Friend agree that the Government's justification—which was supported by the hon. Member for Walsall, North (Mr. Winnick)—is especially bizarre given that the Minister for Competition and Consumer Affairs, did not reply on 10 April to the Second Reading debate on the Nuclear Safeguards Bill and given that no fewer than 33 amendments have been tabled for Report?

Mr. Shepherd: I agree with my hon. Friend. The very essence of a guillotine is to deny the opportunity for debate or to give rise to the possibility that Members might not be able to speak on matters that they think are germane or important. I reflect on the one hour 12 minutes and the one hour 13 minutes that were spent on the Bills in Committee and recall my experience of sitting on Committees that considered Bills which were eventually subject to a guillotine. I need only mention the Telecommunications Act 1984, which privatised BT. It spent 180 hours in Committee before the Government felt able to bring the most draconian parliamentary practice to bear on it.

Let us be clear in our minds: there has been a degradation. As I said, 40 Bills—and probably well over 50 guillotine motions—have been exercised by the Government in a little over three years. Mrs. Thatcher's Government were much attacked for their use of the guillotine, but they introduced about 60 guillotine motions in 11 years. In one Parliament under this Government, the drumbeat of the guillotine has been used to limit freedom of expression.

When the hon. Member for Crewe and Nantwich spoke, she referred to the essential purpose of the House. It has been said often enough that we represent defined areas—our constituencies—and we are not sent here to govern because that is the role of the Executive. Their tolerance and understanding of the balance of arguments make up what I call the due process of Parliament.

Any Member, however junior and whether the hon. Member for Gloucester (Ms Kingham), has a right to stand up and speak on matters that affect his or her constituency. There are 659 of us and there is a heavy legislative programme. However, if the Government try to put a quart into a pint pot, something will have to give. The Government say that the right to freedom of speech and expression must therefore give, not that we should curtail in any way the important measures before the House. That is the essence of the matter, which, of course, is the most flagrant assertion of the strength and power of an Executive over their party and the expression of the majority over the minority.

The House always used to be careful about that balance. It is not fashionable to discuss that and Liberal Democrat Members are in a muddle about whether timetables should be agreed only by Front-Bench Members. I did not know whether the hon. Member for Hazel Grove (Mr. Stunell), the Liberal Democrat spokesman, was coming or going in his remarkable contribution, but he veered towards saying that the measure is bad because, for some arcane reason, it denies freedom of expression and speech.

We never know how the pattern of Bills will run, which makes it difficult to fix timetables and guillotines.

Mr. Stunell *rose—*

Mr. Shepherd: I shall finish this theme while it is in my head. On our Front Bench is an honourable opponent of the poll tax. Many in the House came to realise how profoundly wrong was the principle behind that tax during the patient, lengthy exposition of the detail of the Bill introducing it. Indeed, that was a purpose of the process of debate. This Government, however, do not even want that process, which, after all, lets the steam out of the kettle.

I was profoundly concerned when Nicholas Ridley announced the principle of the Bill introducing the poll tax and asked why a dustman should pay less than a duke. During the passage of the Bill, the argument moved on to the question of why everyone should not pay a little. When a Bill's principles shift so radically, one knows that it is on uncertain ground.

The Government are in difficulties, as they have introduced several contentious Bills in this Session. I do not understand why they must resort to guillotines, when the Attlee Government, the most remarkable Labour Government in my lifetime—I am now 58—who perhaps transformed the second half of the 20th century in a way previously unknown to the people of this country, needed only five guillotines. In their first year in office, that Government passed 72 pieces of legislation.

Perhaps we have changed, as in their first year—the first year in office is always slightly longer than the following years—the present Government introduced only 52 Bills, which is, none the less, a considerable number. The House must digest the scale of that burden. There is now a regular drumbeat here, as the Government guillotine an average of 13 or 14 Bills every year. As a result, we are now seeing new management of the House, in which the Executive effectively do away with our role as Back Benchers, as the hon. Member for Crewe and Nantwich said most eloquently. Now, there is not even a guillotine motion for every Bill, as they have been consolidated.

I am always fearful about making suggestions to the House: the good ones are rejected and the bad ones—which I make ironically—seem to be accepted. I responded to

[Mr. Shepherd]

arguments about why I should not speak against the Maastricht Bill by saying that the Whips were searching for a power of attorney. They require Members of Parliament to sign over a power of attorney on first coming to the House, so that the Whips may exercise the vote themselves. The guillotine motions give rise to the following question: why should not the guillotine motion be that all future Bills will be disposed of within one minute or—let us be generous—one hour of the Bill's commencement? After all, it is within the power of the majority in the House to pass such a motion. That could even be the subject of a Bill, if the majority wished. What would our role be? We could all stand up on points of order to the Speaker, but the House would have passed the motion into Standing Orders. It would be among the rules of the House.

I hope that the Government will detect the mocking tone in which I make the suggestion, and will not seize upon it to meet the objections of the hon. Member for Gloucester, who wants—one cannot call it a more orderly disposal of business—an "off with your head" approach to legislation.

I know that those on the Front Benches sometimes connive. That is why we have what are called agreed timetable motions, but they are still guillotines. Their purpose is still to limit the opportunity for debate. That may be agreed, or imposed by a majority, as it clearly is in this case.

I remember the summoning of Parliament during a summer recess, when hon. Members on all three Front Benches had signed up to new prevention of terrorism legislation. The Liberal Democrats—God bless them, as I have commented before—had second thoughts on the very Floor of the House, and withdrew their name from the motion, because they had begun to reflect on its effect. That was an example of intelligence applied to a matter before the House.

The trouble with Front-Bench agreements—this applies to every hon. Member—is that we are not all party to them. We do not necessarily know that anything has been cooked up. I knew nothing about the matter until last Thursday. There was a change of business, and I saw no reason why that should pose any difficulty for the House, yet we are faced with two motions disposing of four Bills. It is wrong, and the Government know that. All those who were here in past times know that it is wrong.

I ask hon. Members to reflect on this: why does the Library's descriptive note on the guillotine, which will no doubt be excised in due course, refer to it as the most draconian aspect of parliamentary procedure? No one reflects on that. The House knows that in order to divert the parliamentary Labour party from a re-arrangement of hours, we are considering the guillotine. Goodness knows why, as the guillotine is an option of majority. It is regularly imposed.

Mr. Winnick: Is the hon. Gentleman saying, in effect, that if matters are delayed considerably because some hon. Members exercise their right and continue to oppose a measure or a number of measures for hours on end, the House should have no protection whatever?

Mr. Shepherd: The hon. Gentleman will recall that I mentioned the first British Telecom Bill, which was discussed for 170 hours in Committee. Where there is wilful delay over many hours or days, I recognise that the House may want to resolve the matter by the imposition of a time limit. I have seen that all my parliamentary life. That is not the point at issue.

We are presented with the justification for the guillotine on two Bills because they were, respectively, one hour and 12 minutes in Committee and one hour and 13, or 30, minutes in Committee. I intend no disservice to the Minister whose unpleasant duty it is to try to make sense of the appalling motion before us, when I ask why, as a courtesy to the House, members of the Cabinet are not present to justify it.

This is not a matter of formality; it is a profound matter of principle. The House can be exasperated and, at that point, do something about deliberate delay, but there is no evidence of that in the 40 Bills to which I referred. The House is well aware that guillotines are now being imposed on constitutional matters.

I see that the hon. Member for Edinburgh, West (Mr. Gorrie), who is a Member of the Scottish Parliament, is present. He knows that part of the Scotland Act 1998 was guillotined. The Government of Wales Act 1998 and the Greater London Authority Act 1999 were also guillotined. There are no longer any frontiers. The motion proves that precedent is now on the side of the guillotine, which is the weapon not of Back Benchers, but of the Executive. It is their assertion of absolute control over the House.

The answer lies in ourselves. We made the point when considering the Freedom of Information Bill, and we shall make it again. The procedure is wrong and it is employed almost ritualistically. The new Labour Government have become fond of telling the House that opposition to such matters is ritualistic; it is not. As the hon. Member for Crewe and Nantwich pointed out, it is at the heart of our purpose and our being here.

5.5 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): I participate in the debate with some reluctance. The Government will be pleased to know that I support them. I would not speak in the debate if I believed that, if I did not speak, we would discuss the substance of the issues, or we could prevent some of the marauders in the Conservative party from taking up more time. However, by participating, I can say what I believe should happen.

I have been here for 13 years. Some hon. Members have asked about the extent to which newer hon. Members understand parliamentary matters and should listen to those who have been here a little longer. I listen to those who have been here longer than me—I always listen to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), who made several points. She believes with great passion that we should go in a specific direction. I cannot agree with her. I do not agree with her comments today and I did not agree with those sentiments 13 years ago.

My first job in this place was serving on a Standing Committee that considered a measure to enable privatisation of the water industry. It contained approximately six clauses. In the middle of October, the Labour Chief Whip told us, "Just keep it going till February." That was supposed to be a method of disposing effectively of an important measure. We kept a Bill of six

clauses going until February. Once, I spoke for two hours 20 minutes on whether one could better consult the public on privatisation at St. James' Park or Roker Park. I am confident that if I had brought Hartlepool's ground into the equation, I could have sustained the speech for a bit longer. I have therefore served my time as a marauder. Several colleagues in the Chamber have fulfilled that role recently. I know the game, but I do not believe that it enhances democracy or the reputation of Parliament.

I am not totally uncritical of the Government. They have probably introduced too much legislation. I realise that they do not want to listen to my messages; nevertheless, my message to them would be to be more selective. The punters in my constituency do not understand 50 Bills. However, they might get a grip on three or four important measures, such as the minimum wage, to which my hon. Friend the Member for Walsall, North (Mr. Winnick) referred earlier. The Government should be a little more selective in introducing measures. If they introduce too much legislation, they bring on themselves some of the tensions that we are all currently experiencing.

However, I do not blame the Government entirely, or the marauders on the Opposition Benches. The right hon. Gentlemen from Scottish backgrounds will know that I call them sleekit marauders who operate only at night, but I do not blame them because they are only taking advantage of the parliamentary procedures available to any Member or small group of Members who wish to hold the rest of the House to ransom.

Mr. Forth: I am grateful to the hon. Gentleman for giving way as he referred to me and to my right hon. Friend the Member for Penrith and The Border (Mr. Maclean). He may not be aware that my right hon. Friend and I were here on Friday when two excellent Bills made progress. The House sits on many Fridays. Regrettably, few other Members attended other than my right hon. Friend and myself, who were here doing our duty. Most of the Lady Members who complain bitterly about the alleged anti-social hours of the House did not attend, but the House sat between 9.30 am and 3 pm on Friday, and was very thinly attended.

Mr. Henderson: I usually like to hear the right hon. Gentleman's arguments, but he makes one of those ingenious arguments that one used to hear at Glasgow university, which he attended. Some points sound very much like those made in a debating society; they are not related to the real issues that affect this country and our constituents. I do not blame him, other Conservative Members or the Government; I blame the system, which needs reform. Whatever a Government's colour, they will face more and more demands to legislate and regulate to protect the public and their human rights, which the hon. Member for Aldridge-Brownhills (Mr. Shepherd) thinks very important.

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Henderson: In a little while.

There will be such pressures and we must design a system that allows the Government to set priorities and Members to comment on them in the House. The Government's programme must be accountable, but a distinction has to be drawn in parliamentary procedures between important issues, such as armed forces reform or major economic or social security changes, and the role of ice-cream salesmen in a royal park. That is my argument with the current system. We in the House are all far too conservative; we must consider reforms that would make the House efficient and effective.

Mr. Paterson *rose—*

Ms Kingham *rose—*

Mr. Henderson: I shall give way in a second.

My hon. Friend the Member for Gloucester (Ms Kingham) is a very able Back Bencher and when I was a Minister she asked me one of the hardest questions that I ever had to deal with in a Standing Committee. Contrary to some of the points that have been made by Opposition Members, she asks good questions and is interested in the real issues. It pains me that younger people with family commitments are not able to fulfil them and still make the impact in the House that they could. That is a tragedy. They could make an impact in industry and commerce even if they had family commitments because they are more realistic about, and tolerant of, the family. We preach about family values in the House, but it is the most family unfriendly institution that I have ever known.

Ms Kingham: Several issues need to be addressed. As hon. Members on both sides of the House have said, some Members want the House to work from 9 to 5, as in any other job. Those of us who criticise the current system are not saying that; we do not mind working incredibly long hours. When I was involved in international development, I always worked long hours, went overseas at the drop of a hat and worked at 3 or 4 in the morning. That is not a problem—when it is worth while. However, many of us feel that it is difficult to do a good job for our constituents when we have to sit up all night or are called in at the whim of a few others to take part in such silly activities. That does our constituents no credit and involves putting off appointments to the next day or rejigging them completely, which causes unpredictability—we never know where we are. Those are the real issues.

Comments have been made about some of us not attending. I have been away for four months having twins. I am terribly sorry, but I cannot leave them at the drop of a hat. This should be a modern Parliament that can accommodate women Members having children as well as serving their constituents.

Mr. Henderson: I am grateful to my hon. Friend for raising those points. She has brought home far better than I could the extent of the pressures that not only she but others, male and female—although I think the pressures are greater on females than they are on any male—experience in this institution. I think that when reforms come, as they will, hers will prove to have been a major contribution, and I hope that, if she does not stand at the next election, we shall see her back here when her family grows up a bit.

Mr. Paterson: Will the hon. Gentleman please answer the question posed by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)? He was here

[Mr. Paterson]

from 9 am until 2.30 pm on Friday; I was here for the later stages of the debate. As for the hon. Member for Cambridge (Mrs. Campbell), who complained during business questions, the hon. Member for Milton Keynes, South–West (Dr. Starkey), who is not here today, and the hon. Member for Gloucester (Ms Kingham), who is leaving the House in a great blaze of publicity, none of them were here. If they will not turn up between 9 am and 2.30 pm, when will they turn up?

Mr. Henderson: That is a schoolboy debating point, and I shall not waste time on it. The debate is about the House facing up to its responsibilities, and about whether it is prepared to introduce real measures that will reform it.

I do not normally take part in debates of this kind, but I feel compelled to do so on this occasion because I think that the House is bringing itself into great discredit. There is enormous cynicism among Members of Parliament about the purpose of this place, and that cynicism is being transmitted to the public. If anyone doubts me, he or she should come to Newcastle with me on Friday and ask those who visit my surgeries, or whose community centres I visit, what they think. They will tell any Member of Parliament what they think about the House of Commons.

The aim of marauders—who act sometimes on their own behalf but, I suspect, sometimes with the co-operation of the Opposition Front Bench, although I do not blame the Opposition Front Bench for this—is to discredit the Government and to suggest that the Government pay no attention to Parliament, and will railroad everything through. The effect of their actions is not only to discredit the Government—in fact, the public will judge whether the Government have been discredited—but to discredit Parliament. Parliament is now viewed with great cynicism, which is why I believe that we must make reforms.

Parliament is not about the nonsense of staying up all night being very inefficient, making silly and often drunken points after 10 pm. The test of virility seems to be how long Members can speak, not what they say. Members would do well to visit the European and Scottish Parliaments—I have not visited the Welsh Assembly, so I cannot comment on that—and note the efficient way in which they conduct their business. It is possible to argue about the end result, but they conduct their business far more effectively, and when we consider reform of the House we should also consider whether we can learn from some of their procedures.

When it comes to reform, we must differentiate—I know that this is repetition, Mr. Deputy Speaker—between important issues and issues that are less important. We must differentiate between issues that should be discussed in the House—all night, if they are important and it has been agreed that the time is needed—and issues such as ice-cream vans in royal parks, which I think can be dealt with by a Committee. Ice-cream salespersons and park officials would be happy to hear the arguments put in a Committee; they do not need to hear them put in the Chamber.

Another major reform should be made: everything should be timetabled. A guillotine system is hopeless, because the accusation will always be made that the Government are acting for their own reasons in the particular circumstances. It will be said that there has not been enough debate, and that the Government made the decision even before Report. The only way to avoid such arguments is to timetable every piece of business dealt with by the House and its Committees, giving it an appropriate allocation of time that will depend on the seriousness of the issue.

The timetable should not be something that can be imposed only by Government Whips. There should be a Government recommendation providing for some fallback—an appeals structure, as it were, giving those who do not think enough time has been given an opportunity to challenge the timetable. Such motions should not be debated every day for three hours: there should be an occasion to deal with them.

We waste far too much time voting: there is no need for that. We should have electronic voting once a week, when everyone would know they had to be here. The votes could take place very quickly, and there could still be provision for consequential voting when that was essential to the procedure.

The guillotine motion needs the support of the House if we are to make progress with the business. However, we will be back again in a couple of weeks with more such motions unless we face up to the issue of reforming the House.

5.20 pm

Mr. David Maclean (Penrith and The Border): This is an important guillotine motion, because never in my recollection have two guillotine motions been imposed in one day to drive through four Bills when they have had so little debate. We have heard that one Bill may have been debated for one hour 13 minutes or one hour 14 minutes, and another for one hour 12 minutes. All told, there has been a total debating time in Committee on these two Bills of two and a half hours. We have no time to debate either Bill on Report, and we have a guillotine motion to drive both Bills through this afternoon.

I start from the principle enunciated by a great parliamentarian, who said:

> All guillotines are an affront. . . .
>
> Guillotines, surely, represent a failure of the parliamentary process. They imply that the House has neither the disposition nor the time to deal properly with the matters in hand. They also render impossible the main function of the House, which is to scrutinise legislation properly; and they deny Back Benchers, in particular, an opportunity to give their attention to it. I suspect that they also imply the existence of an excess of legislation.

Goodness me, we have heard a lot about that this afternoon. He went on:

> The fact that a guillotine needs to be introduced at any stage of the parliamentary Session suggests that the Government are putting too much legislation before the House, and the House feels that it is not being given proper time to deal with it.—[*Official Report*, 9 May 2000; Vol. 349, c. 663.]

Those wise words were spoken not in the 19th century in the Irish debate, not in 1945 during the Attlee Government, but on 9 May by the parliamentarian of the year, my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). That gives them extra gravitas.

We also heard the wise words of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Labour Members may dismiss what I say or what my hon. Friend the Member for South Staffordshire (Sir P. Cormack) said

with his usual eloquence—even more so today. He made some telling and powerful points—and not just those in my defence or in defence of my right hon. Friend the Member for Bromley and Chislehurst.

The hon. Member for Newcastle upon Tyne, North (Mr. Henderson) described us as "marauders", but Labour Members cannot dismiss the wise words of the hon. Member for Crewe and Nantwich. It is not as if she has just come to the views that she now espouses. I can remember being in government as a junior Minister sitting on the Government Benches and cowering behind our Leader of the House as a guillotine motion was advanced to close a Bill with one day's debate having spent 130 hours in Committee. I can also recall when, as a junior Whip, I went to the then Leader of the House, Lord Wakeham as he now is. I do not tell tales of the Whips Office—never have and never will—and I do not think that this is telling tales out of school. I said, "We are bogged down upstairs. Members are keeping us going on Scottish legislation. We need a guillotine." He said, "Come back when you have done 130 hours. We will talk about it then."

Just 10 years ago, there was no question of the Government having the gall, the effrontery or the arrogance to come to the Dispatch Box and to put a guillotine motion before the House until we had done at least 100 hours in Committee upstairs, with the prospect of doing another 100, still not being past clause 6 and still being bogged down in Committee. There would have been no question of coming before the House with a guillotine motion on Report when we had not even had the Report stage of a Bill.

Again, I have sat on the Government Benches as the then Government defended themselves at the Dispatch Box from attack after attack by Labour Members, including the hon. Member for Crewe and Nantwich who has consistently attacked guillotines that she considers excessive and act too quickly or peremptorily. I remember sitting on the Government Benches as we advocated a guillotine to give six hours, 10 hours or two days to the remaining stages of Bills when we had already spent days bogged down on Report. Those were the days when we were kept up all night. Some research is called for. I shall commission it shortly at the end of the debate.

Mr. David Taylor (North-West Leicestershire): The right hon. Gentleman is recalling his experiences when he was on the Government Benches. Would he care to confirm my own research on the number of guillotined Bills? In 1987–88 it was six, in 1988–89 it was 10, and in 1989–90 it was 4, making a total of 20. That was the number three years after the June 1987 election, compared with 15 at this point in the current Parliament. Does he agree that the Government whom he supported were even more enthusiastic users of the guillotine, which he now criticises the present Government for using?

Mr. Maclean: The hon. Gentleman's statistics are entirely wrong, as my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has already explained. It is not just the number of guillotines that count—we have heard that the Government have guillotined about 50 Bills—but at what point in the process the Government use the most draconian method of curtailing debate available to them.

Of course, one can defend the use of a guillotine in certain circumstances. I listened with incredulity—no, I was not incredulous. It was the usual speech that the hon. Member for Walsall, North (Mr. Winnick) makes before he bolts from the Chamber. We shall no doubt hear him make the same point in the debate on the next guillotine motion.

The hon. Gentleman went on and on about a Government not being able to tolerate sitting here night after night, hour after hour, debating the same measure. He said that the right of the majority must be respected, and that the Government must have the right to impose a guillotine after all that time. He missed the fundamental point. These Bills have had two and a half hours' debate at most, by probably, at most, 30 Members of Parliament upstairs. Another 630 of us have not had a chance to consider one iota of them on Report.

Mr. Forth: My right hon. Friend has just repeated the assertion that has been made a number of times during the debate—that the House repeatedly sits all through the night. My memory suggests that, in the three years of the current Parliament, the House has sat all through the night two or three times, but it is no more than that. Will he confirm that fact? Does he not believe that a mythology is arising? More often than not, the House now finishes at 10 o'clock and almost never sits through the night.

Mr. Maclean: My right hon. Friend is absolutely right. I was going to come on to that point—it is in the part of my speech entitled "The myth of sitting through the night". We have heard hon. Members talk about it. There was a point during my 17 years in the House—it was in the mid-1980s—when all-night sittings were fairly common. When one did two in a row, that was tough going. No doubt two all-night sittings in a row, or going until midnight on the second night, tired Ministers, Whips and all those participating.

I am not saying that that was the best way of passing parliamentary business, or that we were at our freshest and best. I am not defending that way of proceeding. However, we must puncture the illusion—which has been quoted by too many people who want excuses to take away hon. Members' rights—that we are sitting all night, all the time. It just does not happen any more.

Sir Patrick Cormack: Does my right hon. Friend realise that the mid-1980s pale into insignificance compared with the early 1970s, when night after night—especially in our consideration of the Industrial Relations Act 1971; I did not miss a single sitting—we were kept up by skilful Labour Members, who—although, in my view, misguidedly—absolutely properly used all the instruments available to them to delay what they considered to be inappropriate and obnoxious legislation?

Mr. Maclean: My hon. Friend is absolutely right. He also has a more glorious record of sitting long hours than I have, as I was elected to the House in the 1980s. His intervention is relevant to this guillotine motion. One of the reasons given by Labour Members for seeking to curtail debate is that we must prevent all-night debates, because we have wasted so much time on them that they have been bad for legislation. In this Parliament, however, we have had barely any all-night sittings. Moreover, although we have not even started to consider on Report

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the Nuclear Safeguards Bill and the Sea Fishing Grants (Charges) Bill, the Government have already moved to guillotine debate on them.

I could understand the Government moving a guillotine motion on the Bills if, having ploughed on with debate on them until 2 am or 3 am, the Government decided that they could not get the legislation by continuing debate for another hour or so, and that it would be better to give up and to come back on another day with a guillotine. We have not even started debating the Bills on Report, but the Government are introducing the draconian instrument of the guillotine. One of their excuses for doing so is that they do not want the House sitting up all night.

Mr. Bercow: I do not want to deflect my right hon. Friend from the thrust of his argument, but will he take this opportunity to rebut the dangerous argument made by the hon. Member for Upminster (Mr. Darvill), who suggested that precisely because a Bill had been considered so briefly in Committee, that in itself justified minimal attention being given to it by the House on Report? Is my right hon. Friend aware that the Minister for Energy and Competitiveness in Europe recently used a similar argument in relation to another Bill, saying that she would not give way to me because I had not been on the Committee? Does he agree that it is essential to understand that Bills are reported to the House so that all hon. Members are able thoroughly to debate their contents?

Mr. Maclean: My hon. Friend is absolutely right. That illustration also portrays one of the frightening attitudes of some Labour Members, who believe that opposition to the Government is blasphemous. One can detect that attitude whenever any criticism is made of the Prime Minister. The Government's attitude is essentially one of, "But you cannot oppose us—we are right. You should not talk against the Bill—it is right. We are doing it—it must be right." That attitude is creeping into so many spheres.

The Government's attitude seems to be that because legislation has been considered in Committee, that should be it—it is good enough. They seem to think that we should not consider legislation at all on Report, because they gave it some time in Committee, where another noble bunch of Members of Parliament considered it. They seem to be asking what on earth we are doing trying to consider it in the Chamber.

Conversely, I have heard some Ministers suggest that it is outrageous for Opposition Members to table amendments on Report, because we were not on the Committee and did not raise the issues there. I have not heard that said by the Parliamentary Secretary, Privy Council Office, who has been handed the poisoned chalice today. He is a nice, decent and honourable man, told to do a dirty job that should have been done by the Leader of the House. It is an outrageous contempt that the right hon. Lady is not here in person to face the House and justify the motion.

The Government, however, cannot have it both ways. If they want to gag us, they should be brutal enough to say that they do not like opposition per se. They should have the guts to say whether they believe that it is blasphemous, irrational or not to be tolerated for Opposition Members—or Labour Members—to pop up and say that the Government may be wrong. They should not produce the type of guillotine motion that we are now debating. It is intended drastically to curtail debate on Bills that the House has not had a chance to debate or to run, to see how they might turn out.

Mr. David Taylor: I thank the right hon. Gentleman for giving way again. A few moments ago, I attempted to roll back the calendar a decade to look at the experience of the first three years of the Government elected in June 1987, led by Lady Thatcher, of which the right hon. Gentleman was a member. The figures show that 20 Bills were guillotined in that period—making use of a tool that the right hon. Gentleman has described as a draconian instrument used by all-powerful Governments who arrogantly tread all over their Back Benchers and the Opposition. How many of those 20 guillotine motions did the right hon. Gentleman vote for?

Mr. Maclean: I sincerely hope that I voted for all of them if I was serving in the Government. If the hon. Gentleman has tried to do some research, he should tell us how many times Lady Thatcher or members of her Government argued for a guillotine after only one and a half hours of debate in Committee. If any Tory Minister had tried that, there would have been outrage from the Labour party and the media, who at that time considered it their fundamental duty to join the Opposition in opposing the Tory Government, because they thought that Lady Thatcher's 120 majority was too big and was bad for democracy. Now we have a Government with a majority of 180 driving through what they like with the media licking their boots—I choose boots as a safer and more advisable part of the anatomy.

Mr. Gerald Howarth (Aldershot): I wonder whether my right hon. Friend recalls the many late-night and all-night sittings that we had in the late 1980s and the excitement that ran through the Chamber at about 4 o'clock in the morning when, while we were feeling extremely weary, in through the door behind the Speaker's Chair appeared the Prime Minister, without a hair out of place and looking as bright as a button. How many times has my right hon. Friend seen the present Prime Minister in the Chamber when the House has been sitting late at night? Let us hope that he will be kept up late at night now.

Mr. Maclean: I should not care to speculate on matters that might be out of order, but in relation to the motion, it will be interesting to see whether the Prime Minister turns up. His Government appear to consider the four Bills under discussion today to be so vital that they must have these draconian motions, so I assume that if the Prime Minister can tear himself away from his family duties today, he might be able to pop through the voting Lobbies for a few minutes. When we had all-night sittings in the 1980s, one would always see the then Prime Minister participating, just as one always saw the hon. Member for Bolsover (Mr. Skinner) and Bob Cryer going through the Opposition Lobbies, because they were the ones who had kept us here most of the day and night, doing their important parliamentary duty of scrutinising all legislation properly and in detail and trying to find flaws in it.

Mr. Bercow: My right hon. Friend will be aware that I missed the intoxicating excitements of the 1980s and

early 1990s to which my hon. Friend the Member for Aldershot (Mr. Howarth) referred, because, as I am happy to concede and the House will be aware, I am a parliamentary virgin. Does my right hon. Friend agree that one reason why it is essential that we should debate the Report and Third Readings of the Bills before us today in particular detail is that, if anything, in the past three years the Opposition have debated for too few hours in the House, not too many?

Mr. Maclean: My hon. Friend is right. If he studies the time that the House has sat, he will see that, given the number of Bills and measures that we have considered, the number of hours allocated to debate has declined considerably since the new Government came to power.

My hon. Friend has made another confession. I was in the House a few months ago when he came out and confessed that he was heterosexual. We have heard today that he is a parliamentary virgin. However, there is still time left in this parliamentary Session for my hon. Friend to lose his parliamentary virginity in whatever way he thinks appropriate.

The hon. Member for Hazel Grove (Mr. Stunell) said that he would support the Conservative party in opposing the motions. He suggested that my right hon. and hon. Friends' scrutiny of legislation was like the monkeys who, with lots of typewriters and enough years, would doubtless write a Shakespeare play. I am sure that the hon. Gentleman did not intend that to be derogatory, but I took slight umbrage at that.

Amendments tabled to many Bills by my right hon. Friend the Member for Bromley and Chislehurst and I—particularly on Fridays—have, on most occasions, been accepted by the Government. Hardly a Friday goes past without a Minister agreeing at the Dispatch Box that an amendment tabled by my right hon. Friend or myself has merit. Ministers say that the Government will consider it and, perhaps, adopt it in another place. I will not embarrass the Ministers concerned by quoting their words about some of the amendments that we have tabled—amendments which Labour Members have described as wasting time or filibustering. On nearly all of those occasions, the Government have accepted that our amendments were valid.

I have tabled some amendments on the Order Paper today, some of which have been selected by Madam Speaker. I assume that they are in order and that the Chair does not regard them as utterly irrelevant. Over the past few years, I have been fortunate in having many amendments selected for debate. In drafting them, I have often thought that the Government would dislike them, that the amendments would get nowhere and that it could be a waste of time. However, I have persisted because I believe that it is our duty as parliamentarians to scrutinise legislation and draft amendments.

With regard to the Nuclear Safeguards Bill, my new clauses were an attempt to address the problems of entry and the powers of arrest and give foreign inspectors certain rights to go into people's homes. I thought that I could address some of the concerns, and I tabled amendments which have been selected. For someone to suggest—as the hon. Member for Walsall, North did—that we are wasting time by drafting irrelevant amendments is an affront to the whole purpose of Parliament, which is to scrutinise legislation, and an insult to the Chair.

When I have strayed out of order, the Chair has pulled me up; severely, on some occasions. I make no complaint about that; it is the duty of the occupant of the Chair. However, we can say that all my other remarks on these occasions were in order and that there was no wasting time. In last week's debate on the Royal Parks (Trading) Bill, the Minister welcomed some of our amendments and suggested that we had conducted the debate properly, efficiently and courteously. He said that there was some merit in our arguments. He then convinced us that his approach was better and we withdrew the amendments.

If we had wanted to waste some time, we would have forced a vote on the amendments, and that would have been even more embarrassing for the Government because they had given their Back Benchers the night off. That was at only 7 o'clock in the evening. If the Government cannot keep their Members here at 7 o'clock, there is not much hope of them being here on a Friday between 9 and 2, as my right hon. Friend the Member for Bromley and Chislehurst vainly hopes.

Why are we considering this motion today? I can only assume that the Government have got frit and lost their nerve. We face a massive amount of legislation, because the Government have overloaded their legislative programme. The hon. Member for Newcastle upon Tyne, North was right to question the Government's priorities. Some chap from London wrote to me recently to say that the Royal Parks (Trading) Bill was vitally important and that I must, in no circumstances, speak against it. He wanted the powers to drive out the smelly hamburger sellers within days. I could respond only by saying that I am just one Member of Parliament. If the Government think that the issue is so important, they should adopt it as a programme Bill and get it through that way. However, the hon. Gentleman questioned the wisdom of the Government in selecting measures that he considers not to be of earth-shattering importance. He told the House today that some measures in the Government's programme are sufficiently important to fight about that we could sit up all night debating them.

Mr. Doug Henderson: The right hon. Gentleman has drawn conclusions from what I said and claimed that I said something that I did not say. I said that the House needed reform and should draw a distinction between important and less important legislation. I did not say that any of the legislation before us today was not important. I actually said that the House must consider effective ways to deal with the issue.

Mr. Maclean: I am grateful for the hon. Gentleman's clarification, but in his next breath, or in his next sentence, he mentioned the Royal Parks (Trading) Bill, and he seemed to minimise its importance by referring to ice-cream sellers. He dismissed ice-cream sellers in royal parks, and I took it that he was using that Bill as an example of a measure that he did not consider as important as other legislation.

I cannot make such distinctions. The Government lay out their legislative programme and the Royal Parks (Trading) Bill is a Government Bill. Therefore, I expect it to get the sort of scrutiny that a Government Bill should get. It should not be bounced through on the nod on a Friday, which is a bad way to make legislation. It should not be bounced through after one hour and 10 minutes in

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Committee. The Government should not then claim that it has been debated by 18 or 24 Members in Committee and that we should just let it through. That is not the proper way to make legislation and that is not doing our duty as parliamentarians.

Mr. Bercow: Does my right hon. Friend agree that there should be some consistency in the statements from Labour Members? If they wish the job of a Member of Parliament more closely to resemble that of almost anybody else, in the private or public sector, they should answer the question that would be on the lips of many millions of members of the public why the House does not sit for approximately 20 weeks of the year. If they defend that arrangement and continue to want the House to consider the quantity of legislation that it currently considers, they have to accept that many more late nights will be required.

Mr. Maclean: My hon. Friend makes a valid point, which brings me to the comments made recently by the hon. Member for Gloucester (Ms Kingham). There were many new Members after the election and I do not recognise all of them, but I confess that today was the first time I have ever seen the hon. Lady. On Fridays, I have the pleasure of contesting with some very able—I am not being patronising—hon. Ladies on the other side who have driven through legislation and are often here participating in debate, giving myself and my hon. Friends a tough time of it. I can only assume, given that some hon. Ladies on the Government Benches are able to cope, that the hon. Member for Gloucester was looking for an excuse when she decided to make her comments at the weekend about leaving Parliament.

If the hon. Member for Gloucester wants the House to operate from nine to five, or to work a shorter week, or to finish earlier at night—not that it goes on as long as it used to—she must accept the 48-week year worked by most people outside the House. Hon. Members have constituency engagements in recesses, but Parliament cannot have both a nine-to-five working day and a 30-week year. Something has to give, and that something is scrutiny of legislation. The Government have overloaded the legislative programme. They should not complain when some parts of the programme receive more scrutiny than they would wish.

It is not the Minister's fault that the Government have got into this problem with the four Bills before the House today. The Minister is decent and honourable, but he is not in the driving seat of the programme. The Government's business managers, the Cabinet Ministers and the Chief Whip are in the driving seat, and they are the ones who have got the Government into this muddle. They have added these Bills to the programme without considering that there might be opposition to them, or that hon. Members might want to debate them.

It was assumed that no one cared about the Bills and would not oppose them. It was assumed that they could be bounced through Committee and Report—although the Sea Fishing Grants (Charges) Bill will not have a Report stage at all.

Mr. Forth: Does not my right hon. Friend agree that the problem is even worse than he suggests? All the Bills contain controversial proposals, such as increased police powers, powers of entry to private premises, retrospectivity, and the possibility that private information might be divulged by the Department of Social Security or the BBC. Surely no one can suggest, therefore, that they can be nodded through without thorough scrutiny?

Mr. Maclean: My right hon. Friend is right, but I did not suggest that the Bills were unimportant and non-controversial. That is what the Government's business managers or their advisers think, and they have got it seriously wrong. After all, the Government have tabled a new clause to the Television Licences (Disclosure of Information) Bill. They will drive it through later tonight, but I hope that Conservative Members are not accused of giving unnecessary scrutiny to an innocuous little Bill that everyone supports.

Mr. Bercow: Given the concerns once more expressed by Conservative Members about these important Bills, and assuming that the Leader of the House will be voting tonight, would not it be a courtesy for the Minister to say whether she will move the second allocation of time motion?

Mr. Maclean: My hon. Friend is right. There is time to get a message to the Leader of the House that she should return to the courtesies of the House by moving the next guillotine motion. I cannot recall a junior Minister being given that task, but the fact that Cabinet Ministers no longer make all statements to the House diminishes the House's status and importance. In the past, Cabinet Ministers opened important debates, but Ministers of State now do that—a practice that would have driven the Labour party in opposition mental. It is all a plan to diminish the importance of the House, and to remove the need for Cabinet Ministers to justify their actions to Parliament. The Prime Minister does not do that, so why should the rest of the Cabinet?

I shall begin to draw my remarks to a conclusion, as I know that other Conservative Members want to contribute to the debate. I have missed out most of my main arguments in principle, but there will be another opportunity to make them later.

I turn now to the Sea Fishing Grants (Charges) Bill. No amendments have been tabled to that Bill, but the Government have guillotined debate on it. I appreciate that with a good brief, a fair wind and remarkable—almost incredible—tolerance from the Chair, it might be possible for some people to speak for 30 minutes on the Third Reading of that Bill.

I doubt that any occupant of the Chair would tolerate longer speeches on that measure, however. If hon. Members tried to speak for longer on that little Bill, the Government could move a closure motion. I do not presume to predict what the Chair might do, but I guess that it would grant a pretty rapid closure motion—even though the Bill was not amended in Committee and has been debated for only one hour and 12 minutes.

The Government are not prepared to accept even that. They have proposed a motion to guillotine debate on the Sea Fishing Grants (Charges) Bill, even though we lack the opportunity to debate that little Bill all night in any case. The hon. Member for Walsall, North should recognise that the mechanism to allow us to spend all

night on that Bill does not exist. No amendments have been selected for that Bill, so there are not the half a dozen groups of amendments that would allow us to attempt to talk for ages. However, the Government have guillotined debate anyway.

The Nuclear Safeguards Bill has been allocated the same amount of time—one hour—as the Sea Fishing Grants (Charges) Bill, even though there are five groups of amendments to debate. Two of those groups—concerning powers of entry, access and search, and restrictions on disclosure of information—are very important. The first group was discussed in Committee in another place, and it exercised that Committee greatly.

Mr. Forth: Last week, the Leader of the House implied that the Bills were inconsequential and uncontroversial and that they therefore need not detain the House for long. The Minister said the same today, but Madam Speaker has selected for debate three new clauses and 29 amendments to the Nuclear Safeguards Bill. Does not that suggest that Madam Speaker agrees that the Bill is worth a great deal of the House's attention and time? Does my right hon. Friend know the answer to that apparent conundrum?

Mr. Maclean: The answer is straightforward: the Government are trying to advance arguments that they know are wrong. That is why the Minister wisely curtailed his remarks today. He spoke as gently and apologetically as he could in his attempt to justify this appalling guillotine motion. He could not rant and rave, justifying the motion against an Opposition baying for blood. He knew that there was no justification for the motion. That is why he adopted the approach of the Minister of Agriculture, Fisheries and Food, who goes round the country saying to farmers, "I know you're all going out of business, and it is terrible, but I am a nice chap, so don't criticise me." The right hon. Gentleman gets away with it—for the moment. That is a skill that one admires. Similarly, the Home Secretary comes before the House to say that something else has gone wrong in the Home Office but as he is a good, decent guy, no one wants to land a punch on him—although my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) is getting a taste for it.

I understand why the Minister adopted that low-key approach to the guillotine—not wanting to announce it, saying that it did not really merit one, but that it had to be done because of all the loose ends, and it was pretty ghastly. That is a feeble excuse for imposing a guillotine. The Minister knows it, and he got away without having a baying mob attack him at the Dispatch Box only because of his reputation for being an honest, decent man. To borrow an analogy from the Liberal Benches, he is the monkey—in the nicest possible sense—who has to be at the Dispatch Box today. The organ grinder has wisely stayed hidden away in a room. The monkey has been produced to grind the organ, appease the House and take the blame for this discreditable and disreputable draconian guillotine.

Mr. Forth: In spite of what my right hon. Friend has said, does he agree that if the Minister, when he has the opportunity to reply to the debate, can give us further views and a proper reply, rather than the apologetic and low-key remarks with which he introduced the debate, that might be very useful?

Mr. Maclean: My right hon. Friend is absolutely right. I take that as a reminder that there are only 41 minutes of the debate left. Having made some of the points on principle on the guillotine motion that I wished to make, I am happy to conclude my remarks, conscious that others wish to speak and that we need the Minister's reply.

6.2 pm

Mr. Keith Darvill (Upminster): The debate has covered a number of matters. Conservative Members have displayed so-called outrage, which I consider to be synthetic. A number of right hon. and hon. Members have also spoken about the reform of the Chamber and the way in which we do our business. I do not want to speak about that in my brief contribution, but I think it relevant, when we debate a motion such as this, to discuss how we could better carry out the business of the House.

Mr. Gerald Howarth: I am grateful to the hon. Gentleman for giving way so early in his speech. I should like to challenge him on one point. I think that he should reflect on his suggestion that the sense of offence felt by Conservative Members is synthetic. It is not synthetic at all. There is a very strong feeling on this side of the House, which was echoed on the Government Benches in the speech of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), that Parliament is increasingly held in contempt by Government.

Mr. Darvill: If the hon. Gentleman had let me continue a little further, he would have seen that I will soon be getting round to the comments of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). I will come to the point about synthetic outrage in a moment, if the hon. Gentleman will permit me.

My hon. Friend the Member for Crewe and Nantwich talked about the role of Back Benchers. I am not blindly following the Government's line on the motion; I am considering it purely as a Back Bencher. I am interested in the question of balance, mentioned by the hon. Member for South Staffordshire (Sir P. Cormack)—the balance between the legislation that we are considering at any particular time and the amount of time that the House grants to it. That is the basis on which I have considered the timetable motion before us, and I think that it does deserve the support of the House.

I have listened to a number of such debates in this Parliament, and some genuine points have been made about cutting the time that we spend on debates, which should clearly be challenged by the Opposition. However, we need to look at the issues that we are debating and how to allocate our time for the entire legislative programme.

Mrs. Dunwoody: I am very grateful to my hon. Friend for giving way. Timetables were introduced for the first time because of Irish business when, for four months, the House of Commons had debated nothing but Irish legislation. It is rather different from the matters that we are talking about tonight.

Mr. Darvill: I agree that it is. I hope that my hon. Friend will agree that we need to look at every piece of

[Mr. Darvill]

legislation and the time that we spend on it. If the House had been debating a piece of legislation for four months and that was deemed to be too long, it must have come to a decision to cut short the debate.

The Sea Fishing Grants (Charges) Bill obtained support from all parties in the House. It closes a loophole in the law. The Second Reading debate was wide ranging; the debates in Committee were quite detailed; and the amendments which were tabled—I do not think that they were selected—would not have changed the purpose of the Bill significantly. The amount of time spent debating that piece of legislation could well have been adequate with a short timetable.

Sir Patrick Cormack: To echo the point made by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), why, in the name of goodness, are the Government seeking to guillotine a Bill when there is no Report stage because no amendments have been tabled and when, by common consent, it would receive a brief, expeditious and sensible Third reading? Why take a sledgehammer to this Bill?

Mr. Darvill: That is a fair point. In the time allocated to both pieces of legislation, there is sufficient time within the timetable motion to discuss that. It seems perfectly reasonable.

I made the point earlier about the number of amendments tabled in Committee, and the hon. Member for Buckingham (Mr. Bercow) made a specific point about it. My point was that when Back-Bench Members are considering the controversy of a Bill and the issues that it contains, they should look at how that Bill was debated in Committee. That is not to restrict Back-Bench Members in tabling amendments, but, in coming to a balanced view on the time that we give to legislation, one factor to consider—although not the only one—is the way in which a Bill was dealt with in Committee.

Mr. Bercow: I hope that the hon. Gentleman will accept that another factor to consider is the number of new clauses and amendments tabled on Report—32 in this case. Will the hon. Gentleman at least be guided by precedent in the debate, and give the House an example, with specifics, of a situation between 1979 and 1997 when a Bill that had a truncated Second Reading and was debated in Committee for only 1 hour and 12 minutes was nevertheless thought appropriate for the imposition of a guillotine?

Mr. Darvill: No, of course I cannot give the hon. Gentleman an answer to that question. One would need to analyse the debates that took place over that period.

The two Bills before us are uncontroversial in the view of the majority of Members of the House. All those who have contributed to the debate have signified support for them, certainly in Committee. Despite some opposition from individual Members, these two Bills have received support from all parties.

Mr. Paterson: We are discussing a Bill under which a person who contravenes its provisions when it is enacted will go to jail for up to two years or have imposed on him an unlimited fine if he goes before a jury. Does the hon. Gentleman think that that is uncontroversial? Is not our first role to come here to defend the liberties of our constituents and to ensure that legislation is properly considered, in great detail, before casting them upon the whims of a jury?

Mr. Darvill: That is absolutely right. It is a question of the time that we allocate to that process. Many Bills that pass through the House have provisions of the sort that the hon. Gentleman has described. Such issues have not been ignored during our debates. Time has been given to them. They were considered on Second Reading, they were debated in Committee and they will be debated this evening.

Mr. Bercow: I am extremely grateful to the hon. Gentleman for giving way. He is being characteristically courteous.

Let us move the debate on from generalities, in which the hon. Gentleman is indulging, to specifics. He will have heard me say earlier that the hon. Member for Gloucester (Ms Kingham) was content with only seven and a half minutes of debate on each new clause and amendment, and that was assuming that there would be no Divisions, which was a rather improbable scenario. Does the hon. Gentleman agree that seven and a half minutes per new clause and amendment is wholly inadequate consideration? If he does, will he put a figure on what he thinks would be a more appropriate allocation of time?

Mr. Darvill: The hon. Gentleman knows as well as I do that the amendments would be grouped and discussed on that basis. There would not have been seven and a half minutes' consideration per new clause and amendment. Such an analysis can be used to discredit any allocation of time motion. The overall time allowed would have been sufficient if we had moved on to the new clauses and amendments sooner.

Mr. Fabricant: The hon. Gentleman rightly says that the time available to discuss the amendments and new clauses has been attenuated. I suspect that we shall be left with one hour to discuss the Nuclear Safeguards Bill. It contains 32 clauses, which means that we shall have less than two minutes to consider each one of them, and that is assuming that there are no Divisions. Even if we take the amendments as five groups and consider them on that basis, we shall have only five minutes per—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Some interventions, and not only the hon. Gentleman's, have been overlong. Make them brief in future.

Mr. Darvill: I think that I answered the point made by the hon. Member for Lichfield (Mr. Fabricant) when I responded earlier to the intervention of the hon. Member for Buckingham.

Mr. Paul Keetch (Hereford): We supported the Bill on Second Reading and in Committee and we supported the closure motion. The debate has moved on and the Bill is next to be considered on Report. However, does the hon. Gentleman accept that there is a great difference between the Government wanting legitimately to get their

legislative programme through the House, including Bills that have cross-party support, and introducing four guillotine motions in one day?

Mr. Darvill: First, we are debating guillotine motions on two Bills. Secondly, the hon. Gentleman was a member of the Committee that considered the Bill. He had the opportunity between Second Reading and consideration in Committee to table amendments that reflected his and his party's point of view. I note that there was only about one hour and 17 minutes of debate. A factor that I am taking into account in establishing whether we are achieving the right balance and providing the right time for debate in the Chamber is whether the hon. Gentleman and his colleagues tabled any amendments in Committee. Had they done so, had they spent a significant amount of time debating them and had they analysed key issues, those opposing the motion would have a much stronger argument to advance.

Mr. Winnick: Is it not a fact that there are 32 amendments and three new clauses to consider when we come to the Nuclear Safeguards Bill? Without the motion, we would not complete consideration on Report this evening unless the Government decided to let the debate proceed until a late hour. At most, we would have completed consideration of the one Bill. It is more than likely that that process would have been completed at 3 am, 4 am or 5 am. Many amendments would not have been debated. That is the only alternative to the motion that is before us.

Mr. Darvill: As ever, my hon. Friend, who has much more experience in the House than I, makes an extremely good point.

It is regrettable that the number of guillotine motions introduced by Governments is increasing. That is partly because of the weight of legislation. That must be acknowledged. Increasingly, Governments have large programmes of legislation because there is a demand from society for that. That should be reflected in the way in which we deal with our business. We must establish the right balance when determining the time that we can devote to legislation and how Members can cope with that in terms of their parliamentary and personal lives. Against that background, I am in favour of more timetable motions. Provided that we have the appropriate safeguards, that is the way forward. I shall support the motion.

6.15 pm

Mr. Donald Gorrie (Edinburgh, West): I thank the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) for restoring my faith in democracy, which was being sat on by various heavy quarters in various places. It was an admirable speech.

My hon. Friend the Member for Hazel Grove (Mr. Stunell) was criticised by the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and by the right hon. Member for Penrith and The Border (Mr. Maclean) on various parts of his speech. I understood that my hon. Friend was making it clear that Liberal Democrats oppose the motion. However, he was adopting the sound attitude of Voltaire, pointing out that he disagreed with many of the arguments of Conservative Members but fully supporting their right to advance them. He added that sometimes they produced good amendments that deserved support, but often there is filibustering, irrelevant debate and general time wasting, which most people think brings Parliament into disrepute. He was supporting the Opposition's right to oppose guillotine motions and saying that the Government should not impose them.

I strongly agree with my hon. Friend that we must consider Parliament's procedures and the way that we run our democracy. It is clear that Parliament is failing in its duties to hold the Executive to account and adequately to scrutinise Bills. To the dismay of Conservative Members, my hon. Friend said that a decent voting system would greatly diminish the power of the Executive. The hon. Member for Newcastle upon Tyne, North (Mr. Henderson) similarly said that Parliament must review its procedures in order to do things better. He argued that there are better ways of holding the Government to account than ambushes late at night and filibusters, for example.

Mr. Deputy Speaker: Order. The hon. Gentleman must be careful. The Chair would never allow filibustering.

Mr. Gorrie: I stand corrected, Mr. Deputy Speaker. I apologise.

Mr. Paterson: The hon. Member for Hazel Grove (Mr. Stunell) made it clear that Liberal Democrats oppose the motion. When I asked what their answer was, the answer was about as satisfactory as chewing cardboard. Will the hon. Gentleman explain what methods the Liberal Democrats would propose?

Mr. Gorrie: My hon. Friend the Member for Hazel Grove found that he was being led into a long disquisition on subjects not really relevant to the debate. I may receive another deserved rebuke from you, Mr. Deputy Speaker, if I take them up. My hon. Friend and my hon. Friend the Member for North Cornwall (Mr. Tyler) have put forward proposals to the Modernisation Committee, some of which would meet the point made by the hon. Member for North Shropshire (Mr. Paterson).

Mr. Stunell: Bearing in mind that there will be a second debate on guillotine motions, there may be an opportunity to colour in the picture that I sketched earlier.

Mr. Gorrie: I look forward to enjoying my hon. Friend's impressionistic skills.

My main point—a fresh, if, perhaps, a cheeky, one—is that, as a Member of another, much newer Parliament, I know that it learns from this Parliament, and bad habits are easier to copy than good ones. The Government treat this Parliament with a good deal of disdain, and Parliament does not adequately check that Government. Those facts set a tone that the Parliament in Edinburgh is tending to copy. We ought to scrutinise the Government properly to encourage newer and younger parliaments to do the same. We owe it to others to set the House in order by scrutinising the Government properly and by stopping these ridiculous guillotines.

6.20 pm

Mr. Gerald Howarth (Aldershot): I, too, pay tribute to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) for an outstanding speech, which

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demonstrated the distilled wisdom of an hon. Lady who has been an active participant in the House for a great many years. Without wishing to embarrass her, I hope that her speech will become compulsory reading for all new Members. She demonstrated her wide and sensible understanding of how the House operates, and she reflected exactly what is so important about Parliament.

This institution is under fire. Its powers are haemorrhaging away, and I use that word deliberately. They are haemorrhaging to the European Union, the constituent parts of the United Kingdom—to Scotland and to Wales—and, come 1 October, even more greatly to the courts. For that reason, this debate is timely. We ought to oppose the guillotine, and should debate some of the wider issues at stake, as you are allowing us to do, Mr. Deputy Speaker.

I was a Member in the 1980s, and I recall sitting up all night. I loathed it, and I thought that it was a stupid way to operate. I had not been here long when I arrived home at 3 am or 4 am once, only for my then young daughter—who now works a few yards from here—to jump on me at 7 am. I said, "Emily, go away, daddy is very tired." She answered, "Daddy, do you know what MP stands for?" I said, "No." She said, "It stands for Mouldy Person."

It can be difficult to combine life in this place with family life. However, it was important in the 1980s fully to debate the matters that were discussed. The Opposition were rightly given every opportunity to oppose a Government with a majority of 140, of which I was happy to be one. There was then far greater opposition to the Government—by Bob Cryer, then the hon. Member for Keighley, and by the hon. Member for Bolsover (Mr. Skinner). Every night, there would be a 45-minute debate on the money resolution. Good luck to them. I was an idiot to believe the Whips who told me that I had to be here. I should have gone home long before I did.

The House does itself a disservice in the manner in which all Governments deal with the Committee stage of Bills. Virtually no amendment introduced in Committee by an Opposition Member can possibly be accepted by the Government of the day. It will be dismissed as defective, as striking at the heart of the Bill or destroying the Bill. Then, however, we come to Report, and the Bill requires 300 or 400 Government amendments. That tends to lower the esteem of the House in the eyes of the public. Governments—Tory, Labour or whatever—would do themselves much good by accepting that a Bill can be improved by the Opposition.

On how we facilitate opposition to legislation, I cannot see a way around our existing rules, save at the expense of reducing yet further the powers of the Opposition to oppose. The Government of the day have a huge raft of powers and levers that enable them to dragoon their people into their Lobby. Not least is the power of patronage. If Members do not do as the Government say, they will not have the benefit of a magnificent office as parliamentary private secretary to the Under-Secretary of State for Pensions or whatever illustrious office it may be.

Mr. Gerald Bermingham (St. Helens, South): Does the hon. Gentleman agree that reducing the hours of this place would lead to even greater problems because of the occasional inability of Governments to listen to common sense?

Mr. Howarth: I thank the hon. Gentleman for that. He is entirely right.

I have some sympathy with the hon. Member for Gloucester (Ms Kingham), who has taken the trouble to come to the Chamber this evening, although I did not have the opportunity to hear what she had to say. I read what she had to say over the weekend, and I agree that it is difficult to combine membership of the House with bringing up children.

Ms Kingham: Will the hon. Gentleman give way?

Mr. Howarth: In a moment. I am somewhat old-fashioned, and I believe that bringing up children is an extremely responsible job. One of the great contributions that women make to the continuation of society is the exercise of that responsibility. I recognise that it is hard to combine that job with being a Member of Parliament.

Ms Kingham *rose—*

Mr. Howarth: Before the hon. Lady intervenes, let me also tell her that my right hon. and noble Friend Baroness Thatcher, for whom I had the privilege of being parliamentary private secretary for about six months, managed to combine both things. So does Nicola Horlick, who earns a great deal more than we do. In the City, she combines a demanding job with bringing up, I believe, five children.

Mr. Deputy Speaker: Order. We are straying away from the motion before us. The hours of work in the House are being considered by the Select Committee on the Modernisation of the House of Commons.

Ms Kingham: I should like to knock one inaccuracy on the head. I have no difficulty in combining my domestic arrangements with my work. My husband is at home looking after my children; in the same way, male Members of Parliament have left their wives at home with their children for many years. I have been criticising the long hours that we spend in this Chamber that are not worth while and in which we do not debate issues of substance that affect our constituents. I have no objection to working long hours; I have always done so. Nor do most of my hon. Friends have any such objection. There is no problem concerning my combining my family with working practices. I do not find that difficult at all.

Mr. Deputy Speaker: On that note, therefore, and as we know what the hon. Lady's thinking is, may we return to the motion before us?

Mr. Howarth: I could not agree more, Mr. Deputy Speaker. You are wise to draw to our attention the need to return to the heart of the matter. I would say only that I do not recall having seen the hon. Lady in the Committee on the Nuclear Safeguards Bill on 10 April. I was rudely interrupted then by the hon. Member for Glasgow, Rutherglen (Mr. McAvoy)—the Government's pairing Whip—who moved the closure, but my last words

were "extensive powers". As my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) made clear, the Bill contains powers that have been described outside Parliament as draconian.

My hon. Friend the Member for North Shropshire (Mr. Paterson) pointed out that it is our duty to scrutinise legislation to ensure that, if we are conferring draconian powers on officials, we do so with the full understanding that, first, those powers are necessary; and, secondly, there are adequate mechanisms to safeguard them so that they are not abused.

Before I was interrupted on 10 April, I was saying that the powers in the Bill are extensive. Clause 5(4) states:

> An authorised officer may accompany an Agency inspector while he is exercising powers under this section.

That inspector is an official of a foreign agency—not necessarily a UK national—empowered, without a warrant, to enter a private company in the UK. An authorised officer of the Secretary of State "may accompany" the inspector—in other words, he does not need to do so.

The guillotine motion is unnecessary and wrong because the Bill is important and the House has not had an adequate opportunity to discuss it.

6.31 pm

Sir Patrick Cormack: By leave of the House, Mr. Deputy Speaker. It is terribly important that there is a ministerial winding-up to this important debate.

I draw the Minister's attention, yet again, to three matters; at the very least, I ask him to address them. First, will he explain why the Government have imposed a guillotine before Report on one Bill and when there will be no Report on the other, because no amendments have been tabled? If ever there was a case of premature overreaction, this is it. In his opening remarks, the Minister did not begin to address that matter. We have seen a Government reacting in pique, annoyance and petulance because some parliamentarians take their duties seriously. The Minister must deal with that point.

Secondly, the Minister must address the underlying issue—the context of the debate. Apart from the fact that the Government are piqued and petulant, why have they been driven to this expedient? It is because they have overloaded Parliament with legislation. It was noticeable that even the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who has now left the Chamber, spoke of the need to introduce only a few pieces of legislation. Indeed, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and I shared a smile when the hon. Gentleman said that we should have only three or four pieces of legislation, but then argued for a timetable. If there were only a few measures, we should have to consider that argument seriously. The Minister did not begin to address that matter.

Thirdly, I direct the Minister to the most important contribution to the debate. It was not the vastly entertaining speech of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), although it was a splendid parliamentary exercise; nor was it the many pertinent interventions made by my hon. Friend the Member for Buckingham (Mr. Bercow) who made the most extraordinary admission. His maiden speech was itself—to use a famous phrase—a brazen hussy of a speech. However, he now says that he is a parliamentary virgin—good gracious me, I have never heard such a confession.

The most important speech was made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). In 10 minutes, she encapsulated what Parliament should be about. She speaks from many years' experience of the House, and as one of the most distinguished members of the Chairmen's Panel. She pointed out to the Minister that a usurpation of Parliament's democratic position is implicit in such a motion. I want to hear what he has to say about that.

6.35 pm

Mr. Tipping: First, it would be churlish of me not to acknowledge the bouquets and brickbats that have been thrown at me across the Chamber. The debate has been interesting; its importance has become ever more apparent as it progressed.

The motion paves the way for two important Bills that the House will have the opportunity—albeit limited—to discuss later this evening: the Nuclear Safeguards Bill and the Sea Fishing Grants (Charges) Bill. Those who accuse us of considering those Bills unimportant are mistaken.

The significance of the debate has been in relation to process—the way in which we conduct our business. Several hon. Members made important and fundamental speeches—my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) has been mentioned more than once.

The debate has drawn out the wide range of views in the House, including that of those who might be described as the Dick Turpins, the Jesse Jameses or the marauders—those who use parliamentary tactics legitimately to disrupt business. I acknowledge that without apology. My hon. Friend the Member for Bolsover (Mr. Skinner) was prayed in aid. Some time ago, I had to counsel him to stop giving tutorials to the Opposition—they were becoming too effective. Those hon. Members want to maintain the status quo—the right of Back Benchers to fight and to work into the night. I was struck by the comment of my hon. Friend the Member for Crewe and Nantwich that the House has broken more people than it has made.

On the other hand, a group of hon. Members—mainly my hon. Friends—argued that we should modernise and change our procedures. In the middle—as always—were the Liberal Democrats. They argued strongly for modernisation—but not tonight, because they will not support the motions. They argued that we have not got the balance right. I look forward to reading the paper produced by the hon. Member for Hazel Grove (Mr. Stunell).

Mr. Stunell: The Minister implies that the guillotine is a modern invention that is driving forward the procedures of the House. Would he care to use the remainder of his speech to justify that outrageous statement?

Mr. Tipping: I am grateful to have the opportunity of a second go. It has been said that the Liberal Democrats always sit on the fence. Their performance this evening has demonstrated that. They say that, although they do

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not like the way the House works at present, they are not prepared to support the Government on this motion, but that, perhaps, they will give us an answer in the future.

The hon. Member for South Staffordshire (Sir P. Cormack) made an important point about balance. We must get the balance right. He asked me specifically to reflect on the comments made during the debate and to talk to my right hon. Friend the Leader of the House and to other Cabinet colleagues about them. Of course, I will.

We must put into the balance the obvious desire of a small group of hon. Members to use the Chamber, quite legitimately, as a debating society—as a place to test ideas and to push the Government to the wall. I do not object to that—I have never done so. We must also consider those who argue strongly that in order to do some of the things that hon. Members want us to do, we should reform our procedures.

I will closely consider the comments of the hon. Member for South Staffordshire on the programming of Bills. He will remember that that idea sprang from the Jopling report; he will remember that the Conservative party signed up to the report of the Modernisation Committee; and he will remember that the right hon. Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House, has in recent weeks worked hard to make programming work. That is an important and significant way forward.

Mr. Bermingham: Surely the test of whether the Opposition's approach is genuine would be their willingness for the House to sit into August and in September and October. That would create more time for debate.

Mr. Tipping: As always, my hon. Friend leads me on to another important point, and it has been mentioned tonight. I have been struck by the number of hon. Members who have said that there are 659 Members of Parliament. There is no rubric for doing the job correctly. The right hon. Member for Bromley and Chislehurst (Mr. Forth) clearly thinks that his priority is to be in Chamber frequently and religiously to debate the issues. Other hon. Members—I am grateful to my hon. Friend the Member for Crewe and Nantwich for pointing this out—have argued that we do not start at 2.30 pm and work until whatever time at night. Many colleagues spend time on the work of Standing Committees and Select Committees, and other hon. Members believe that it is important to go round the country so that they can talk to people and listen to their views.

Mr. Forth: What?

Mr. Tipping: The right hon. Gentleman's remark typifies the view that we know all the answers. That charge has been laid against the Government, but I remind the House—

It being three hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER *put the question, pursuant to Standing Order No. 83 (Allocation of time to bills).*

The House divided: Ayes 294, Noes 140.

Division No. 201] **[6.42 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*

Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ashdown, Rt Hon Paddy
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John

Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Keith Simpson.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Nuclear Safeguards Bill *[Lords]* and the Sea Fishing Grants (Charges) Bill—

Timetable

1.—(1) Proceedings on Consideration and Third Reading of the Nuclear Safeguards Bill *[Lords]* shall be completed at today's sitting and brought to a conclusion (if not previously concluded) four hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and Third Reading of the Sea Fishing Grants (Charges) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) five hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on either Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on either Bill are taken or to recommit either Bill.

6. No dilatory Motion shall be made in relation to either Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. If at today's sitting—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then,

proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply to either Bill.

Supplemental Orders

9. The proceedings on any motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Orders of the Day

Nuclear Safeguards Bill *[Lords]*

Not amended in the Standing Committee, considered.

New Clause 1

RIGHTS OF SEARCHING PERSONS

'.—(1) Where a police constable has entered premises under authority of a warrant issued under section (*Forcible entry warrant*) above and has reasonable cause to believe that Additional Protocol information is secreted in or on the body of a person or persons on the premises he may conduct a non–intimate body search of the person or persons.

(2) When a constable has formed the belief in subsection (1) he may order the person or persons to remove any outer coat and hat which may be then searched by a police constable of any sex.

(3) A constable of the same sex as the person or persons being searched may conduct a search of the person or persons and their clothing but may not remove any further articles of clothing.

(4) If a constable conducting the body search in subsection (3) above is of the opinion that Additional Protocol information can only be discovered by an intimate body search of the person or persons being searched then he shall inform the person or persons that he is of that opinion, and if the information is not produced voluntarily he may arrest the person or persons and take them to a police station for an intimate body search.

(5) An intimate body search may only be conducted by a qualified medical practitioner at a police station.

(6) Nothing in this section shall give any rights to authorised officers or others to conduct searches of persons or their clothing.'.—*[Mr. Maclean.]*

Brought up, and read the First time.

6.57 pm

Mr. David Maclean (Penrith and The Border): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following: New clause 3—*Forcible entry warrant*—

'.—(1) When an authorised officer is refused entry to the premises stipulated in section 4 above, he may apply to a Justice of the Peace for a forcible entry warrant.

(2) If a Justice of the Peace is satisfied on information given on oath that an authorised officer was refused entry on a duly presented warrant, he may issue a forcible entry warrant authorising a police constable to enter the premises (if necessary by force) at any reasonable hour within one month from the time of the issue of the warrant.

(3) A constable who enters premises under authority of a warrant issued under this section shall take with him an authorised officer or officers and may take with him such other persons and equipment as appear to him to be necessary.

(4) The powers of an authorised officer who enters premises under the authority of a warrant issued under this section include power—

(a) to inspect anything found on the premises;

(b) to require any information which is held in electronic form and is accessible from the premises to be produced in a form in which he can read and copy it; and

(c) to copy, or to seize and remove, any document or other thing which he has reasonable cause to believe is something which contains Additional Protocol information.

(5) A constable who enters premises under the authority of a warrant issued by virtue of this section may—

(a) give assistance to the authorised officer to prevent interference with him carrying out his duties in section 4 above; and

(b) may assist in searching the premises.

(6) A person who—

(a) wilfully obstructs an authorised officer in the exercise of a power conferred by warrant or fails without reasonable excuse to comply with a legitimate request made by an authorised officer; or

(b) obstructs, or fails without reasonable excuse to comply with the instructions of a police constable,

is guilty of an offence.'.

Amendment No. 6, in clause 4, page 3, line 25, after "premises" insert ", person or equipment".

Amendment No. 7, in page 3, line 27, after "premises" insert—

', search the person or access the equipment'.

Amendment No. 25, in page 3, line 27, leave out—

', if necessary by force.'.

Amendment No. 8, in page 3, line 27, leave out "one month" and insert "fourteen days".

Amendment No. 26, in page 3, line 45, leave out—

', if necessary by force.'.

Amendment No. 9, in page 3, line 45, leave out "at any reasonable hour".

Amendment No. 28, in clause 5, page 5, line 6, leave out "An Agency Inspector may," and insert—

'If a justice of the peace is satisfied, on information given on oath, that it is reasonable and necessary in accordance with the Additional Protocol for an Agency inspector to do so, he may issue a warrant authorising an Agency inspector to.'.

Amendment No. 10, in page 5, line 17, at end insert—

'(2A) . The Agency's powers of access under subsection (2) shall be exercised only in the presence of a constable.'.

Amendment No. 12, in page 5, line 27, leave out "may" and insert "must".

Amendment No. 30, in page 5, line 28, at end insert—

'(4A) No Agency inspector shall, by virtue of this section, search the clothing or the body of a person or persons.'.

Amendment No. 31, in page 5, line 29, leave out subsection (5) and insert—

'(5) Where an Agency inspector is refused entry at any location falling within subsection (1) above he may apply to a justice of the peace for a forcible entry warrant authorising a police constable to enter the premises (if necessary by force) at any reasonable hour within one month from the time of the issue of the warrant.'.

Amendment No. 29, in page 5, line 29, leave out subsection (5).

Amendment No. 27, in page 5, line 32, leave out from "section" to end of line 33.

Amendment No. 13, in page 5, line 38, leave out "conclusive".

Amendment No. 33, in page 5, line 47, at end insert—

'(7A) For the purposes of subsection (7) above, it shall be a defence if the actions of any Agency inspector, in entering or searching premises or persons, infringe the European Convention of Human Rights.'.

Mr. Maclean: It may make more sense if I speak first to new clause 3 and then to new clause 1. I do not propose to say much about my amendments, as they are generally consequential upon my new clauses.

[Mr. Maclean]

If I may say so, the two new clauses are quite reasonable attempts to improve the Bill: clearly you, Mr. Deputy Speaker, and Madam Speaker and your advisers concluded that they are in order and selected them for debate. They attempt to deal with an aspect of the Bill that caused great concern in the other place and some concern here on a brief Second Reading. No doubt, the matter might have caused concern in the Committee considering the Bill and, had I been fortunate enough to serve on it, I could have advanced my arguments then instead of waiting for Report.

I appreciate that, with the best will in the world, it is not possible for my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) or me to serve on all the Committees considering Bills in which we have an interest. Therefore, we must use Report stage as a legitimate means to advance arguments that, ideally, we could have advanced in Committee had we had the opportunity. However, we must make such arguments on the Floor of the House to, perhaps, a more receptive and less specialised audience.

To understand new clause 3, it should be set in the context of the Bill. The best starting point for that is not clause 1, but clause 4. Clauses 1, 2 and 3 may be relevant, but only tangentially so. I can get straight into the guts of my new clauses, without spending too much time, if I refer the House to clause 4.

Under clause 4, a justice of the peace can—if he is satisfied, on information given on oath, that the Secretary of State does not have all the information that he might want under clause 2, and that there is some document, thing or other information that a person has refused to give to the Secretary of State—issue a warrant to an authorised officer to allow him to enter the premises of the person who is believed to have that additional protocol information. The authorised officer can enter the premises, if necessary by force—mark those magic words—at any reasonable hour within one month from the time of the issue of the warrant and search them.

That is the first part of clause 4: a justice of the peace gives an authorised officer the power to enter premises, if necessary by force, at any reasonable hour, and to search them.

Subsection (2) again gives an authorised officer the power to enter premises, if necessary by force, again at any reasonable hour within one month, in order to search for a different class of information.

Other parts of clause 4 are necessary to understand my new clause 3. Subsection (5) goes on to state that the authorised officer, who has just got his warrant on oath from the justice of the peace, and has the power to enter premises, if necessary by force, can take with him any other persons and equipment as appear to him to be necessary.

The authorised officer can inspect anything found on the premises. He can require any information that is held in electronic form and is accessible from the premises to be produced in a form in which he can read and copy it. There will be an interesting interface with the Regulation of Investigatory Powers Bill in that regard, but I have not tabled amendments on the matter. In addition, the authorised officer can copy, seize and remove any document or other thing if he considers that it contains or is relevant to additional protocol information. Those are the powers of the authorised officer who enters premises.

Mr. Eric Forth (Bromley and Chislehurst): I am grateful to my right hon. Friend. In his remarks, which of course will be curtailed by the viciousness of the guillotine, which will disallow proper debate, I hope that my right hon. Friend will comment, at least in passing, on my amendment No. 9, which proposes leaving out "at any reasonable hour", and on my amendment No. 10, in which, importantly, I seek to allow the agency's powers of access to be exercised only in the presence of a constable. I draw my right hon. Friend's attention to those amendments, which are important and germane, and which were selected, on the off chance that I may not have an opportunity to speak to them.

Mr. Maclean: My right hon. Friend is right to draw my attention to those important amendments. I have to make a decision. There are 32 new clauses and amendments in this group. If we decided to give ourselves just 15 minutes for Third Reading of this important Bill—the last Minister at the Dispatch Box, the Parliamentary Secretary, Privy Council Office, said that it was an important Bill—we would have less than one minute per amendment. We cannot go down that avenue of debate again, but that is the difficulty that I face: less than one minute per amendment to try to explain a complex subject.

Mr. Edward Leigh (Gainsborough): I made the point at an early stage of the proceedings, but what my right hon. Friend said underlines it. We once fought a civil war because the Government, for the collection of ship money, were prepared to break into people's homes. We now have one minute per amendment to discuss an important matter. That is outrageous.

Mr. Deputy Speaker: Order. The hon. Gentleman need not concern himself about that. It is not the matter before us.

Mr. Maclean: There is a part of the clause which gives the authorised officer the right to break into people's homes, not for ship money but for additional protocol information. *[Interruption.]* Ship money—I said it very carefully.

The Bill, as drafted, gives the authorised officer the power to

> take with him such other persons,

but we have no information from the Minister about who those persons may be. They may be assistants. I assume that some of them may be technologists, and some may be computer boffins to decode the encrypted messages on the computer. Others may be nuclear installation-type experts.

The authorised officer is also allowed to take such equipment as appears to him necessary. I could understand taking equipment if there was reason to believe that, in addition to nuclear information, there was some fissile material or radioactive material on the premises. Perhaps the equipment refers simply to cameras to photograph information, or additional computers to type up reports as the search proceeds. We do not have that information, and we need to be told.

The Bill rightly allows the authorised officer to inspect anything found on the premises, once he has got in there, and rightly he has the powers to order that stuff on the computer be turned into an accessible form. No doubt a penalty is available if someone refuses to decrypt the information.

The next subsection particularly concerns me, and that is where my new clause becomes relevant. I have tried to redraft subsection (6), bearing in mind that our authorised officer has gone to the court, to the JP, through all that palaver, which he does not find too a big a hassle, and he has his warrant on oath, giving him the power to search premises. He can take with him a constable, who may enter the premises under the authority of a warrant.

The constable may—I note the permissive word "may"—

> give such assistance as an authorised officer may request for the purpose of facilitating the exercise of any power under this section;

furthermore, the constable may

> search or cause to be searched any person on the premises who the constable has reasonable cause to believe may have in his possession any document or other thing—

that is, additional protocol information.

Subsection (7) goes on to state:

> No constable shall, by virtue of subsection (6)(b)—

which I have just quoted—

> search a person of the opposite sex.

Concern was expressed during the brief Second Reading debate which the Government graciously allowed us to hold in the House for a few hours one night, before ruthlessly closing down the Bill. There was a brief debate on the dangers and the problems that would arise when a constable had to conduct a body search, a strip search or an intimate search of a person of the opposite sex.

My new clause attempts to deal with that problem, give the Bill coherence and put it in the framework of existing PACE—Police and Criminal Evidence Act 1984—rules. It is a pity that the much more detailed new schedule tabled by my right hon. Friend the Member for Bromley and Chislehurst, on strip searching and intimate body searching, was not selected. He could no doubt expatiate at length on the technicalities, but that is not a route that we shall go down tonight.

Mr. John Bercow (Buckingham): Will my right hon. Friend allow me?

Mr. Maclean: Yes, provided that the intervention is not on my right hon. Friend's intimate searching schedule.

Mr. Bercow: It is not. I applaud the purport of my right hon. Friend's new clause 1, but would not the reference in subsection (2) to

> a police constable of any sex

be better replaced by a reference to a police constable of either sex?

Mr. Maclean: Ah! My hon. Friend may be working under the assumption that that is a grammatical or typographical error. In a new spirit which emanates from the Home Office and encompasses the police service, I am trying not to cause offence to any officer. These days we might have a male officer or a female officer, and it is just possible that there may be a police officer of any sex.

Mr. Bercow: Indeterminate sex.

Mr. Maclean: Indeed. I would not wish to be accused of being institutionally gender prejudiced, or whatever the derogatory term may be.

Dr. Julian Lewis (New Forest, East): Androgynyphobic.

Mr. Maclean: That was a helpful intervention from a sedentary position—we shall have the benefit of reading it in *Hansard* with the correct spelling tomorrow.

I have explained the context of the amendments. Hon. Members and those who follow our debate carefully can now appreciate the purpose of new clauses 1 and 3 and my attempt to give greater coherence to the Bill. The new clauses also deal with the problem of the ability of officers of either, any or indeterminate sex—or even both, which I once came across in forensic medicine—to search people of a similar nature, or who are similarly equipped or attired.

In new clause 3, I work from the assumption that the Government believe that it is acceptable for an authorised officer to go through the palaver of applying to a justice of the peace to get a warrant to enter premises. One could have a debate—the other place held one—on clause 5, which grants foreign agency inspectors the right to march into premises without a warrant. However, we are debating not clause 5 but clause 4, which deals with a British official, the "authorised officer". He has to surmount the hurdle of obtaining a warrant from a JP to enter premises.

If the Government are willing to make an authorised officer jump over the hurdle of getting a warrant from a JP, I propose another small hurdle or sub-hurdle. If the authorised officer meets resistance, he should obtain a second warrant, which new clause 3 describes as the "forcible entry warrant". In most cases when an authorised officer enters the premises, he will not meet resistance. If he arrives at "any reasonable hour"—I hope we shall have time to debate the amendments that my right hon. Friend the Member for Bromley and Chislehurst tabled on that—"within one month", I assume that the people on the premises will open their doors and voluntarily allow the authorised person to enter.

Let us suppose that the authorised person meets resistance and that the people on the premises deny him entry. The Bill provides for the authorised officer to use force, if necessary. How can he do that? Can he do it himself? That is a grey area. We all assume that the constable will exercise the force. However, the constable may not be empowered; the officer may not have brought the constable with him. The Bill does not state that in all circumstances in which an authorised officer is given the right of entry, he has to take a police officer with him.

Perhaps the authorised officer will take a constable with him in unusual circumstances; perhaps he will take a bobby with him as a matter of course when he has obtained a warrant, to deal with possible resistance. However, the Bill does not provide for that. Even when a constable accompanies the authorised officer—if he is

[Mr. Maclean]

asked to do that—the constable has the discretion to refuse to use his powers if he does not wish to do so. The constable "may" assist, if necessary.

New clause 3 tries to clarify and change the position. When the authorised officer knocks on the door, and people refuse to answer, the new clause provides for him to return immediately to the court and obtain a forcible entry warrant. That empowers the constable to use the necessary force to gain entry. Is not that a better system? Is not that more in keeping with our British view of justice and forcible entry into premises? If a police constable—not an authorised officer from the Department of the Environment, Transport and the Regions or the Nuclear Safeguards Authority or an agency—knocks on the door, he can say, "It's not an inspector this time, chummy. It's me and the police service. Here's a warrant for forcible entry." If he is refused, the officer can then use force.

7.15 pm

Mr. Paul Keetch (Hereford): I am trying to understand the right hon. Gentleman's point. How would he secure the premises between the time when the first hurdle had been attempted and the police officer took the second hurdle? How would the right hon. Gentleman ensure that any material that warranted the inspection was not removed from the premises in the meantime?

Mr. Maclean: The authorised officer would encounter that problem when he got his first warrant. He must get a warrant to enter the premises. I assume that people who have nuclear material or information are so clever and dangerous that, if they wished to thwart the entry of an authorised officer, they would do it from stage one. Perhaps the material will be encrypted, and the officers will not get their hands on it. The fact that the authorised officer has to fetch a police officer and return with a warrant a couple of hours later is not fatal to the successful raiding of the premises. The people who will try to frustrate the measure know that an authorised officer will try to raid their premises.

Mr. Keetch: Does the right hon. Gentleman presume that a company in, for example, Penrith or Hereford, will have been told about the initial warrant?

Mr. Maclean: I work on the assumption that even if the company has not been told, it will know about it. The Bill does not provide that when an authorised officer applies for a warrant on oath, the people whose premises he wishes to enter must be informed. I did not spot that in the measure. Such a provision may be built into the Bill. If not, the court will grant a warrant to the authorised officers without informing the people whose premises will be inspected. We are not considering petty crooks who will be taken by surprise by a sudden police raid and found with the incriminating stuff on them.

The premises that are to be raided will belong to those who are involved in the nuclear industry and have some information that is regarded as additional protocol information. If they do not expect a visit from the authorised officers when the Bill is passed, they will be poor at their jobs, or at least their criminality.

The Parliamentary Under-Secretary of State for Trade and Industry (Dr. Kim Howells): The right hon. Gentleman makes an important point. He makes an analogy with what he describes as petty criminals. He knows that the powers we are considering are last resort measures. They would be used only in circumstances of, for example, suspicion that someone was selling nuclear material to a country such as Iraq. Does he believe that it is less urgent to obtain forcible entry when all other approaches have been refused than when, for example, the police carry out a drugs raid? The illicit sale of nuclear material is at least as important.

Mr. Maclean: Of course it is. However, why does not the Minister redraft the Bill to place the powers of forcible entry clearly in the hands of the constable and of the police service rather than the authorised officer? The Bill provides simply that the constable may assist if necessary. The Minister grants the powers to break into people's property to an authorised officer. Without straying from the path and considering clause 5 in detail, if the Minister is so proud of the provisions whereby an authorised officer applies to a justice of the peace, I hope that he will extend that to clause 5 and make the agency inspector approach a JP. Agency inspectors can enter any premises anywhere without a warrant from a JP.

Mr. Bercow: Forcible entry is important, but so too is the activity that might follow. Does my right hon. Friend seriously propose in new clause 3(4)(c) that individuals who are subject to a search should automatically be deprived permanently of their property, or does he concede that they should have the opportunity under new clause 3 to make representations about having the property returned to them?

Mr. Maclean: My hon. Friend makes another good point; I am dealing with new clause 3 subsection by subsection, but can jump ahead a couple to deal with it. I tried to replicate in new clause 3(4) the main provisions that the Government have included in clauses 4 and 5. I did not want to build in any other concepts which they might say were different from what they want to achieve and therefore unacceptable. The wording that I use in subsection (4)(a), (b) and (c) is identical, or almost identical, to that used by the Government.

I accept the difficulty that the officer could severely disadvantage a business were he wrongly

> to copy, or to seize and remove, any document or other thing which he has reasonable cause to believe is something which contains Additional Protocol information.

Taking the whole computer to de-encrypt or decode it, to search the hard drive or to take it to bits, and taking other equipment such as machinery or documents could seriously affect the financial ability of the business and there would be no redress. We could explore such matters if we had more time.

Mr. Richard Page (South-West Hertfordshire): I am slightly curious, as my right hon. Friend seems to have formed an alliance with the Minister. New clause 3 refers to gaining entry at reasonable hours. Given that the Minister said that illegal fissionable material might be held in a premises, surely breaking in only in authorised or legitimate hours is unduly generous. My right hon. Friend the Member for Bromley and Chislehurst

(Mr. Forth) tackles that point sensibly in amendment No. 9. I should find it hard to support new clause 3 unless my right hon. Friend explains the fundamental weakness that it contains.

Mr. Maclean: My hon. Friend makes a reasonable point. If I had an opportunity, I would advise the House to vote for my new clause, as it would be amended by the amendment tabled by my right hon. Friend the Member for Bromley and Chislehurst. I am not the complete parliamentary draftsman's department, nor is my right hon. Friend; he was no doubt looking at the Bill's flaws and tabling amendments that he thought would improve it. I saw what I considered to be the major flaw in clauses 4 and 5, and new clauses 1 and 3 are attempts to redraft those clauses to introduce the concept of the forcible entry warrant and to clarify the rights of searching persons.

The easiest way to draft new clause 3 was to replicate some of the provisions that the Government have included in clause 4, even though I dislike some of them, and include the term "at any reasonable hour". I assumed that there would be a separate debate and that a change could be made in due course.

Mr. Forth: I hope that my right hon. Friend will not skip lightly over new clause 3(4)(b). My hon. Friend the Member for Buckingham (Mr. Bercow) seduced him into referring to subsection (4)(c). Will my right hon. Friend, who is a famous e-person, explain to me how anyone will know that information is held electronically, how it will be accessible from the premises and how it will be produced in a form that can be read and copied? I know nothing about e-things and care less, and I am at a loss to understand how the constable making a forcible entry will know what—

Mr. Deputy Speaker: Order. That intervention is too long.

Mr. Maclean: I have picked up the general thrust of my right hon. Friend's intervention. Again, he makes a valid point, with which we wrestled for a considerable time in Committee during proceedings on the Regulation of Investigatory Powers Bill. There is no doubt that if a person holds all that information in encrypted form, but refuses to produce the key, the Home Secretary can serve another warrant. Alternatively, inspectors and other officials may have the power to order that the encryption key be handed over, in which case, if the person complies, the authorised officer can use the encryption key, decode the computer and retrieve all the information that it contains, which may or may not be relevant. If the person refuses to hand over the encryption key, there is a maximum two-year sentence.

A difficulty may arise if the person with the computer says that he will hand over the information, but then issues the officers with what he claims to be all the information on his computer. However, other stuff may be hidden on a separate drive. I would not wish to stray, Mr. Deputy Speaker, but I have owned a laptop computer for two years. I became rather vexed two weeks ago as, although it is supposed to have a 1.2 gigabyte drive, it was chock-a-block. I could not figure out what was wrong until I suddenly discovered that it had two other drives—a C drive and a D drive—as well as an E drive for compact discs. The computer that I had used assiduously for two years and on which I had produced information in electronic form had two other drives.

Mr. Deputy Speaker: Order. I remind the right hon. Gentleman that the debate is time limited and other Members wish to speak. We cannot go into his computer problems.

Mr. Maclean: Like you, Mr. Deputy Speaker, I am vexed that the debate is time limited.

Mr. Deputy Speaker: Order. I am not vexed; I have no problem one way or the other.

Mr. Maclean: I, too, will try to relax and remain in order.

Mr. Bercow *rose—*

Mr. Keetch *rose—*

Mr. Maclean: I shall give way in a moment.

I did not intend to discuss my computer. However, I included subsection (4)(b) in new clause 3 because information can be hidden in electronic form, just as it was hidden on my ruddy computer. No doubt the constable and the authorised officers will have greater scientific and computer knowledge, so they will be able to extract all the relevant e-information.

Mr. Keetch: Now that we have discovered that, in the right hon. Gentleman's opinion, new clause 3 is worthy of debate only in relation to amendments tabled by the right hon. Member for Bromley and Chislehurst (Mr. Forth) and given that those amendments will not come before the House, does he still advise us to support it?

Mr. Maclean: I do not want to mislead the hon. Gentleman. I did not want to suggest that new clause 3 is worth debating or supporting only if amendment No. 9, which was tabled by right hon. Friend the Member for Bromley and Chislehurst, is accepted.

Mr. Forth: On a point of order, Mr. Deputy Speaker. The hon. Member for Hereford (Mr. Keetch) has made a helpful intervention. Will it be possible for the House to divide twice at the end of the debate—first, on new clause 3 and, secondly, on amendment No. 9—given that my right hon. Friend says that new clause 3 could be amended?

Mr. Deputy Speaker: That is possible, but it depends on when the Division takes place.

Mr. Maclean: That is helpful guidance and during the next few minutes I shall consider the best route to take.

New clause 3 has considerable merit as it stands. Admittedly, my hon. Friends might not like aspects of subsection (4), but nevertheless the House should support the concept of the forcible entry warrant.

Mr. Bercow: My right hon. Friend defends new clause 3 on the ground that, although imperfect, it represents a

[Mr. Bercow]

substantial improvement to the Bill. Is he satisfied that new clause 3 conforms to the European convention on human rights, which we could not possibly consider breaching given our attacks on the Government on that point?

Mr. Maclean: I do not have access to the Attorney-General or others who may wish to consult great European organs such as the European Court of Human Rights to determine whether the Bill satisfies the convention, but as the Government say that clause 4 will satisfy it, I am certain that new clause 3 has an even better chance of doing so because it includes an additional safeguard to defend the freedom of the individual from having his premises forcibly entered by an authorised officer.

7.30 pm

I have included another important concept in new clause 3. It would ensure that a police constable who enters a premises could do only what he considers to be absolutely lawful and essential to help the authorised officer. At present, the Bill provides for a constable to

give such assistance as an authorised officer may request.

What if the authorised officer requests illegal assistance? What if the authorised officer says to the police constable, "Arrest that person", or gives the police constable an order, and the constable concludes that he has no authority under United Kingdom law to do what he is being told to do? In that event, the authority would consist of the fact that an authorised officer had asked the constable to commit an illegal act.

Let me give another hypothetical example. Let us suppose that the authorised officer says, "Take that person's fingerprints", or tells the constable to make an immediate search or take a sample without reading the person concerned his rights. I assume that in such circumstances the constable would say, "I am sorry, but I will not do that. Under British law I cannot take a sample. I cannot give you that help; I cannot arrest that person, who has not committed a crime known to man." The constable's only defence—the only basis for his right to do that—would be the fact that he was obeying the orders of the authorised officer.

That would put the police constable in an invidious position. It would force him to say to an authorised officer, "I am sorry, but I am disobeying you. I will not do what you say, because in my opinion what you are asking me to do is contrary to the rules of the Police and Criminal Evidence Act 1984, contrary to Standing Orders and contrary to the law of the land. But for the fact that you have the right to order me to do it, I would not do it, because it is illegal."

My revised version of the wording in new clause 3 says:

A constable who enters premises under authority of a warrant . . . may . . . give assistance to the authorised officer to prevent interference with him carrying out his duties . . . and . . . may assist in searching the premises.

I am restricting the rights of the constable to merely giving assistance to prevent the authorised officer from being interfered with or obstructed.

Mr. Bercow: That is defensive.

Mr. Maclean: Yes, it is a defensive provision, and it is a much narrower provision than that allowing the constable to

give such assistance as an authorised officer may request.

That, I think, leaves the position far too wide open. It gives carte blanche.

New clause 1 states:

Where a police constable has entered premises under authority of a warrant

the new forcible entry warrant that I have just described—

and has reasonable cause to believe that Additional Protocol information is secreted in or on the body of a person or persons on the premises he may conduct a non-intimate body search of the person or persons.

That surely makes the position much clearer than the skimpy lines in the Bill telling us that a constable may

search or cause to be searched any person on the premises who the constable has reasonable cause to believe may have . . . any document or other thing

and that

No constable shall . . . search a person of the opposite sex.

My new clause places the onus on the constable to conclude that there is

Additional Protocol information . . . in or on the body of the person or persons

before conducting a non-intimate body search.

Subsection (2) of the new clause describes that search. It states:

When a constable has formed the belief in subsection (1)

the belief that I have just described—

he may order the person or persons to remove any outer coat and hat which may be then searched by a police constable of any sex.

The non-intimate body search would be restricted to ordering a person to remove outer clothing such as a hat or coat. That would be followed by the normal "pat-down" body search.

Mr. Forth: Notwithstanding my right hon. Friend's enormous experience of these matters, how does he expect an effective search to be made if the hat and coat are removed, but footwear is left intact? I should have thought that things could be hidden in shoes.

Mr. Maclean: That is perfectly possible, but I refer my right hon. Friend to subsection (4). As one who has, in a past life, conducted body searches at airports and other premises, I do have considerable experience of these matters, and I am happy to advise the Government, free and gratis. Subsection (4) states:

If a constable conducting the body search in subsection (3) above is of the opinion that Additional Protocol information can only be discovered by an intimate body search of the person or persons being searched then he shall inform the person or persons that he is of that opinion.

If the person concerned does not then produce the information voluntarily—from that person's body, from the footwear, or from any other article of clothing closer to the person's body than an outer coat or hat—the person can be arrested and taken to a police station for an intimate body search.

Mr. Forth: Ah!

Mr. Maclean: The intimate body search, which, under my new clause, would be conducted by a qualified

medical practitioner, would encompass body orifices. The police do not normally consider the mouth to be intimate nowadays, but all other parts of the body could be searched by a qualified medical practitioner at a police station. In the course of that, clothing would be removed and could be searched, and anything secreted in boots or socks would also be discovered.

I consider it an important protection for members of the public for the right to conduct strip-down or intimate body searches to be given to authorised officers or police constables who would turn up and conduct searches at the scene. I think it right to clarify this area of the law. I invite the Minister to consider the—I must confess—much better proposals tabled by my right hon. Friend the Member for Bromley and Chislehurst, which set out in intimate detail, indeed excruciating detail, how to conduct proper body searches.

Dr. Howells: As an expert on laptops and CDs, the right hon. Gentleman will know that any such information would almost certainly be contained on floppy disks or CDs. Can he tell us in which orifice he thinks they would be secreted?

Mr. Maclean: I can certainly think of Labour Members who could hold a CD in their mouths without too much difficulty. *[Laughter.]* The Minister must admit that he set that one up.

Mr. Bercow: Some of us are less concerned about the intimacy of the body search than about the sex of the person undertaking it. I am thinking of subsection (5) of new clause 1. Would my right hon. Friend grant the person to be searched the right to specify that the medical practitioner should not be of the same sex as him or her?

Mr. Maclean: My hon. Friend makes a valid point. I pointed out that we should make allowance on the off chance for the existence of a police constable of "any sex", or indeterminate sex, or none. Similarly, I accept that there can be some pretty odd doctors about. That should produce a few more letters in the postbag.

Mr. Leigh: There has been some merriment at this point, but time is running out. I hope my right hon. Friend will make the serious point that, if the new clauses and amendments are not passed, for almost the first time in our history a civil servant will be able, without the express authority of the court, to break into someone's home. That is not a laughing matter; it is a very serious matter, and the new clauses and amendments are very important.

Mr. Maclean: My hon. Friend is right.

I dealt first with new clause 3, which contains important powers relating to the forcible entry warrant, because I thought it helpful to deal with it before coming to the searching of persons. That seemed a logical step. Inevitably, when the House starts discussing the searching of people and bodies, some see cause for merriment. There has been legitimate scope for that on every Committee on which I have served when Ministers have tabled clauses of this nature. Let us face it: it will be a poor day when the House takes itself too seriously about everything.

There may be legitimate scope for merriment in new clause 1, if we do not get it right. Nevertheless, the underlying thrust of the new clauses is an attempt to tighten parts of the Bill that I think can be tightened without the Government's being caused any difficulty.

If Madam Speaker had selected amendments to clause 5 to make an agency inspector get a warrant, the Government would rightly say, "Can't do that. It's totally contrary to what we've agreed. We've signed an international agreement. You're asking us to change something that we've signed up to as a Government. Can't be done." We are not asking the Government to do that. They are happy for an authorised officer to go to a justice of the peace to obtain a warrant under clause 4. They are happy that, in slightly grey and indeterminate circumstances, a police constable may accompany that officer. We are not sure what would happen if the police superintendent running the basic command unit refused and said, "I've more to do with my bobbies than to send them with your inspectors to raid premises looking for nuclear material." He may refuse, or he may decide that it is important and allocate officers, go himself or send an inspector. Joint police co-operation is a grey area and needs to be clarified.

In new clause 1, I have tried to clarify searching, which is also a grey area. The Government's clause on searching is so narrow as to be meaningless. Searching people of the opposite sex is a grey area. I think that I know where the Government are coming from. I know what powers they want to build into the legislation. I suggest that my new clause 1 is an improvement.

My right hon. Friend the Member for Bromley and Chislehurst will want to argue passionately for his amendment to miss out "any reasonable hour". I would not resist that amendment, and would happily vote for it.

It being four hours after the commencement of proceedings on the motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question necessary for the disposal of proceedings to be concluded at that hour.*

Motion made, and Question put, That the Bill be now read the Third time.—*[Mr. Pope.]*

The House divided: Ayes 310, Noes 2.

Division No. 202] **[7.42 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard

Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Eliman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Neill, Martin
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Don Touhig.

NOES

Paterson, Owen
Wilkinson, John

Tellers for the Noes:
Mr. Eric Forth and
Mr. Edward Leigh.

Question accordingly agreed to.

Bill read the Third time, and passed, without amendment.

Sea Fishing Grants (Charges) Bill

Not amended in the Standing Committee, considered.
Order for Third Reading read.

7.54 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I beg to move, That the Bill be now read the Third time.

The Bill is short and straightforward. It is a very narrow Bill, but it has a complex legal background. Its purpose is to ensure the validity of charges that were levied by the Sea Fish Industry Authority between 1 October 1981 and 3 May 1996 in connection with its administration of grant schemes under the Fisheries Act 1981. It also applies to the validity of charges that were made by the authority's predecessor, the Herring Industry Board, between March 1972 and October 1981.

The charges covered the costs incurred by the bodies' surveyors in inspecting a vessel at the application stage to check on what work was needed, including examination of technical specifications and plans and inspection on completion of work, so that the surveyor could satisfy himself that the work had been carried out properly. Those charges were ended in 1996.

A couple of points were raised in Committee that I should mention. I was pressed to publish the legal advice that the Government had received—or a précis of it—which led the Government to introduce the Bill. I tried to be as open with the Committee as I possibly could be. A note on the legal background to the Bill was sent to all Committee members and placed in the Library of the House. That gives a full explanation of the legal reasoning, even though it is not quite the legal advice, because of the precedent that Governments have always followed. I shall not go into the details of that legal advice as I did so in Committee.

There was concern that no reference was made in the Sea Fish Industry Authority's accounts to the liability to repay charges. The authority's auditors were aware of the potential liability and made inquiries in 1996 as to how that should be addressed in the accounts. They were advised by the Ministry of Agriculture, Fisheries and Food that it would not be appropriate to make any reference while issues about legality were still being examined and no decision had been taken on whether validating legislation should be introduced. It was also unclear as to who—Ministers or the SFIA—would have responsibility for any liability arising should it be concluded that the charges were more likely than not to have been unlawfully levied.

The auditors raised the point again the following year. The authority sought a letter of comfort from the Ministry saying that, if it was concluded that there should be a refund of technical charges, responsibility for payment would rest with the Ministry. It was explained that that would not be appropriate because such a letter would require specific Treasury and parliamentary approval, and because the legal issues were still under review.

Once the decision had been taken that the Government should seek to legislate to validate the charges retrospectively as soon as parliamentary time allowed, the likelihood of any contingent liability having to be met was largely removed. Therefore, it was not seen as appropriate to mention it in the accounts.

I stress a number of points that were made earlier in considering the Bill. It is not a vehicle for introducing financial assistance to the fisheries industry; the Government are making a bid for that under structural funds.

Mr. Eric Forth (Bromley and Chislehurst): Is the Minister saying that the authority was advised that, on the assumption that the legislation that we are discussing would pass through all its stages in Parliament and receive Royal Assent, it was inappropriate to mention those items in the accounts? That seems a little previous, to put it mildly. Is there not, then, a danger of a gap between the giving of that advice and possible Royal Assent to the Bill?

Mr. Morley: No, the advice was not based on the assumption that the right hon. Gentleman mentions. A decision had to be made in relation to liability and how it was to be dealt with. The legal advice was that the most appropriate way of dealing with it was through such a Bill being put to Parliament.

As soon as lawyers concluded that, in all probability, the technical charge did not have a statutory basis, the SFIA was told to put a stop to it. The Ministry wrote to the SFIA on 3 May 1996 confirming the instruction given over the phone that day to cease levying the charge immediately. At that time, it was, of course, already well aware of the existence of concerns.

It was subsequently decided that the charge should not be reintroduced as the nature of the grant scheme had changed and much less technical work was involved in processing applications. The Bill does not, therefore, authorise the making of any future charges and is limited to charges levied up to 3 May 1996.

The charge concerned was a reasonable one in relation to the work that was carried out. It has never been challenged by anyone and no complaints about the charge have ever been received. I thank all the members of the Committee for dealing with what is a narrow and technical measure so speedily. I especially thank the hon. Member for Portsmouth, South (Mr. Hancock) for his able chairmanship of the Committee.

7.59 pm

Mr. Andrew George (St. Ives): I think that the House and those who follow the interests of the fishing industry will be disappointed that, as the Minister said, the Bill will not and should not be a vehicle to debate the necessary reintroduction of fishing safety grants.

Mr. John Bercow (Buckingham): On a point of order, Mr. Deputy Speaker. I seek your guidance. A few moments ago, in his opening speech, the Minister said that a note on the legal advice that the Government had received on the Bill had been provided to Committee members and that a copy of it had been deposited in the Library. Are you aware, Mr. Deputy Speaker, that the Library is unable to locate the said note? Should we not be provided with it as a matter of urgency and before the debate continues?

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I certainly shall not suspend the sitting. Those are not matters for the occupant of the Chair.

Mr. Edward Leigh (Gainsborough) *rose—*

Mr. Forth: Further to that point of order, Mr. Deputy Speaker. The Minister himself raised as a matter material

[Mr. Forth]

to this debate on Third Reading that the legal advice was available to hon. Members in the Library. My hon. Friend the Member for Buckingham (Mr. Bercow) has just checked with the Library, but the advice is not available. Therefore, progress of the—

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Gentleman, but he is talking about a ministerial responsibility. It is nothing to do with the occupant of the Chair.

Mr. Leigh: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I have made that ruling, and I hope that the hon. Gentleman will not pursue the matter.

Mr. Leigh: May I just ask a question, Mr. Deputy Speaker? Of course—

Mr. Deputy Speaker: Order. There are no more questions to be asked on the matter. I shall take points of order, but not questions. I do not think that we should pursue the matter, which is for the Minister deal with.

Mr. George: As I was saying, the House will be disappointed that the Bill was not regarded as an opportunity for debate of the matter and as a vehicle for the reintroduction of fishing safety grants.

Mr. Bercow: Will the hon. Gentleman give way?

Mr. George: I shall finish my point, if the hon. Gentleman does not mind.

The matters are deeply important to the industry, and the sooner they are attended to, the better. I am sure that the Minister will accept that.

Mr. Leigh: Because of timetabling, we have only 40 minutes to discuss the Bill. The Minister is in the Chamber. He could intervene now and say that he will ensure that that legal advice is provided to the House before we finish the debate. *[Interruption.]* Will the hon. Gentleman, in his speech, try to convince the Minister to provide the legal advice to us now? The Minister said that it is in the Library, but it is not.

Mr. George: I am grateful to the hon. Gentleman for that intervention. As I was a member of the Committee considering this very important matter, I was a beneficiary of the legal advice, for which I am grateful to the Minister.

Mr. Morley: I may be able to clarify the matter. However, I should first correct hon. Members who are talking about legal advice—I was talking about a précis of the legal advice. The convention is that Governments do not reveal the legal advice that they receive. My information is that the précis was placed in the Library, and I am, at this moment, making inquiries about the situation.

Mr. George: I am grateful to the Minister for that clarification. I mentioned legal advice—whereas, in Committee, I asked him for a précis of it. I am grateful to him for circulating it to Committee members, as he promised to do; it was much appreciated. *[Interruption.]*

Mr. Bercow: It may come as a shock to the hon. Member for Stroud (Mr. Drew), but some right. hon. and hon. Members think that it is incumbent upon them properly to scrutinise Government legislation. He had better get used to it, because there is much more scrutiny coming.

Does the hon. Member for St. Ives (Mr. George) agree that it would be helpful if the Minister would tell the House when he believes that that summary note was deposited in the Library? The admirable and efficient Library staff looked askance at my request for it and were not conscious of the existence in the Library of such a document.

Mr. George: That was not an intervention for me. However, I certainly appreciate the fact that, as the Minister promised, he provided to Committee members a précis of the legal advice, which I should be happy to share with other hon. Members. I am sure that the Minister would not wish to restrict me in doing that.

In our previous consideration of the Bill, on Second Reading and in Committee, I contacted industry representatives both within my constituency and from the National Federation of Fishermen's Organisations to check whether they felt very strongly that hon. Members should table amendments on the matter or that the House should be detained in considering it, to make certain that important legislation is properly scrutinised. I think that I can report to the House that the general feeling in the industry is that the Bill should be passed without unnecessary delay, as it is not causing vexation within the industry.

In his speech, the Minister made a point about the Sea Fish Industry Authority not mentioning the problem in its annual report. In Committee, he said:

> However, it was not thought appropriate to make any reference to it, as no decision had been made at that time about how to deal with the issue.—[*Official Report, Standing Committee G*, 14 March 2000; c. 16.]

Similarly, in a promised reply on the matter to my hon. Friend the Member for Somerton and Frome (Mr. Heath), the Minister wrote:

> This view would be consistent with "Statement of Standard Accounting Practice 18" and its successor "Financial Reporting Standard 12" which provide that in those cases where the probability of the ultimate outcome having a material effect on the financial statements (ie those of SFIA in this case) is remote, no disclosure of the contingent liability is required in the accounts.

I think that anyone considering the matter, which involves a £7 million liability, would agree that it is a matter of public interest, and that those very guidance documents themselves have to be reviewed. It is a matter of public concern. I think that most people are surprised that the SFIA—no doubt after negotiating with Ministry of Agriculture, Fisheries and Food officials—did not feel that it was appropriate to refer to the matter in its 1996 annual report.

Mr. David Heath (Somerton and Frome): I entirely agree with my hon. Friend that, although it was very helpful to receive the Minister's letter, the response—that it was considered to be "too remote a possibility" to

warrant inclusion in the annual report and accounts—was quite extraordinary. If the possibility really were so remote, is it not rather surprising that we are debating legislation to deal with it? I think that the charges should have been in the annual report and accounts, and I am very surprised that the advice to Ministers was otherwise.

Mr. George: I am grateful to my hon. Friend for endorsing the line that I am taking. Perhaps Ministers and officials should reflect on the lessons to be learned from this rather shabby affair. I think that the Minister fully admits that mistakes were made and identified in 1996, before the Government came into office. I should hope, therefore, that he will be able to take an objective view of the matter, and perhaps to accept the fact that—in the light of an unacceptable failure to report something that really should have been in the public domain—both accounting practices and the responsibility of Government organisations should be reviewed.

As for the legislation's retrospective nature, perhaps we should have an opportunity retrospectively to review the success of safety grants, which are very important to the industry itself. Perhaps we shall have another opportunity to debate that matter—which I think the Minister will accept is of very deep concern to the industry. Indeed, the unacceptable loss of life in the industry deeply concerns fishing communities around the coast of the United Kingdom. I should hope that we will have an opportunity for such a debate, perhaps in Government time, in the not-too-distant future.

As I said, I asked the Minister to circulate a précis of the legal advice. However, having seen it I am surprised that it took until the Bill was considered in Committee before we could prise that information out of the Minister. The information helped to support his line, which I think we all accepted, that, with the Government's heavily clogged legislative programme, he would not unnecessarily—purely for the sheer hell of it—introduce new legislation. The précis of the legal advice could have been provided earlier. That said, I am grateful to have it, even though we received it rather late.

My right hon. and hon. Friends and I have no objection to ensuring that this important Bill concludes its stages in the House this evening.

8.10 pm

Mr. Eric Forth (Bromley and Chislehurst): The more that we hear of the Bill, the more obvious it is that it is a bit of a muddle. It started out as a cosy little consensual matter that was sold to the House as being of little import and almost rather trivial. It was one of those dubious measures that had all-party agreement. Now even the Liberal Democrats—the friends of the Government—have some doubts, although some intimate correspondence has obviously passed between the Minister and his friends in the Liberal Democrat party from which the rest of us have been excluded, because the relevant document is apparently not in the Library. I shall come back to that in a moment.

In one of his moments of transparency and insight in Committee, the Minister said:

> The Bill is retrospective. As I said on Second Reading, the Government do not take lightly the introduction of retrospective legislation.—[*Official Report, Standing Committee G*, 14 March 2000; c. 4.]

That point has dogged the Bill from the start. In fairness to the Government, they have made no secret of the fact that it was retrospective, but, as the hon. Member for St. Ives (Mr. George) has just said, the argument is whether retrospective legislation is justified to solve a problem that may not have existed. Even now we have not got to the bottom of that. I certainly have not, because I have not yet seen the note on the legal advice that the members of the Committee have seen, but that is not yet in the Library as the Minister claimed that it was. The rest of us who were not on the Committee are in the dark about the content of the note.

Mr. Bercow: Is my right hon. Friend aware that the Minister's letter to the hon. Member for St. Ives (Mr. George), together with the accompanying paper, was dispatched on 2 May? In that letter, the Minister said that he was arranging for a copy of the note to be placed in the Library. Can my right hon. Friend think of any good reason why 20 days should elapse without that flimsy little note being deposited in the Library?

Mr. Forth: Yes; Government incompetence comes at the top of my list. That is the most obvious explanation. Conspiracy would be second on my list. The Minister wants to appear, on the record, to be open with the House, but on the slightest investigation that appears to be a false impression.

Mr. Leigh: It is worse than that. I have obtained a copy of the letter in question—not from the Library, but from my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss) on the Front Bench. The Minister said in the letter that he had arranged—not that he was arranging—for a copy to be placed in the Library. That was on 2 May. What is going on?

Mr. Forth: We must get to the bottom of that. I shall come back to the issue when a little more time has elapsed. We shall see whether the letter emerges from the Library. For the moment, I want to go on to some other serious matters that arose during the previous proceedings on the Bill.

The Minister has revealed something else relatively new to us today. I suspect that the issue was preying on his and his officials' minds and he thought that he had better get it out in the open before it was revealed in some other way, although the more that I look at the Bill and the more that we consider it on Third Reading, the more I suspect that it will need to be examined pretty closely in another place. We may be forced to accept retrospection, but I do not know whether it will go down well at the other end of the building.

As far as I could follow him, the Minister seemed to say that there had been a running debate between the Sea Fish Industry Authority and its auditors about its accounts and whether the charges should be reflected. He then appeared to say that the matter was regarded as being in suspension in some way, pending legal advice. When the legal advice finally emerged, the Minister said, as far as I could tell, that because the matter should be legislated on, there was no need to act on the accounts. I thought that he then said that any need to reflect the matter in the accounts, about which the auditors had previously expressed disquiet, was rendered otiose by the legislation.

[Mr. Forth]

That worried me, because it seemed to imply that the auditors, the authority or the Ministry—or all of them—had satisfied themselves that, on the possibility of legislation reaching its final stage and receiving Royal Assent, no further action need be taken. I suspect that if the matter were looked at in more detail than we can manage this evening, because of the Government's vicious and arrogant guillotine, a worrying lacuna would emerge. We are dealing with public finance, the auditing of accounts and the relationship between a Government Department dispensing taxpayers' money and a Government agency—the Sea Fish Industry Authority—spending that money. That should be above suspicion, but it appears that there has been a certain amount of foot dragging, to say the least, and that the relationship between the authority, its auditors and the Department was either overly cosy, overly mutually congratulatory or less than rigorous—I put it no more strongly than that.

Mr. David Heath: I do not know why the right hon. Gentleman suggests that that lacuna might appear this evening on further consideration when it clearly appeared in Committee, when we laid bare the deficiencies of the audit process—*[Interruption.]*

Mr. Forth: Not bare enough, as I think one of my hon. Friends behind me said. I have looked at the Committee proceedings, and pretty flimsy and slender they are, because the Minister pulled the same trick on the Committee that he tried to pull on the House tonight—because he said over and over again that the Bill was a narrow and technical measure, he thought he could escape effective scrutiny. That has happened throughout. The Liberal Democrats have obviously fallen for that—if I may use the expression—hook, line and sinker! I have been waiting to say that for some time.

The Bill turns out to be not narrow and technical, but retrospective. It seeks to cover up a gap in the accounting practices that has existed for some time and was sufficient to worry the auditors, which in turn was sufficient for officials to want to put it in the Minister's speech this evening to try to pre-empt the sort of investigation that the House would normally want to conduct. We are now unable to conduct such an investigation because the Government have guillotined the Bill.

A very worrying pattern is beginning to emerge. I was unable to take part in the guillotine debate because so many of my colleagues were so angry about the motion that I was elbowed out of it. In that debate, my hon. Friends asked why on earth the Government saw fit to guillotine this innocent little Bill—as it was thought at the time—of all Bills. Belatedly, in this guillotined Third Reading debate, the truth is beginning to emerge. The Government are desperate that the matter should not be looked at properly. They skated through the Committee stage on the basis that the Bill was narrow and technical. The Liberal Democrats were easily satisfied—as ever they are, I suspect, by their friends in the Government—but we now find that there is a real danger that something very nasty and rather unpleasant is emerging. However, it is too late.

Mr. Andrew George: The right hon. Gentleman is right; something unpleasant is emerging. It was all the fault of the Tories. We thought that we should allow them to get off lightly.

Mr. Forth: I am intrigued that the Liberal Democrats latest political stance seems to be letting the last Tory Government get away with something of which they disapproved. I for one am very much in favour of being critical of the last Conservative Government where that is appropriate, and I do that occasionally. However, that is not the point—which is that the Minister referred earlier to the relationship between the authority, the auditor and the Ministry. As I am not yet in possession of the legal advice, I am unable to take the matter further. The irony is that Committee members, including my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss), have the document, but no one else does. The House is unable to make a judgment on the crucial role of that legal advice.

In Committee, my hon. Friend the Member for North-East Cambridgeshire said:

> On Second Reading, the Minister was pressed to convey to the House the basis of his legal advice. He declined to do so then, and appears unwilling to do so today.—[*Official Report, Standing Committee G*, 14 March 2000; c. 5.]

My hon. Friend pressed the Minister, and only under that pressure did the he finally agree that the House could have a note giving a version of that advice.

Mr. Bercow: I am concerned at the attitude of the Minister and of the hon. Member for St. Ives (Mr. George). Did my right hon. Friend notice that the hon. Member for St. Ives, having made a truly risible speech, thought it was funny that my right hon. Friend had not received the note? Despite having ample time to do so, the Minister has still failed to tell the House when exactly the instruction was given for the deposit of the note in the Library and what steps, if any, he took to check that that instruction had been carried out.

Mr. Forth: If I were a suspicious type, I would think that the Minister and his officials were watching the clock, conscious that if they spin this out for another 20 minutes they will get off the hook because the Government guillotine will then fall on the debate. At that point, the House will no longer be able to hold the Government to account. That is a matter of great regret to me, and the Government cannot be allowed to get away with it. I suspect that those in another place will want to take a much more rigorous look at the issues than this House has done hitherto.

The Minister said earlier that there was a question of whether the Government should seek to legislate to remove the contingent liability. That brings another factor into play, and it may be one of the reasons for the Bill. In Committee, the hon. Member for Somerton and Frome (Mr. Heath) said, concerning the Minister,

> I still think that there are considerable gaps in his explanation of the advice that he has received about the necessity for these retrospective provisions.

The doubt arose on the narrow point whether a Minister of the Crown had the powers that were delegated to the Sea Fish Industry Authority at the time.

I do not know whether the hon. Gentleman believes that he has received a satisfactory answer to that. He added that the Minister should share his advice, in whatever form, with the Committee so that it could consider the Bill properly and

> advise colleagues in the House who will have to consider it in due course.—[*Official Report, Standing Committee G*, 14 March 2000; c. 10.]

The hon. Gentleman—playing the part that he should play—raised an important point in anticipation of Report stage of the Bill. Not only has there been no Report, but Third Reading has been arrogantly reduced to almost nothing. As a result, neither the hon. Gentleman nor I have been able to get an explanation of the legal advice, which has still not appeared.

Mr. Morley: I appreciate that a lot of bogus points are being made. Nevertheless, there was no obligation on me as Minister to provide that advice, but I did so in an attempt to be open and transparent with the Committee. Also, the information from my officials is that they cannot trace the document in the Library of the House. In that respect, I apologise profoundly for the statements I have given. I will make sure that copies are placed in the Library tomorrow.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. There are limits to how much the House of Commons will take. The Minister has said that the legal advice is there when it is not, but the Government intend to proceed with their timetable. We should suspend this debate until we can get the legal advice—

Mr. Deputy Speaker (Mr. Michael Lord): Order. That matter has been dealt with by the Chair.

Mr. Forth: I will contain my anger and say to the Minister that he is inviting—

Mr. Leigh: Judicial review.

Mr. Forth: Further down the track, perhaps, but, before then, the hon. Gentleman is inviting the other place to look at this matter seriously. The other place may be able to get hold of this advice, although the House of Commons has not. Hopefully, it will be in the public domain by the time the Bill passes to another place, where I hope it is given a thorough going-over. The Minister has been complacent and has not attempted to answer the questions of the hon. Member for Somerton and Frome, who anticipated Report and Third Reading. He thought that we would have much more information than the Committee did when it gave its perfunctory examination of the Bill.

Mr. Deputy Speaker: Order. I would be grateful if the right hon. Gentleman turned his mind to the contents of the Bill.

Mr. Forth: I thought that I had been doing just that.

Mr. Maclean: Will my right hon. Friend comment on the fact that this is retrospective legislation? It is seldom that this House passes such legislation in such a slap-happy manner, and without having before it the documents described by the Minister.

Mr. Deputy Speaker: Order. Before the right hon. Member for Bromley and Chislehurst (Mr. Forth) responds, I would be grateful if he remembered that the House has dealt thoroughly with that topic as well.

Mr. Forth: Indeed, and I have been trying to pick up on points raised by the Minister. I am a traditionalist about Parliament, and I thought that these were called debates. In a debate, one listens to what the Minister or other hon. Members say, and then deals with those points. If the Minister has led me astray, I can only apologise. He referred to the auditor and to contingent liability. He mentioned the note, which he has admitted bare-facedly is not in the possession of the House, putting us all at a disadvantage.

This has been a shocking episode and the House should be ashamed of itself for allowing it to happen. However, as part of our great parliamentary process, if we in this House are unable to deal adequately with this matter due to the arrogance of the Government, there is a further parliamentary stage which I almost invite to deal with it. I shall send a copy of the Bill to my friends in another place and invite them to look more closely at it.

Mr. Bercow: Is my right hon. Friend as shocked as I am to learn, at 8.29 pm, after more than half an hour's debate on the Bill, that despite an extensive search by the experienced staff of the Library no record of the deposit of the legal note to which the Minister referred can be found?

Mr. Forth: The Minister has admitted that the text of the letter claimed that the arrangement had been made as long as three weeks ago, but that that is not the case. The hon. Gentleman was then briefed to tell us that the letter was available, but that is not the case. The matter requires a top-level inquiry and I hope that it will be conducted by the Minister of Agriculture, Fisheries and Food, to whom I am sure we will all write about this disgraceful episode. I hope that we do not get the Minister into too much trouble, although he looks casual about it now. He will not be smiling so much when we hold his feet to the parliamentary fire.

Tonight's proceedings have been a sordid little episode and the Minister will regret his part in it. I intend to vote against the Bill to show my disgust at what has happened.

8.31 pm

Mr. David Maclean (Penrith and The Border): At least the Minister had the courtesy and the decency to apologise immediately when he realised that he was in grave danger of misleading the House. If he had not done so before the debate ended, I would have tabled an early-day motion tomorrow, condemning the Minister for misleading the House. [HON. MEMBERS: "Oh!"] Hon. Members may say that, but misleading the House is a serious charge and I know that the Minister would not do so deliberately. We have had excessive levity from Labour Members tonight, who consider the fact that the Minister referred to an important letter that is not available to the House as a matter of no importance. I know that we have discussed that and points of order have been raised, so I shall merely

[Mr. David Maclean]

say that I thought that it was a convention of the House that if a Minister referred to a document it had to be produced. I understand that Madam Speaker takes a dim view when that does not happen. *[Interruption.]* If Labour Members think that that does not matter—

Mr. Deputy Speaker: Order. This is a serious matter and the right hon. Gentleman should now direct his remarks to the contents of the Bill.

Mr. Maclean: I am happy to do so, Mr. Deputy Speaker. Indeed, that was my intention on attending the Chamber tonight. We all thought that the purpose of the Bill was to ensure the validity of certain charges levied by the Sea Fish Industry Authority and by the Herring Industry Board. The latter was abolished in 1981, but its liabilities were transferred to the authority. The Bill relates to charges made by the authority in its administration of certain schemes of financial assistance which had effect under part II of the Fisheries Act 1981.

The Sea Fish Industry Authority was instructed on 3 May 1996 to cease levying such charges because of some advice, a précis of which we have not seen but which may have advised that it was unlawful to levy those charges. That was the issue that I intended to debate on Third Reading tonight. However, in view of what the Minister has said, the suspicion is now gaining ground that the Bill has been included in the timetable motion tonight, and debate on it has been deliberately curtailed, because there are stinking fish out there that are now coming to light. The Government want to curtail discussion because they are concerned that we might manage to get our hands on the précis of the legal advice before the debate ends and discover what the auditors have advised. The debate has been curtailed for the sake of a cover-up to protect the backs of some people who may have been responsible for the administration of the scheme.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) has suggested that the Bill has been put through with undue haste so as to give retrospective cover to executive decisions that were made about the scheme. Those decisions may have been right, but we can no longer debate that point. On the other hand, the charges may have contravened the powers of the original authority and the Sea Fish Industry Authority may have had no powers to make charges on the fishing boats that it was inspecting. I understand that the total grants allocated since the scheme started total some £88,766,031, including those previously approved by the Herring Industry Board and the White Fish Authority for fishing vessel safety schemes. Of course, the charges that MAFF would have made in return do not amount to anything like that sum. The charges were small in comparison, and were described as technical charges relating to the inspection of the vessels.

I am concerned that a Bill that we were told dealt retrospectively with some small technical charges may be a front for a cover-up. If so, the House should be aware of that before the Bill is bounced through tonight. Perhaps that is why the Government have been so keen on this draconian guillotine. We have not even had a Report stage for the Bill, and there certainly was no debate on it before it became the subject of the guillotine motion tonight.

The Bill took less than one and a half hours in Committee, but the Government want it guillotined in 45 minutes to prevent discussion on it. Why? It cannot be because the Government are embarrassed about the mistakes, because they took place under a previous Government. Therefore, the Government cannot wish to hide from the public the fact that since 1981 previous Governments may have administered erroneously a scheme that is now deemed ultra vires. If that were the case, the Government would boast about it. They would say, "The previous Government got it all wrong, and so did their civil servants and their legal advice. We are now sorting it out—look how good we are." The Government would normally take that line, but tonight they say, "Let's not discuss the Bill. Let's bash it through."

The Minister rattled off his speech and I am grateful that my right hon. Friend the Member for Bromley and Chislehurst is fast on the uptake on such matters and was able to recall so many of the key words from the Minister. My right hon. Friend was thus able to challenge the Minister in his usual erudite fashion, and I followed his points with interest. I cannot go into the detail of the conspiracy that my right hon. Friend suspects in this matter, because I could not follow the Minister's arguments at the breakneck speed at which he delivered them.

I know that some of my hon. Friends wish to contribute to the debate and to comment on the loss of the important legal précis.

I conclude with a point on retrospection made by the Home Secretary in 1986. He stated:

> The Government have become slap happy in the use of retrospective legislation.—[*Official Report*, 23 June 1986; Vol. 100, c. 86.]

If the right hon. Gentleman were here tonight he would recognise a slap-happy Government who put through retrospective legislation and laugh when documents are unavailable for the House to study.

I know, Mr. Deputy Speaker, that you are familiar with international opinion on such matters. You will know that legal opinion in Australia holds that retrospective legislation has "strong negative connotations". We have seen those negative connotations tonight. I came here to vote the Bill through, but instead I shall support my right hon. Friend the Member for Bromley and Chislehurst in the Lobby. We must get to the bottom of the matter.

8.39 pm

Mr. Edward Leigh (Gainsborough): My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) asked why the Government have brought in this retrospective legislation. The answer can be found in the explanatory notes to the Bill. Paragraph 17 states:

> The total value of the charges levied by the Herring Industry Board and the Sea Fish Industry Authority was about £7.3 million covering some 13,000 cases. By ensuring that these were validly levied the Bill will secure a possible saving in public expenditure in avoiding any obligation that might otherwise arise to fund repayments.

That raises a serious question about the retrospective nature of the Bill. It seems to be generally accepted that the legal advice—which is not yet available to the House—states that the Government, and not the public, are responsible for the misdirection with regard to these charges. I fully accept that the fault may lie with

Governments other than this one. *[Interruption.]* I am not trying to be partisan. This Government are trying to put right law that has caused financial loss to members of the public. In effect, Governments have acted illegally in the past.

However, the Government do not admit the blame associated with being the successor to previous Governments' faults. They do not want any charge to be levied against public funds. For people who have suffered financially, that is rather shoddy. It would be far better for the Government to admit that a mistake was made—

It being five hours after the commencement of proceedings on the allocation of time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question necessary for the disposal of proceedings to be concluded at that hour.*

Motion made, and Question put, That the Bill be now read the Third time.—*[Mrs. McGuire.]*

The House divided: Ayes 313, Noes 1.

Division No. 203] **[8.42 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Denham, John
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
George, Andrew *(St Ives)*
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moffatt, Laura
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick

Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and
Mr. Tony McNulty.

NOES

Leigh, Edward

Tellers for the Noes:
Mr. Eric Forth and
Mr. David Maclean.

Question accordingly agreed to.

Bill read the Third time, and passed.

Royal Parks (Trading) Bill and Television Licences (Disclosure of Information) Bill (Allocation of Time)

8.54 pm

The Minister for Tourism, Film and Broadcasting (Janet Anderson): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Royal Parks (Trading) Bill and the Television Licences (Disclosure of Information) Bill—

Timetable

1.—(1) Remaining proceedings on Consideration and Third Reading of the Royal Parks (Trading) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) four hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and Third Reading of the Television Licences (Disclosure of Information) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) five hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on either Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on either Bill are taken or to recommit either Bill.

6. No dilatory Motion shall be made in relation to either Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. If at today's sitting—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then,

proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply to either Bill.

Supplemental orders

9. The proceedings on any motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

I shall speak only briefly as the House has much important business before it this evening. The two Bills with which we are concerned are important in the Government's view, and there are particular reasons why we want to see them complete their stages of consideration as rapidly as possibly.

The Television Licences (Disclosure of Information) Bill facilitates the granting of free television licences to the over-75s as from 1 April. The need for those new powers is pressing. The Government's announcement of free television licences for people aged 75 or over has been widely welcomed by hon. Members on both sides and will help some of the most vulnerable members of the community. Without the Bill, elderly, and often frail, claimants could be put to considerable inconvenience in claiming their entitlement. The cost of administering the concession would also be far higher than under our proposals.

The second Bill is the Royal Parks (Trading) Bill, and my hon. Friend the Minister for the Arts will deal with its further stages. It will be regarded by most right hon. and hon. Members on both sides as long overdue and uncontroversial. It deals with abuses and problems caused by unauthorised traders in the royal parks. It has the support of those on the Conservative and Liberal Democrat Front Benches.

Mr. Eric Forth (Bromley and Chislehurst): So what?

Janet Anderson: The right hon. Gentleman is in a minority. If, by his actions later this evening, he shows that he wants to consign tourists to London to eating dodgy hamburgers sold by dubious illegal traders in the royal parks, he will do the tourist industry a serious injustice. He will have plenty of time later to elaborate on his views.

Mr. John Bercow (Buckingham): Can the Minister tell us whether the Leader of the House has been informed of the displeasure expressed by Conservative Members about her failure to move the first allocation of time motion, despite her presence in the Palace of Westminster and the fact that she has voted? Can the Minister also tell us why the right hon. Lady failed to move this second motion?

Janet Anderson: My right hon. Friend the Leader of the House is always aware of what is going on in the Chamber. I am moving the motion because both Bills are the business of the Department for Culture, Media and Sport. It may have escaped the hon. Gentleman's attention that I am a Minister in that Department.

The need for new powers is pressing if we are to deal with the abuse of illegal trading in the royal parks. The health, safety and well-being of visitors must be protected, along with the rights and expectations of authorised traders. The peaceful atmosphere of the royal parks must be maintained. The Bill will protect the interests of members of the public who visit the royal parks. I urge hon. Members to support the motion.

8.57 pm

Mr. John Greenway (Ryedale): I make it clear that we support both the Bills mentioned in the guillotine motion. Like the Minister, I want the maximum opportunity for debate on the important issues that arise from the Bills and that are set down for discussion on Report.

Earlier today, my hon. Friend the Member for South Staffordshire (Sir P. Cormack) set out in some detail the Opposition view on the use of the guillotine. We shall reinforce that view in the Division Lobby at the end of this debate.

The previous debate was characterised by accusation and counter-accusation about who is to blame for the situation in which the Government find themselves. Our argument is not with the Bills, although some of my right hon. and hon. Friends will rightly wish to discuss some points of concern. However, this is the fifth or sixth Bill that I have dealt with in this Session as a Front-Bench spokesman on Home Affairs or Culture, Media and Sport. I must conclude that the Government's legislative programme is overloaded. During my 13 years as a Member, it has been unprecedented for the House to be asked to give Third Readings to no fewer than four Bills in one evening. If anyone thinks that blame attaches to any of my right hon. or hon. Friends for frustrating progress, that is not true.

The Royal Parks (Trading) Bill received its Second Reading in Committee, so this debate and our proceedings last Wednesday offer the only opportunities for hon. Members to discuss the measure. Although we have made our views abundantly clear from the Opposition Front Bench—as the Minister acknowledged—the Bill contains important issues of principle, such as the seizure and confiscation of assets and the question of penalties, which hon. Members obviously want to discuss.

Further important and fundamental issues are involved in the Government's proposals to implement their pledge to give all those aged over 74 a free television licence. As the Minister will know, during our extremely productive Committee proceedings, we managed to resolve—or make progress on—several matters of concern to right hon. and hon. Members. However, it is clear that there should be an opportunity to debate those points on Report, and for those Members who were not members of the Standing Committee to have the opportunity to put their threepenn'orth—as we would say in Yorkshire—into the debate on those important matters.

The Opposition formally do not approve the use of the guillotine. I hope that, during the next four to five hours, we shall be able to debate issues on both Bills that are of concern to hon. Members, even though we support the Bills. It is a sad occasion when measures that are formally supported by the Opposition nevertheless become the subject of a guillotine—not because hon. Members want to take time debating the issues, but because the Government have introduced too much legislation.

9.2 pm

Mr. Patrick Nicholls (Teignbridge): I have been a Member for about 17 years. During that time, there have been several timetable motions, but I have never spoken

[Mr. Patrick Nicholls]

on them—either at my own desire or at the behest of the Whips. I am moved to do so tonight and I make no apology for that.

When the Minister opened the debate, she made my point for me. She seems to believe that because the Opposition support the Bills, that is the end of the matter—as we support the Bills, it would be quite inappropriate to detain the House by actually examining their content.

Earlier this evening, my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) pointed out that he was a traditionalist. I join him in that. It was my impression that I came to the House to scrutinise legislation—that is why I draw my princely salary. However, if I thought that there was common ground between myself and Labour Members, I was quickly disabused of that idea shortly after the general election.

I recall the last appearance—for the time being—of my right hon. Friend at the Dispatch Box when we were considering the Bill to abolish the assisted places scheme. I cannot remember whether we were discussing a guillotine motion or whether we were asking the then Leader of the House, now the Parliamentary Secretary to the Treasury, for time properly to debate the issue. However, she used a phrase that I found absolutely chilling. As a Member of the House—as a traditionalist—I still find it chilling. She said that we did not need any more time to debate the measure because the people had spoken.

That phrase was used to advance a proposition on a Bill that would take from parents of modest means the ability to send their children to some of the best schools in the country—in breach of a specific assurance to the contrary given by a Labour shadow Front-Bench spokesman when Labour was in opposition. All that was cast to the wind.

As I recall it, that Bill's First Reading was on a Monday and it was proposed that its Second Reading and remaining stages in the Commons should take place the same week. However—I remember it as clearly as if it were yesterday—hon. Members came into the House, as they will later, tapping their watches and pointing at the clock in the extraordinary belief that for £48,000 a year all they had to do was come in and tap their watches at 10 o'clock at night, and they would then be entitled to go home. We pointed out to them that they were not going home then, any more than they will go home at 10 o'clock tonight. We have a duty in the House of Commons to scrutinise the legislation that is before us.

I remember that, on that occasion, my right hon. Friend the Member for Bromley and Chislehurst made a speech of commendable brevity; it went on for no more than 90 minutes. He pointed out that the issues would have to be dealt with the following week when we had another two days to debate the Bill. I am reminded that the debate did not take place under a guillotine motion, but the principle holds true.

The view, "The people have spoken; no scrutiny is necessary; can we please be paid our salaries and go?" was expressed three years ago, and we would like to think that, in the intervening period, even this Government have begun to understand that we engage in a two-part process—they propose and we scrutinise. We have a vote and we come second, and that is the way it is for the time being. However, they do not recognise that process, and they do not recognise how draconian a guillotine motion is. If someone wants to scrutinise a Bill even though they agree with it, the Government say, "Let's have a guillotine motion."

It is worth remembering how draconian guillotine motions are. The 22nd edition of "Erskine May", the guide to parliamentary practice—I doubt whether practice has changed from that described in the previous 21 editions—states that guillotine motions

> may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate.

Mr. Bercow: Does my hon. Friend agree that it is imperative that we should have the maximum time to consider the two Bills because there are no fewer than 13 amendments, new clauses and new schedules tabled for debate and because the Minister for Tourism, Film and Broadcasting and the Minister for the Arts have on various occasions referred to dodgy burgers and rip-off traders? That may be a source of hilarity to the hon. Lady, but Ministers have not troubled themselves to offer any evidence for their charges against members of the public and traders who do not have the opportunity tonight or at any other time in a public forum to defend themselves.

Mr. Nicholls: My hon. Friend is exactly right. The Minister for Tourism, Film and Broadcasting did not make a speech of any great length but, even in her short address, she managed to introduce the concept of forcibly feeding people burgers. I do not go to the London parks very often—perhaps, you do, Mr. Deputy Speaker—but I have heard no reports of people being forcibly fed burgers. I have carefully read the Royal Parks (Trading) Bill to see whether it contains any provisions to prevent the forcible feeding of burgers. If that practice is going on in London parks, there is nothing in the Bill to stop it. However, the Minister introduced the concept as justification for the Government's motion.

Mr. Bercow: I am sorry to trouble my hon. Friend again, because he has dealt eloquently with my intervention. He knows that the Opposition support this Bill and the Television Licences (Disclosure of Information) Bill. However, if Ministers are to make charges against people, the least they should do is provide evidence of the health-damaging properties of the burgers in question. They have not done so. The Minister for the Arts should also provide evidence of the allegedly rip-off prices that he mentioned. Under interrogation the other day he palpably failed to do that.

Mr. Nicholls: My hon. Friend is exactly right and he anticipates the remarks that I shall make shortly. The Bill involves issues relating to liberty and people's capacity to pursue a humble calling in their own way without the nanny state bearing down on them. However, if I am not careful, my hon. Friend will lead me astray—quite unintentionally, I am sure—and divert me from the sequence of my argument.

A few moments ago, I was saying that guillotines have their place. Of course they do, otherwise I would not have voted for them over the years. However, there is no doubt

that the authorities state plainly that the use of the guillotine is draconian. I have a list of all the measures that have been guillotined since 1945. I shall not detain the House by going through them at great length, but it is instructive to examine some to give an idea of the gravity of measures which justify guillotining.

In the 1946–47 Session, the Transport Bill and the iron and steel legislation were subject to the guillotine procedure, as was the Housing Rents and Repairs Bill in 1953. In the 1971–72 Session, the European Communities Bill was subject to a guillotine. Indeed, there could be no more appropriate measure to be guillotined, as it dealt with a major constitutional issue in a way which, in retrospect, we know was profoundly misjudged.

Mr. Michael Fabricant (Lichfield): Will my hon. Friend give the House an idea of how long those Bills were in Committee? Is he aware that the Royal Parks (Trading) Bill was in Committee for only 35 minutes, so probably deserved greater scrutiny on the Floor of the House?

Mr. Nicholls: I am sure that my hon. Friend is right. Indeed, one could make such a point without arguing for any particular brief on what the European Communities Bill did. At least it was acknowledged then that a draconian measure that would severely limit our ability to exert our sovereignty had been debated for a long time before being subject to a guillotine.

Mr. Owen Paterson (North Shropshire) *rose—*

Mr. Nicholls: I shall give way to my hon. Friend in a moment.

Another Bill in the 1971–72 Session which was thought appropriate for the guillotine procedure was the Counter-Inflation (Temporary Provisions) Bill. My hon. Friend is twitching.

Mr. Paterson: I wanted to intervene when the hon. Member for Walsall, North (Mr. Winnick) was in the Chamber. Sadly, however, he has just left. My hon. Friend is getting dangerously close to the hon. Gentleman's argument that there is a case for guillotine motions on what he described as important measures. Does he agree that that puts power back in the hands of the Executive, as they, not Members of Parliament, decide what measures to introduce and which are important?

Mr. Nicholls: I am sure that my hon. Friend is right. I hope that he was not criticising the hon. Member for Walsall, North (Mr. Winnick) for leaving, as the hon. Gentleman has been in the House many years and sometimes has to leave in the middle of our deliberations.

The hon. Gentleman may have been here in 1972, when the Counter-Inflation (Temporary Provisions) Bill was subject to a guillotine. In passing, as we remember from the history books, I am delighted that some hon. Members, perhaps including the hon. Gentleman, insisted on that procedure for that ludicrous legislation, which said that one could legislate and order prices to go down when the market was driving them up. It is quite understandable that such lunacy should have been subject to the guillotine.

Bringing matters up to date, crucial constitutional measures that have been guillotined recently include the Prevention of Terrorism (Additional Powers) Bill and, since the last election, the Firearms (Amendment) (No. 2) Bill and the Referendums (Scotland and Wales) Bill. The European Communities (Amendment) Bill was guillotined, demonstrating that Europe, or rather the European Union—at least for the time being—is always with us. The Government of Wales Bill, the Northern Ireland Bill and the Human Rights Bill were also guillotined. That Bill, which became the Human Rights Act 1998, needed to be guillotined to be driven through the House, and as the Government will discover in a few short months, it will play havoc with this country's legal system.

The list includes a number of substantial Bills dealing with the future of the country, its identity and its constitution. Joining the list of all those important Bills that have gone through the House since the war is the Royal Parks (Trading) Bill. We are debating a proposal to guillotine a Bill dealing with the activities of hamburger salesmen. The Government say that if we accept that the Bill is correct in principle, no scrutiny is necessary.

Let us examine the matters that we shall consider tonight, after the guillotine motion has been approved—on the assumption that it is approved. We shall discuss the seizure provisions. Government Members may ask whether those matter. Yes, they do. There is a peculiar meanness about the way in which the provisions have been drafted. We are not dealing with major capitalists, extremely efficient makers of money or the nouveaux riches glitterati whose friends Labour Members are these days. We are speaking of people with a much humbler calling, who make a living selling hamburgers.

Mr. Deputy Speaker (Mr. Michael Lord): Order. I remind the hon. Gentleman that we are discussing the allocation of time for the Bill. We are not dealing with the content of the Bill at this stage.

Mr. Nicholls: I am grateful, Mr. Deputy Speaker. My point, in summary, is that when we get to the detail of the Bill, we will see that we are speaking about depriving people of their livelihood. If we go down that road, we need time for the debate.

What would be lost by debating these matters in detail? After all, the time now is 9.16 pm. Speaking for myself, and perhaps for some of my hon. Friends, I do not expect to work normal office hours for the salary that the state pays me. Underlining the ethos of using the guillotine on tiny measures such as this Bill is the belief among Labour Members that debate, let alone debate out of office hours, is quite unnecessary.

There is even an hon. Lady who says that she will give up her membership of Parliament because she finds that it does not fit in with family life. I find it extraordinary that when we do a job as big as the job that we should be doing in the House—scrutinising legislation—hon. Members say that we should be paid an abnormally high salary for working normal office hours.

Even though the principle of the Bill is agreed, it contains measures that deserve to be scrutinised. The House should devote sufficient time to that. I do not see what the problem is. On several occasions in recent weeks, I and my hon. Friends have shown that we are prepared to spend the time necessary to consider Bills in detail. If Labour Members cannot be persuaded to scrutinise the legislation introduced by the Government—

[Mr. Nicholls]

without anticipating the debate, I can say that the Bill has not been drafted with any great skill, to put it mildly—it is not too much to ask that they should at least make the case for it.

Perhaps the serried ranks of the Labour party are outside the Chamber, waiting to come in and make major speeches. Although my hon. Friends and I are outnumbered 3:1 in the House—I am thinking of quantity, rather than quality—there are two Labour Back Benchers present. They seem to be awake, but they are not moving, and I cannot tell whether they intend to speak. It is remarkable not only that Labour Members are not prepared to scrutinise the legislation, but that apparently they are not even prepared to make the case for it.

Mr. Bercow: My hon. Friend is a parliamentary traditionalist, who has 17 years of experience in the House. He referred to the short debate that took place in Committee. Is he shocked by Labour Members' enunciation of an entirely new parliamentary doctrine: a Bill's brisk consideration in Committee somehow justifies a Government decision to truncate, through a guillotine, its consideration on Report? Does he agree that the Committee reports the Bill to the House and that hon. Members who did not serve on the Committee should have a proper opportunity to contribute to its consideration on Report?

Mr. Nicholls: My hon. Friend is right. He can make that point only because, before he entered the House of Commons, he knew something about the profession that he was entering. I shall embarrass my hon. Friend for a moment by pointing out that he has a degree in politics. However, I am sure that he agrees that, whatever length of time one has wanted to go into Parliament, and whatever trouble one has taken to equip oneself to understand the work, one does not realise until one arrives here exactly what the job entails.

Labour Members have been here for three years. They are better informed but clearly none the wiser. They should have realised by now that some constitutional proprieties mean that they should return home at the weekend and, instead of saying, "Feel sorry for me; I've had to work long hours for my £48,000 a year", claim, "I have scrutinised the Executive. I have responded to a Whip; we all do that, but I have also considered the legislation to ascertain whether I can make a private point to the Whips, out of the Opposition's hearing." That is not happening.

What passes for debate and scrutiny has been utterly reduced. The people speak; the Minister comes into the Chamber; she optimistically looks at the clock; she speaks about the force-feeding of the public with hamburgers in the royal parks. She thinks that she can simply walk off with her salary, which exceeds £80,000 a year, believing that she has done the job of a Minister of the Crown. The Minister yawns; it may be the tedium of my speech or the realisation that she will be here in the early hours of the morning. If we cannot make the Government behave as they should and scrutinise Bills; if we cannot win in the Lobby, we can at least expose the Government to the shame that they should feel for treating the House and their constituents with conspicuous contempt.

9.22 pm

Mr. Andrew Stunell (Hazel Grove): In a previous debate, it was a considerable pleasure to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I feel less privileged on this occasion. However, I repeat the point that I made previously: the Government have gone way over the top in their response to apparent provocation by scheduling two guillotines and four Bills for one day. Liberal Democrats believe that that is the wrong response. We shall vote against the guillotine, which we believe is out of place. I deployed arguments for that in the previous debate.

Mr. Nicholls: How does the hon. Gentleman conclude that criticising Bills constitutes provocation whereas voting against them does not?

Mr. Stunell: The hon. Gentleman was so committed to resisting the Government that he was not present during the previous debate on a guillotine. Had he been here, he would have heard the case that I presented. I suggest that he has a quick look at *Hansard* tomorrow morning. *[Interruption.]* The hon. Gentleman does not take much pleasure in having it pointed out that he did not listen to the debate.

Mr. Nicholls: I have read it.

Hon. Members: We are talking about this evening.

Mr. Stunell: Indeed.

Mr. Deputy Speaker: Order. Can we stop the interventions from sedentary positions and proceed in a more orderly fashion?

Mr. Stunell: I am happy to take interventions when appropriate. The debate on the guillotine on the first two Bills was enlivened by interventions by Labour and Conservative Members, who believed that I should explain an alternative way forward in more detail. I gave an undertaking to do precisely that during this debate. The Parliamentary Secretary, Privy Council Office, nods his head. Therefore, Mr. Deputy Speaker, I hope that you will think it in order for me to do so.

My hon. Friend the Member for North Cornwall (Mr. Tyler) and I have submitted a paper to the Modernisation Committee that suggests ways to deal with the immediate problems, starting from the Queen's Speech in November. The principles that we suggest could be applied to the remainder of the Session, if Members on both sides of the House were willing. We propose setting up a legislative business Committee, which would include all parties—Back Benchers and Front Benchers—the usual channels and representatives of minority parties. Immediately after the Queen's Speech, it would consider at what time during the year Bills should be introduced, in which House they would be most appropriately introduced and what would be a sensible time to allow for debate.

Let us deal head on with the overloading of the House. Whereas one of the Opposition's weapons against the Government is holding them to ransom on the day's timetable, one of the Government's weapons against the

Opposition is holding us to ransom on [illegible]ar's timetable so that we do not even know when [illegible]mmer recess will begin, let alone when it will end.

Mr. Forth: In that great scheme of his, how would the hon. Gentleman cater for the regrettably ever more common eventuality that, after publishing a Bill in good faith and even undertaking a pre-legislative stage, the Government have to table several hundred amendments during proceedings? How would his neat consensual timetable deal with that?

Mr. Stunell: The right hon. Gentleman raises an important issue—the quality of the legislation that is introduced. The House has approved the proposal from the Modernisation Committee, which he so disparages, to ensure that far more Bills receive the benefit of pre-legislative scrutiny, which involves not only hon. Members considering the legislation, but its being overhauled and reviewed with the benefit of outside evidence taken by a Select Committee.

No one can entirely legislate for Government error and fault. No one can entirely imagine everything that may go wrong and all the amendments that might be necessary, but I share a view with the right hon. Gentleman. If the Government have to abandon half a Bill in Committee—as happened with, for example, the Utilities Bill—and have to table a couple of hundred more amendments, the Liberal Democrats would take the view that different procedures should have been applied before it entered the legislative mill. The Chamber is not unlike a computer software slogan, "Rubbish in, rubbish out". If one begins with ill-considered, ill-drafted legislation, it is likely to remain so, however much we mess about with it.

If a legislative business Committee and adequate pre-legislative scrutiny were in place, many—but not all—of the problems that the House faces would be addressed and we could say, "This heavy legislative programme represents 35 or 40 weeks' work." However, after the Queen's Speech, we do not know in which month a Bill will be introduced or what consultation period will be involved, and there is a scramble to pass legislation before the summer recess. We cannot allow all that to continue.

The House has approved the possibility, in defined circumstances, of carrying legislation over into the following Session. That avoids another of the problems that we face: the somewhat light programme between the Queen's Speech and Christmas, a heavy Committee programme and the scramble as measures return from the House of Lords. Our system could hardly be better designed to ensure that we foul up, because we are rushing and scampering at the wrong times.

Surely, the aim of both Government and Opposition is to make certain that the legislation that emerges from this place is appropriate. The Opposition will want to challenge the principles of a Bill, and to ensure that the mechanics are right or, at least, favourable to the interests that they prefer; the Government will want to ensure that they produce working, workable legislation in a timely fashion. We do not obtain the best quality of government or of legislation from our current arrangements, which I would describe as boom-and-bust legislative procedures. It is filibuster and guillotine, boom and bust, and we have problems with both parts of that.

We oppose this guillotine, although, if these were any parks other than royal parks, any half-decent council would have referred the matter to the environmental health committee and it would have been sorted out in 10 minutes. What has happened in regard to the Royal Parks (Trading) Bill is no advertisement for Parliament. It is particularly strange in the light of yet another proposal submitted to the Modernisation Committee for the improvement of scrutiny of European legislation.

The hon. Members who have spent so much time talking about royal parks are the very ones who repeatedly complain here about the House's failure to control and monitor properly the flood of European legislation that arrives on our shores; yet it is they who prevented the Modernisation Committee from recommending the establishment of additional Select Committees to scrutinise such legislation. The reason given was that they did not have enough Conservative Members to staff the Committees. They have enough Conservative Members to keep us up talking about royal parks, but not enough to man Select Committees to scrutinise European legislation. One sometimes wonders if they deliberately design to fail: I can think of no better way of doing it.

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Stunell: Certainly. Let us hear the explanation.

Mr. Paterson: May I point out that my hon. Friends the Members for Stone (Mr. Cash), for Tewkesbury (Mr. Robertson) and for Totnes (Mr. Steen) and I are all members of the European Scrutiny Committee?

Mr. Stunell: I am delighted to hear it, but apparently those hon. Members could not persuade enough of their colleagues to become members of the proposed additional Committees. As a member of the Modernisation Committee, I thought it made a good deal of sense for those scrutinising that flood of European legislation to be people who had developed a certain expertise on the topics concerned. I thought that it would be sensible to establish Committees that matched the directorates involved, so that such expertise could be built up. Indeed, I considered such a process to be not just sensible but highly necessary. I should have expected Conservative Members to be entirely committed to achieving that; yet, although they have time to spend on bogus amendments about royal parks, they have no time to join the additional European Committees. Although we shall oppose the guillotine on this particular pair of Bills, the actions of Conservative Members test even our patience considerably.

At the beginning of my speech, I outlined briefly a scheme that would enable the business of the House to be planned so that, more often than not, the problems that we face tonight would be automatically avoided. I also said something else. When Conservative Members wondered how a legislature could possibly get a tighter grip on an over-mighty Executive, I said that one way of doing that would be to have a fairly and proportionately elected Parliament. Their faces fell.

Executives in European Community countries and wider afield are far more beholden to their legislatures than the Executive of this country. The fundamental reason for that is the fact that in those countries there is

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no one-party domination. Conservative Members may not like that, but the fact that they do not like it does not mean that it is not true.

Mr. Fabricant: I do not know why the hon. Gentleman thinks that guillotines would be avoided by having proportional representation. They would not. The Italian Parliament has guillotine motions. Why is the Italian Parliament putting to their people in a referendum a proposal to introduce a first-past-the-post system?

Mr. Stunell: We often hear such arguments. I would be more than happy to engage in a debate on proportional representation, but—

Madam Speaker: Not today.

Mr. Stunell: I anticipated that that would be your view, Madam Speaker. I would be delighted to have that debate on another occasion.

Instead of this guillotine motion, we should be discussing the serious, practical implementation of ideas that I am not putting to hon. Members for the first time, but which have already been before the House and approved but not implemented. That would get us a long way forward. Ideas have been discussed such as improved pre-legislative scrutiny of legislation and Standing Committees that draw much more strongly on the relevant Select Committee membership, so that Standing Committees considering Bills contain people who know what they are talking about.

The Parliamentary Secretary, Privy Council Office, and I served on the Committee considering the Political Parties, Elections and Referendums Bill, and if I may say so we had an unusually well-informed debate. If there was one thing that members of that Committee knew about it was political parties, and that greatly informed the discussion. I am afraid that that is not always so when hon. Members are allocated to Standing Committees.

We need to make better use of other agencies. Westminster Hall could be used for debates on Law Commission reports, for Adjournment debates, for holding Ministers to account and for debates on Select Committee reports. We even need a little self-discipline. Although there is no doubt that hon. Members have, and should continue to have, the right to use the procedures of the House to express their anger and outrage at what any Government are doing—long may that continue—we still require a little discretion, common sense and self-discipline so as not every time to use the shotgun or the sledgehammer to crack the nut.

These two debates have been made necessary by the Government, who have over-reacted to the situation. I suggest to Opposition Members that when we have genuine cause to hold up this or any other Government, we should use the procedure ruthlessly, but if every time we see a space, we fill it, the value of the genuine, deeply held and sometimes bitter opposition to a real issue gets completely hidden in the noise.

9.38 pm

Mr. Desmond Swayne (New Forest, West): I thank the Minister for Tourism, Film and Broadcasting for having the courtesy to come here and propose the motion. That is something of a novelty, given our earlier proceedings. However, she did not sustain her argument that the Royal Parks (Trading) Bill in particular—I attended the earlier stages of the debate on that Bill—should be subject to a guillotine. She merely said that it was an important Bill, and that the Government wanted it on the statute book.

The Minister failed to explain what was so important about the Bill that it required a timetable motion, and what enormous consumption of time had taken place which meant that the motion had to be introduced. She said that it was her preference to spend as little time as possible arguing about the timetable motion so that more time could be spent arguing about the substance of the Bill. That is a fairly honest and honourable position. However, there are times when the consideration of the guillotine motion is more important than the substance of the Bill that is to be guillotined—such is the enormity of a decision to curtail debate and to limit the free speech of Members and their ability to scrutinise a Bill, which is their primary role. Clear justification must be given for that. Frankly, that has been lacking tonight.

I do not dispute that the Government at times have a right to ask the House to support a timetable motion. It may be that a matter has been considered over a great length of time and that it is felt by the House that it should come to a decision and move on, but the Royal Parks (Trading) Bill has not been discussed for a great length of time. Those who were present in the House last Wednesday will, I think, agree that we were making progress and that the Government would have had their Bill that night. For some extraordinary reason, they decided to pull stumps at 10 o'clock, but they would have had the Bill that night. We were making progress. I have no doubt that we would have continued to make progress.

I fear that the timetable motion has more to do with the management of those on the Government Benches, and with addressing some of the concerns that they have raised privately with their Whips, than with delivering the Bill. I now fear that the Bill and its Third Reading will be longer in coming than would have been the case had we pursued the discussion last Wednesday night.

We were told that it was an important Bill. My hon. Friend the Member for Teignbridge (Mr. Nicholls), who has temporarily left the Chamber, was concerned that it represented an attack on small entrepreneurs. That was far from true, according to supporters of the Bill. They alleged that it was an assault on organised crime and the Mafia. That is all the more reason, therefore, for the Bill to receive greater and prolonged scrutiny—scrutiny that is now denied by the motion.

Earlier, a novel argument for the guillotine was introduced by the hon. Member for Newcastle upon Tyne, North (Mr. Henderson). He said that he had no objection whatever to sitting through the night on important measures such as the minimum wage legislation—if it was important Labour Members were prepared to put in the hours. I entirely accept that. However, he wanted a timetable motion because he was not prepared to sit through the night to discuss what he regarded as a consensual or smaller measure—I will not say an unimportant measure; I do not think that he meant that—or a measure of less weight, such as the Royal Parks (Trading) Bill. He believed that such a measure should be guillotined.

As the hon. Gentleman developed his argument, he resiled from that position. He warmed to his theme and became so passionate at one stage that he struck the microphone, but he moved from his initial position and said that all Bills should be guillotined. Timetables should be applied to all Bills, but the length of time should depend on the importance of the Bill.

The question arises who is to determine the length of time, as has happened today. The length of time that the Bill will be discussed is a consequence of the timetable motion. The hon. Gentleman did not dwell on the mechanism by which it would be decided that a Bill was important, or the mechanism by which the time that it should have would be decided, but I did not have much confidence in his argument.

I remember when what I would regard as a very important Bill was guillotined—the Bill that put into English law the provisions of the Amsterdam treaty. It was not guillotined after prolonged scrutiny, and certainly not after prolonged speeches by Opposition Members. Indeed, the Member who spoke longest on that Bill was the Minister himself, who was none other than the hon. Member for Newcastle upon Tyne, North. It was he, if anyone, who spoke at length on that Bill. My view is that he did not speak overlong on the Bill. He certainly did not filibuster. He dealt with the Bill properly, but it was outrageous to curtail debate when he spoke for longer than anyone else. I therefore cannot have any confidence in his judgment that only important Bills should not be time restricted, whereas unimportant ones—perhaps such as the Royal Parks (Trading) Bill—should be so restricted.

I rather felt that the hon. Gentleman gave the game away in finishing his remarks, when he said, "By the way, we should do away with all this voting and vote just once a week. It can be announced that we should all be here on that day; then we could plan our timetables accordingly." That is when the cat came out of the bag. Undoubtedly, it would be for the convenience of some hon. Members if we turned up once a week, disposed of all our voting and did away with argument. However, this is not a congress of ambassadors. It is supposed to be a deliberative assembly, to which we come along to listen to the arguments and then make our decisions.

The hon. Member for Hazel Grove (Mr. Stunell) made much of the need to make greater use of timetabling. However, I draw his attention to what happened during the passage of the Government of Scotland Act 1998, which was substantially timetabled and demonstrated the weaknesses of using that procedure. I also note that the hon. Member for Edinburgh, West (Mr. Gorrie), who is a veteran of that Act's prolonged consideration, is now in the Chamber.

As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said, previously agreed timetables are disrupted not only by the tabling of hundreds of Government amendments. Sometimes, it is only when we start the detailed scrutiny of a Bill that we have any inkling of potential problems with the legislation. Time and again as we considered the 1998 Act, some Labour Members were frustrated—it was not a question of delay or filibustering—by the timetable motion, which prevented them from debating and exploring in Committee previously unforeseen issues.

In our consideration of the 1998 Act, frequently the programme motion's effect—I do not think that it was deliberately so; in this case, I am certainly not a conspiracy theorist—was to silence the hon. Member for Linlithgow (Mr. Dalyell). Although I do not think that that was the intention of the timetable, often enough that was its effect. Those who advocate timetable motions should be clear that they will be silencing not only Opposition Members. Earlier in this Session, I watched with awe and much approval as a disciplined group of Labour Members dealt very effectively with opposed private business. If timetable motions were used more often, Labour Members would soon begin to fall foul of their provisions. I do not advocate going down that road.

As I said, my fear is that this timetable motion is more to do with the management of Labour Members' disgruntlement than with achieving the legislation. I urge the Parliamentary Secretary, who is essentially Deputy Leader of the House, to find a relatively small group of Labour Members who are prepared to stay on after 10 pm to deal effectively with the arguments that are made by the few Opposition Members who attend those debates. I believe that the Government would find it much easier to get their business by taking that path, rather than by continually pulling stumps, coming back and having to endure—as we shall today—two three-hour debates on timetable motions. I think that the Government would find it more expedient to pass legislation in that way than by using a sledgehammer to crack a nut.

9.49 pm

Mr. Michael Fabricant (Lichfield): Earlier, I had the privilege of hearing the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) speak about what Parliament is all about. This Parliament is all about the scrutinising and preparation of legislation. It is not a nine-to-five job.

Let me take the House back with an image from history. Imagine that it is the year 850. Dank mists lie over the water and all that can be heard is the regular swish-swash of oars from a longboat as it enters a misty inlet, which, in future, will be known by the Icelandic words for misty inlet—Reykjavik. Within 50 years, a Parliament was formed, called the Althing—the forerunner of our Parliament.

In 900 to 950, Norsemen, who later came via Scandinavia to colonise our country, as they had earlier, stood opposite a cliff and would debate not in a Parliament contained by a roof, but in a Parliament contained by the heavens. The acoustics were such that they used to shout at each other, aiming their voices at a cliff. Debates sometimes lasted two, three or four weeks. Chieftains would come from throughout the island of Iceland to speak at the Althing—a collection of individuals who debated the law. There was no written record—

Mr. Forth: And no guillotine.

Mr. Fabricant: More to the point, as my right hon. Friend says, there was no guillotine.

The point is that this Parliament follows in the tradition of the Althing—or it should. However, as the hon. Member for Hazel Grove (Mr. Stunell) has said, the Government have got themselves into a mess. They are over-legislating. As I said earlier, I remember being advised by—I hesitate to use the word—my mentor, the right hon. Member for Manchester, Gorton (Mr. Kaufman), who was my pair in the days when we were allowed to have pairs. When the Conservative

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Government were not doing so well, he said that they should stop legislating and stand still. My advice to the Government, who are not doing well, is not to legislate—or at least not to over-legislate. That is what has got them into this mess.

Why have we got a guillotine motion? Is it because we have discussed the Royal Parks (Trading) Bill or the Television Licences (Disclosure of Information) Bill at length? No. The Royal Parks (Trading) Bill was discussed for just 35 minutes in Standing Committee and the Television Licences (Disclosure of Information) Bill was considered in two sittings for just two hours and three minutes.

Some might say that they are unimportant Bills, but we know that they are not. The Minister has told us that they are important Bills. So why are they being guillotined? Is it because the Government think that we would not otherwise complete all the stages this evening? I am convinced that if there were no guillotine and the Government were to agree to discuss the Bills through the night if need be, both Bills would receive Third Reading long before the sun rose over the horizon.

As my hon. Friend the Member for New Forest, West (Mr. Swayne) said, we have a guillotine because Labour Members believe that being a Member of Parliament is a salaried job. But as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) so eloquently said earlier, this is not a place where one can do a nine-to-five job.

I have sympathy for the hon. Member for Gloucester (Ms Kingham), who has just had twins. I appreciate that some people have other lives apart from the House of Commons. However, even in a nine-to-five job, one is expected to do the job. One cannot say to an employer, "I am now going to take a four-month leave of absence, but you must keep the job open for me. In the meantime, I want you to adapt your own practices, so that everything slows down because of me." It would be immoral to ask that of an employer. It is even more immoral to ask that of the state which pays our wages.

Mr. David Winnick (Walsall, North): I am interested in the description "nine-to-five job", which none of us wants. Was the hon. Gentleman against the Jopling recommendations? I cannot remember Conservative opposition in the last Parliament to the recommendations, particularly the recommendation that the amount of time spent in the House after 10 o'clock should be limited. If the hon. Gentleman and his colleagues believe that what we are advocating is all wrong, why was there not such opposition to Jopling at the time?

Mr. Fabricant: The hon. Gentleman raises an interesting point. When I came into the House in 1992, I was bewildered by this place. I had come from industry, and I was not a Blair babe. I was a Major man, and I tended to vote with the Government. Rarely did I question the Government. I have to say that I am enjoying myself a darn sight more now that I am able to think for myself in opposition. I had my doubts about Jopling because I thought that it was conceivable that we might be in opposition some day. However, I voted with the Government because I was a Major man. I did not feel happy with the provisions of the Maastricht treaty but, like a good victim of the Whips, I voted for that, too.

Mr. Graham Brady (Altrincham and Sale, West): Does my hon. Friend recall that the right hon. Member for Bishop Auckland (Mr. Foster)—a former Labour Chief Whip—made it clear that he had doubts about Jopling at the time? He has said explicitly that he only dropped those doubts—and that Labour only became prepared to accept Jopling—when the Labour party was convinced that it was going to win the election. There was no high principle involved; it was pure politics.

Mr. Fabricant: My hon. Friend has made his point clearly. Of course it is a question of politics, organisation and trying to run this House like a legislation factory. However, that is wrong. Legislation is never perfect. There is a strange argument that if legislation is not contentious, we should not spend time over it. However, just because we might agree with the broad thrust of a Bill does not mean that its provisions may not be contentious or imperfect.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Motions on Nuclear Safeguards Bill *[Lords]* and Sea Fishing Grants (Charges) Bill (Allocation of Time) and Royal Parks (Trading) Bill and Television Licences (Disclosure of Information) Bill (Allocation of Time) may be proceeded with, though opposed, until any hour.—*[Mr. Clelland.]*

Question agreed to.

Question again proposed.

Mr. Fabricant: Labour Members have tried to argue that Conservative Governments had guillotine motions, too, but there are two points to make in reply. First, two wrongs do not make a right. Secondly, if we accept that sometimes guillotine motions are not wrong, because matters can be debated at length on the Floor of the House and in Committee, it is worth examining how often different Governments have used them. My near neighbour and hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has made a detailed analysis. He said that during the Thatcher and Major years, the Conservative Government had 60 guillotine motions, but the Labour Government have had 50 in the past three years. It appears that the opinion of many journalists and parliamentarians that this Government are becoming more and more presidential, and less and less interested in what happens in the House, is borne out by their lack of compunction in using guillotine motions.

The hon. Member for Crewe and Nantwich, who sadly is no longer in her place, was right to point out that the people who dislike the way in which Parliament works should perhaps not have come here in the first place. Some people believe that when they are in Rome, they should do as the Romans do, but some hon. Members seem to believe that they should make the Romans do as they do. That is the fallacious argument that has been made by many Labour Back Benchers today.

It is interesting that those who argue for guillotine motions and a factory of legislation were not elected in 1992 or before. They were all new Members of Parliament in 1997, who are as bewildered as I was during the 1992–

97 Parliament. I can appreciate how they feel, because I too have had to sit on the Back Benches and vote with the Government because of the force of the Whips and my sense of duty to my party.

The hon. Member for Hazel Grove, who is no longer in his place, spoke at some length in this debate and in the earlier timetable debate about what he would do, if in government, to try to ensure that legislation went through steadily. He said that the Government's legislation is going through boom and bust, but I think that it is going through bust and bust—just as I fear the economy soon will.

When I asked the hon. Member for Hazel Grove what he would do to prevent guillotines being imposed, he had no answer. However, the answer is obvious: if need be, we must be prepared to debate through the night. If the Government Whips had not pulled stumps at 10 o'clock last Wednesday, we could have finished business by 2 or 3 o'clock the next morning, at the latest.

Mr. Greenway: Or before.

Mr. Fabricant: Or before, as my hon. Friend rightly says.

This Bill must be debated fully. Parliament is a place where people scrutinise legislation and speak—

Mr. Denis MacShane (Rotherham): On and on.

Mr. Fabricant: If necessary, they will go on and on and on, as the hon. Gentleman says. However, I give way to the hon. Member for St. Helens, South (Mr. Bermingham), who always makes welcome interventions.

Mr. Gerald Bermingham (St. Helens, South): The hon. Gentleman has called me unkind in the past, so I will not be unkind to him tonight. Does not he agree that we might get through our debates faster if our speeches were terse and to the point?

Mr. Fabricant: The hon. Gentleman is right. I shall be terse and to the point when I contribute to the Third Reading debates on these Bills.

Mr. David Taylor (North-West Leicestershire): For the first time.

Mr. Fabricant: That is very unfair. When I want, I can speak to the point, but sometimes we must expand on the role of Parliament. Too many people believe that Parliament is not a talking shop, and that we should not scrutinise legislation. They believe that hon. Members should merely vote, unthinkingly, according to the wishes of their Whips.

Mr. Bercow: Does my hon. Friend agree that the Minister for the Arts wants to truncate scrutiny of the Royal Parks (Trading) Bill because he lacks evidence about the pricing policies of burger sellers and the nutritional—or other—properties of their products?

Madam Speaker: Order. I hope that the hon. Gentleman will not go down that route.

Mr. Fabricant: I shall not go down that route, especially as it has been said that bird droppings—

Madam Speaker: Order. I asked the hon. Gentleman not to go down that route. He should concentrate on the motion before the House.

Mr. Fabricant: I draw the House's attention to the Parks Regulation Act 1872, which defines which parks are royal. We should have to debate the Bill for much more than a couple of hours if all the hon. Members with royal parks in their constituencies were present tonight. The Act states that the royal parks are Hyde park, St. James's park, Green park—known as "the" Green park in 1872—Kensington gardens, Parliament Square gardens, Regent's park, Kennington park, Primrose hill, Victoria park, Battersea park, Greenwich park, Kew gardens—including the pleasure grounds and the green there—Hampton Court park, gardens and green, Richmond park and green, Bushy park, Holyrood park, and Linlithgow Peel.

I must confess to my ignorance in not knowing whether Linlithgow Peel is in Scotland, Ireland or Northern Ireland. I suspect that it is not in England—but where are the hon. Members associated with those royal parks? They are not in the Chamber.

Mr. Swayne: Is it my hon. Friend's estimate that the provisions of that Act are in any way co-measurate with the provisions of the Bill that will be before us after the debate on the motion? How long did it take for that Act to pass through its stages compared with the time that we are being allowed in which to discuss this Bill?

Mr. Fabricant: I was going to refer to my hon. Friend, but as he has asked me a question to which I have no answer, I must refer to him as the hon. Gentleman. I am afraid that I do not know. The Parks Regulation Bill became an Act on 27 June 1872—I do not have its Committee stage here. Interestingly, it was printed not by Her Majesty's Stationery Office, but by George Edward Eyre and William Spottiswoode. That is a good example of privatisation before HMSO was founded.

I believe that under no circumstances would the 1872 Act have been guillotined when it was still a Bill. It would have been scrutinised for far longer than the mere 35 minutes that this Bill received in Committee, or the 43 minutes that the Second Reading debate took.

Mr. Swayne: The argument has been advanced this evening that the very fact that the Committee stage was so short is an argument for curtailing the Bill's remaining stages. Does my hon. Friend agree that the shorter the Committee stage, the greater the care that those of us who wish to scrutinise the remaining stages should take?

Mr. Fabricant: My hon. Friend—the House will note that I am once again referring to him as an hon. Friend—is right.

[Mr. Fabricant]

It has been said that a number of amendments to the Bill were tabled on the Floor of the House just to be contentious. That is not the point. I do not know how many people served on the Standing Committee considering the Bill, but I know that there are 639 Members of Parliament—*[Interruption.]*—or rather, 659. I am showing my age. Actually, I was deducting 20 to take into account those who cannot take part in debate because they are Whips or work with the Speaker.

The remaining Members of Parliament may think of amendments that they want to table but are unable to do so unless they served on the Standing Committee. To accuse Conservative Members, as Ministers have done, of being provocative or trying to waste time by tabling amendments today is a disgrace and an abuse of the House.

Mr. Bercow: My hon. Friend refers to the scurrilous criticism that amendments and new clauses have been tabled "to be contentious". Will he confirm the important point that, for many Opposition Members, contentiousness does not need to be contrived when it is natural?

Mr. Fabricant: My hon. Friend, eloquent as ever, states the obvious. When legislation is badly drafted, one needs to be contentious to improve it.

Mr. Bermingham: On a point of order, Madam Speaker. When a Bill is uncontested on Second Reading and flows through its Committee stage uncontested, is it not an abuse of the process of the House to table spurious amendments and make stupid interventions and silly points in order to prolong proceedings?

Madam Speaker: Spurious amendments may have been tabled, but all the amendments that were selected by this Speaker are perfectly in order.

Mr. Fabricant: Thank you, Madam Speaker. In fact, the hon. Gentleman will see that the selection list refers to the Speaker's provisional selection of amendments. That is the point. Perhaps more amendments were tabled, I do not know. However, the fact that they will come before the House today demonstrates that they should have been discussed in Committee. If they were not, it is right and proper that we discuss them on the Floor of the House.

Mr. David Maclean (Penrith and The Border): Does my hon. Friend consider that Government new clause 2, in respect of the Television Licences (Disclosure of Information) Bill is a spurious amendment, to quote the hon. Member for St. Helens, South (Mr. Bermingham)?

Mr. Fabricant: That is something that we shall have to debate. Sadly, we shall not be able to do so at length. The abuse of the House is not my debating these issues this evening but the imposition of the guillotine. I suspect that we shall have only an hour to debate six clauses and three groups comprising one new clause and five amendments. That is surely an abuse of the House.

Mr. Greenway: I am becoming a little concerned that my hon. Friend might think that the Committee did not pay sufficient regard to the Bill, given the time that we took to consider it. I give him the assurance that that is not the case. New clause 2 has been tabled by the Government at the request of the Opposition.

Mr. Fabricant: That was a helpful intervention. It demonstrates that the Government have much to learn from the Opposition. Why is it that the Government think that they can learn from the Opposition only in Committee and not on the Floor of the House? How much more could they learn were we able to debate these issues until 4, 5, 6 or 7 am? We might be able to continue right through until Wednesday. We have learned that the Prime Minister is taking parental leave, and we could continue through Prime Minister's Question Time, as we did once before.

Mr. Swayne: Am I correct in understanding that my hon. Friend said earlier that these matters should have been considered by the Committee? I think that I am quoting him correctly. Is he criticising the Committee for not having done its duty thoroughly? If that is so, is it his contention that the motion could have been avoided if the Committee of Selection had attended properly to its task?

Mr. Fabricant: My hon. Friend takes me down an interesting line of reasoning which I think I would be wise not to pursue. However, two heads are better than one. I do not know how many Members served on the Committee, but let us say that there were 11. Given that there are 639 Members able to speak in the House, as opposed to a total membership of 659, surely they constitute a better body of opinion than 11 Members.

As perfect as the Committee undoubtedly was and as talented as all its members undoubtedly were, it would not be unreasonable to say that they would not be able to think of every improvement that could be made to the Bill. As my hon. Friend the Member for Buckingham (Mr. Bercow) has said, it is so easy to be contentious when dealing with Government Bills. Even the Government are contentious when it comes to their Bills. We have only to remember the Utilities Bill, half of which had to be torn up and thrown away. The remaining half was improved by the Government, who had to introduce new clauses that, when put together, were as big the original Bill.

Mr. Christopher Fraser (Mid-Dorset and North Poole): I was a member of the Committee that considered the Utilities Bill. We sent it back on the ground that it did not do that for which it was intended because the Government had messed it about. I was a member also of the Committee that considered the Television Licences (Disclosure of Information) Bill, as was my hon. Friend the Member for Ryedale (Mr. Greenway). During our consideration of it we put some good points to the Government. Only today I have received comments from the Minister, saying how grateful she is to us for making those points. Our suggestions should have gone into the Bill at that earlier stage. That flies in the face of what the Government are doing.

Mr. Fabricant: My hon. Friend makes a serious point. When the House is working at its best, we co-operate to try to improve legislation. Both these Bills are non-contentious. Both sides want them to succeed. However, that does not mean that they should simply

receive a Third Reading. They must be workable, just and correct. It is not unreasonable that amendments should be debated fully and, if necessary, at length. When the Government say, "No, we object to true democracy in the House of Commons", we must question their presidential attitude. The House of Commons is here to scrutinise legislation. It is not here to be timetabled.

Mr. Paterson: My hon. Friend should not give the House the impression that the Royal Parks (Trading) Bill is not contentious. We are talking about extending the power of the law and the confiscation of private property. Surely our first role is to defend citizens from an over-mighty state.

Mr. Fabricant: My hon. Friend makes his point in his way, but I am not sure that I agree. No doubt we shall discuss the point when we discuss the Bill, although we shall not do so at length because of the guillotine. I am a free marketeer and libertarian, but the basic principle of the Bill is to provide the same powers to the parks police as the Metropolitan police already have. In that way, traders will not simply be displaced from one area to another.

Mr. Maclean: With respect to my hon. Friend, has he not missed the point made by my hon. Friend the Member for North Shropshire (Mr. Paterson)? It is not so much the substance of the Bill that we are questioning under the guillotine motion as the fact that its consideration has been largely completed already. Only one amendment remains to be discussed in full, as well as a group of amendments that we were more than half way through. Can my hon. Friend recall a case in which a Government imposed a guillotine when so little remained to be debated on a Bill that had almost completed its Report stage? We could probably have completed the Bill last week if the Government had not slipped in a statement that day.

Mr. Fabricant: My right hon. Friend is correct, of course. I was present when we debated the Bill until the Government decided to cease consideration at 10 o'clock. Only two groups of amendments remain for discussion, including the one on the power of seizure, retention and disposal of property that we were half way through. After that, there remains a single amendment to do with counterfeit goods. We had no votes on the Bill, so keen were we that it should proceed rapidly. There is general agreement that the House wishes the Bill to be enacted once it has been made good, fair, accurate and just.

At present, however, the Bill is none of those things. Nor is the Television Licences (Disclosure of Information) Bill. We all want people aged over 75 to have free television. Indeed, I must declare an interest because my mother is 89, alive and well, and living in Lichfield. She is looking forward to not having to pay for her television licence. *[Interruption.]* For the record, I should say that she does not live with me in Lichfield, as some hon. Members have suggested.

The Bill needs to be discussed at length. One group of amendments relates to offences and penalties. There is potential for gross intrusion. The previous Government introduced the Data Protection Act 1988, and there is some doubt about whether the Television Licences (Disclosure of Information) Bill breaches the principle of that Act. It will give private organisations access to information contained on databases which are maintained by the Department of Social Security and which were previously regarded as secure.

These are important issues. Yes, we want the outcome to be that people aged over 75 should have free television licences. I am certainly keen that traders should not be displaced either from parks on to public streets or vice versa. However, we must get the measures right. Is it so unreasonable to say in the House of Commons that we want legislation to be right?

What do the Government say? They say no. They say that we must decide on all those measures quickly, even though there are several contentious issues, and even though, time and again, the Government get their own legislation wrong. We saw that with their introduction of new clauses on these Bills and on previous measures.

In conclusion—because my voice is giving up on me—the Government have an unhappy record on legislation. They try to railroad it through, like some victorious power; they are heedless of democracy and of what is right. However, while doing that, they cannot achieve quality; time after time, they have to correct their legislation—usually at a late stage.

It would be in the Government's interest not to impose a guillotine on these measures, because only with time do they find out that their legislation is fallacious. Was it not a year after the Opposition made criticisms of the Utilities Bill that those criticisms finally seeped through to the Department of Trade and Industry and into the mind of the Secretary of State? It took a whole year.

I am not suggesting that we spend a year discussing either of the Bills, but I am arguing that we should debate them properly. There was a teacher who always used to interrupt me when I was giving a little discourse to my class—like certain Labour Members who intervene on me to try to shut me up, but that tends to make me speak for even longer, because interventions make people talk longer. I suspect that the Government would find that, if the legislation were not guillotined and they had not drawn stumps, we should have held the Third Reading debate more than a week ago.

The measure is imperfect. An imperfect Government are trying to force through far too much legislation too quickly—it is deficient and has to be corrected. The use of the guillotine 50 times in three years, compared with 60 times in 11 years when we were in government, demonstrates clearly that the Government are not concerned with democracy. They are not interested in Parliament. They make announcements to the press before they make them to the House. They try to sideline Westminster.

Power is centred more and more on Whitehall, but the electorate are listening. They are watching; they have seen through the Government. Every time the Government make an announcement, the electorate say, "What, again? More money? We don't believe it because we don't see it." Perhaps a year from now, just before the election, money will be announced and the Government will be telling the truth, but no one will believe them—

Madam Speaker: Order. The hon. Gentleman is straying a long way now. A moment ago, I thought he was in his peroration.

Mr. Fabricant: To conclude, the bypassing of Parliament achieves nothing. In the short term, it results

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in imprecise legislation. In the long term, the public see through it. In two or three years' time—under a Conservative Government—the legislation will come back and we shall have to correct it, because, when the Labour Government railroad legislation through, they consistently get it wrong.

10.29 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): The length of a speech and its quality are not entirely related. The hon. Member for Lichfield (Mr. Fabricant) should take a leaf out of the book of Abraham Lincoln and his Gettysburg address, which took less than five minutes. It echoed down the ages because of its content.

I do not complain that the debate on the motion promises to be rather longer than the debates on the substance of the Bills. The management of legislation is in many ways more important than its substance. I only regret that, in speaking against the guillotine, Conservative Members' views have been sustained by such weak arguments. It is peculiar to latch on to these two instant Bills to make such points.

The Royal Parks (Trading) Bill owes its genesis to the right hon. Member for Cities of London and Westminster (Mr. Brooke). He was a member of the Standing Committee and expressed himself to be more than content with the way in which the Bill had been introduced. In so far as he had any criticisms to make—and he made them—he expressed considerable irritation that the Bill had not been introduced earlier and had not been dealt with more expeditiously. His absence speaks eloquently of his irritation at the performance and gyrations of some Conservative Members who have done so much to prevent the Bill from becoming law.

Mr. Maclean: The right hon. Gentleman is correct in so far as my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) was concerned about the delays in getting the Bill to the House. The Government caused those delays last year because of the time it took them to get the private Member's Bill that my right hon. Friend introduced through the legislative process. Unfortunately, he had to introduce his Bill late in the Session and it did not receive a Second Reading. His concerns were caused by delays in the Government machine. The Government approved a Bill which they eventually decided was uncontentious.

Mr. Maclennan: I wish I could say that it is a novel idea to suggest that delays caused by the Government are wrong, while those caused by the Opposition are right. The right hon. Member for Cities of London and Westminster complained about delay, and the Bill has been considerably delayed more than necessary by the antics of Conservative Members.

Mr. Bercow: Does the right hon. Gentleman agree with the Government that brief consideration of a Bill in Standing Committee justifies the imposition of a guillotine on Report, or does he agree with the Opposition that such consideration justifies no such thing?

Mr. Maclennan: In this case, the short time it took to consider the Bill in Committee and the absence of significant representations to those on the Committee—I was one of them—suggested that the people most directly affected by its provisions were not greatly perturbed. The Bill was widely perceived to meet a need. It might even have been desirable to have it on the statute book before the summer recess when people visit the royal parks—

Mr. Paterson: Will the right hon. Gentleman give way?

Mr. Maclennan: Let me finish my sentence. I do not want to make a speech that is much longer than Lincoln's at Gettysburg. However, as I have been interrupted, I will give way.

Mr. Paterson: I thank the right hon. Gentleman for giving way. Had he been here at 10 o'clock last Wednesday night, he would have seen that we were well on the way to completing the Bill's report stage. Very few Members wished to speak and if the 10 o'clock motion had been moved and a Government Whip had not arbitrarily interrupted the debate, the Bill would probably have sailed on and been given a fair wind. It was unnecessary to stop proceedings at 10 o'clock.

Mr. Maclennan: The 10 o'clock rule exists to enable the Government to conclude proceedings if that seems appropriate to them and to the House. I belong to the school of thought that, on the whole, it makes more sense for proceedings to conclude at 10 o'clock than to go on beyond that.

I remember my late friend, John Mackintosh, the former Labour Member of Parliament for Berwick and East Lothian, serving notice on the then Labour Government, whom he mostly supported, that if they were so unwise as to bring on legislation after 10 o'clock, they could not count on his support. That view weighed heavily with the Government as they had a very small majority, and they almost invariably paid attention to what he said. In fact, he almost established a convention of the House.

I am concerned that, because the present Government do not have a small majority—indeed, they have an almost unprecedentedly large majority—they will plough on regardless because no one is prepared to put their foot down and say, at 10 o'clock, "Enough is enough." I think that enough is enough. I am fortified in that view by what I read in today's *Evening Standard*, where the former Conservative Member of Parliament for Buckingham, Mr. George Walden, talks of how the public have increasingly lost sympathy with the House and ceased to see it as the cockpit of major national debate, not least because of its inability properly to manage its business and because it goes on debating matters into the night.

I do not want to take too much issue with the hon. Member for Lichfield, who was indulging his wit.

Mr. David Taylor: What?

Mr. Maclennan: After-dinner speeches are supposed to be light and entertaining, and the hon. Member for Lichfield fell firmly into that category.

Mr. Fraser: Can the right hon. Gentleman, who is giving us a Cook's tour of parliamentary procedure,

explain why, in recent Committee proceedings on the Utilities Bill and the Television Licences (Disclosure of Information) Bill, which I attended, his colleagues tabled amendments but did not bother to turn up to move them? How does that help the parliamentary process that he is describing?

Mr. Maclennan: Curiously enough, I am addressing the two Bills that are before the House and whether or not a guillotine motion should be employed in this instance. I am not aware of what the hon. Gentleman has described and I cannot see that it is relevant to the discussion. The relevant question is whether this is the best way to manage the business of the House.

It is time that the Opposition got together with the Government and took up the idea of a legislative procedure Committee in which we seek agreement about how to deal with these matters. It is plain nonsense that we should be subject to the silly behaviour that characterised the consideration of the Royal Parks (Trading) Bill at an earlier stage on the Floor of the House, provoking an almost equally unacceptable attempt by the Government to curtail debate. That is not a rational way to deal with these matters, and it is time for the House to grow up and recognise that we are simply switching off the public with these performances. We may greatly entertain ourselves—hon. Members on both sides of the House are here because they have been told that they are required to be here, so they make the proceedings light and amusing for themselves—but that attitude to what is essentially an issue of public policy is too self-interested and self-centred.

Mr. Bercow: I am grateful to the right hon. Gentleman for giving way. Buckinghamites naturally tend to protect each other. The right hon. Gentleman referred to my predecessor, who in many ways is an admirable and distinguished fellow. Will the right hon. Gentleman confirm that he is not claiming that my predecessor, Mr. George Walden, was supporting the application of the guillotine on these two Bills? Parliament is held in low esteem, perhaps even in public opprobrium, not because of its consideration of these Bills, but because Ministers and Government Back Benchers rarely attend, could not care less what people think, and despise the traditions of this distinguished House.

Mr. Maclennan: The former hon. Member for Buckingham made a better plea than I could in this matter, and he gave a great deal of thought to it. I recommend the article to his successor and suggest that he read it. The former hon. Member did not address the subject of guillotines. What he addressed, squarely, was the issue of the House failing to manage its business in a way that makes sense to the public. In particular, he referred to holding debates after 10 pm. It is not a rational response on the part of his successor to go down the route that he is following tonight.

Mr. David Taylor: I thank the right hon. Gentleman for giving way. Is it not ambitious to expect the official Opposition to sign up to the principles of rational debate? Is that not as likely as a group of sumo wrestlers signing up to Weight Watchers?

Mr. Maclennan: I live in hope. I have listened to Conservative Members in the House and outside advancing arguments—more often, perhaps, when in opposition than when in government—for the sensible management of debate.

I served on the Hansard Society committee on the reform of the legislative process, which was chaired by Lord Rippon, a former Member of Parliament for Hexham. That committee put forward ideas that I would commend to the present Administration. They were supported by people of all parties and none as being the way forward.

I grant, and it has always been granted, that Oppositions—I have served more in opposition than in government—have some fear of the loss of time being the loss of an opportunity to hold the Government to account. None the less, the factious use of time simply discredits the process of opposition and makes it seem irrelevant.

When a couple of Bills on which both sides are united on the substance lead to such a partisan exchange, it exacerbates the public disaffection—the switch-off factor. It would be sensible for us all to recognise that before it is too late—before the only serious debates in this country are those that take place not in the Chamber, but with people such as Andrew Marr, Robin Oakley or John Sergeant mediating them. I should prefer to have those debates in the House, under your chairmanship, Mr. Deputy Speaker, and under the chairmanship of the Speaker. This is where we want to hear it happen, but we must have a sense of proportion in deciding which are the big issues. Maastricht has been cited this evening, as has the Scotland Bill. Those were major issues that required and received lengthy debate, but if we inflate matters such as the Royal Parks (Trading) Bill and the Television Licences (Disclosure of Information) Bill in the way that occurred tonight and last week, I am afraid that we will go on losing the confidence and respect of the public whom we are trying to serve.

10.44 pm

Mr. Christopher Chope (Christchurch): I understand the point made by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) in relation to today's news. Ministers from the Department for Culture, Media and Sport are on the Front Bench. The big news that most people are talking about today is the additional £29 million to be given to the dome. Many of my constituents object strongly to that, yet the House has had no opportunity to discuss it. I believe that the right hon. Member for Caithness, Sutherland and Easter Ross made a similar point, with which I agree.

I could not follow the logic of the right hon. Gentleman's argument about the Television Licences (Disclosure of Information) Bill because that measure did not receive its Second Reading until after 10 pm. I am surprised that he did not object to that. It would not have happened under a Conservative Government. It was a convention under the previous Government that a Second Reading debate would not start after 10 pm. Perhaps the right hon. Gentleman tried to make that point.

The Minister's introduction to the debate included specious arguments. She argued that there was an urgent demand for the television licences measure to get on to the statute book. It may now be urgent, but that is because the Government delayed earlier. The hon. Member for St. Helens, South (Mr. Bermingham) has left, but those of us who practised as barristers recall a time when many

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papers, which had been sitting in chambers for longer than they should, changed from routine to urgent. That meant that they had been overlooked, not that an emergency had occurred. If the Minister meant that the Bill was an emergency measure, I remind hon. Members that it has not been pushed through the House on that basis.

Having had a rather leisurely Second Reading debate after 10 pm, the Bill went into Committee. The first day the Committee sat, it spent only half an hour considering the matter before it adjourned and returned after Easter. That is hardly indicative of extreme urgency.

Mr. Fraser: Does my hon. Friend agree that a perfectly adequate ten-minute Bill, which was supported by Conservative Members, was introduced last year to tackle the same issue? Had it been accepted, the Government would not have had to introduce a Bill in such a politically expedient way.

Mr. Chope: My hon. Friend makes an excellent point. My hon. Friend the Member for Arundel and South Downs (Mr. Flight) introduced a ten-minute Bill which was supported by all parties, but not the Government Front Bench. If the Government were not so proud or foolish, they could have accepted the Bill, which would be on the statute book by now—and 11,000 of my constituents, who will benefit from free licences for those aged over 75, would already be benefiting.

Mr. Bercow: We have reached a significant point in our deliberations. My hon. Friend says that the House's time, which Labour Members claim so jealously to guard, has been frivolously wasted for no other or better reason than the hubris of Ministers.

Mr. Chope: My hon. Friend is right, as he invariably is. We are considering a serious issue. The more the Government believe that they can push through measures by use of the guillotine, the less attention they will give to whether the Bills should have been introduced in the first place and whether they should have been piecemeal measures.

We would not be discussing the Royal Parks (Trading) Bill if someone had thought more seriously about whether we required a Bill that embraced the needs of Westminster, the royal parks and perhaps other local authority areas. One Bill could have covered all those subjects. Instead, the City of Westminster Bill was introduced in the previous Session and the Royal Parks (Trading) Bill has been introduced in this Session.

We learn from a previous debate that there is every prospect of other local authorities calling for even more legislation because the Royal Parks (Trading) Bill and the City of Westminster Act 1999 will result in displacement of anti-social behaviour to other local authorities. That means that more prime time in the House will be taken up. That could have been avoided if the Government had considered matters in advance. The Minister's argument about the need for urgency does not wash.

Last November, the Chancellor announced that all over-75s would be given a free television licence this autumn, but pensioners are to receive their licence rather later than many of them expected. That is so often the case with the Government. Be that as it may, free licences will be introduced on 1 November, but, by all accounts, arguments about who would administer the scheme were still taking place in Whitehall in the early months of this year. There would have been no need for the Bill had the Government adopted the common-sense proposition that the over-75s—effectively, the generation of law-abiding, God-fearing citizens that served this country so well in the war—could be trusted to own a television without a licence. There would have been no need for this bureaucracy.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman must discuss the allocation of time motion, not the Bill's merits.

Mr. Chope: I was not seeking to discuss the Bill's merits and I accept your ruling, Mr. Deputy Speaker.

The Government could have achieved their objective without legislating. Had they given that more thought, less of our time would have been wasted in considering the Bill.

I look forward to the Minister's explanation of why the first sitting of the Committee considering this urgent legislation lasted only half an hour; the second lasted only an hour and a half. Had it met for a full sitting, consideration could have been completed and the Bill could have returned to the House much sooner.

Mr. Swayne: The hon. Member for Hazel Grove (Mr. Stunell) suggested that greater use be made of pre-legislative scrutiny, which would rely greatly on the expertise of Select Committees. Is it my hon. Friend's estimate that scrutiny of the Bill in Committee would have been much more exhaustive had such a procedure been applied? Therefore, the timetable motion would not have been required.

Mr. Chope: I take my hon. Friend's point; the timetable motion is not required. It represents a macho exercise by the Government—an attempt to satisfy some of their Back Benchers by making a point against my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). That is unnecessary. We know perfectly well that the Royal Parks (Trading) Bill was being discussed last Wednesday—I was speaking to amendment No. 6—and I expected the 10 o'clock motion to be moved by the Government, which would have allowed me to finish my speech and the House to complete its consideration of that important measure. After hearing the Government's reply, we could have dealt with the remaining amendment and proceeded to Third Reading.

Mr. Maclean: Will my hon. Friend comment on the rumour, which was awash in the House that night, that, incompetently, the Government had put Labour Members on a one-line Whip, they had all gone home and were not in the House to vote? The Government did not want the debate to go beyond 10 o'clock because they knew that there may have been a vote on amendment No. 6.

Mr. Chope: I remember discussing that point with my right hon. Friend on that occasion. If one thinks of these proceedings as a game, Conservative Members missed a trick: we were concentrating too hard on the merits of the Bill and not thinking enough about strategy and tactics.

Mr. Bercow: If the Television Licences (Disclosure of Information) Bill was so uncontentious that it required

minimal consideration in Committee, why have the Government only now tabled new clause 2? Did that not occur to them before? If not, why not?

Mr. Chope: I do not know whether my hon. Friend has had a chance to read the Committee proceedings, but I have. It is clear from those proceedings that, as a result of comments by my hon. Friend the Member for Ryedale (Mr. Greenway) and also by my hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser), the Minister said that she would think about that point. To give her credit, she did think about it and recognised that it was a good point, and that is now reflected in new clause 2.

It has been suggested that the whole purpose of the Report stage of Bills is merely to consider a good many more detailed amendments. We know perfectly well that one of the few opportunities that often arise in the House for the discussion of major issues results from the introduction of new clauses on Report. That is why, on Report, new clauses take priority over amendments. On many a criminal justice Bill, issues relating to, for instance, capital punishment have been presented on Report and we have engaged in major debates here, some of which have lasted all day. The idea that we should curtail Report stages because they are an unimportant part of the legislative process is a dangerous one: it could result in the conferring of substantially more power to the Executive and to the power of the legislature—the true representatives of the people—being much diminished.

Mr. Maclean: My hon. Friend speaks of the importance of considering new clauses. Would he care to reflect on the fact that four of the new clauses selected by the Speaker—from which we assume that they are not bogus or spurious, but are genuine new clauses worthy of debate here—were tabled by Opposition Members, including me, and one was tabled by the Government? In those circumstances, is it not outrageous to curtail debate on these important new clauses?

Mr. Chope: I entirely agree. It is outrageous to curtail debate in this way, and it need never have happened. At the end of tonight's proceedings, we shall probably find that more time has been spent overall on discussing allocation of time motions than would have been spent on discussing the substantive issues contained in the Bills had the Government not tabled those motions. I find it depressing that the Government felt it necessary to table them to try to satisfy their Back Benchers.

Mr. Maclean: It is a question of pique.

Mr. Chope: It shows that the Government no longer command the respect of their Back Benchers and are having to throw them titbits every now and again to try to keep them satisfied. That is an astonishing way to behave, given that the Government have such a large majority.

Mr. Fabricant: My hon. Friend will have read in *The Times*—this is pertinent to the motion—that several Labour Members will be standing down after serving just one term. Does my hon. Friend think that the Government's motive in imposing guillotine motions such as this—although they destroy the democracy in which we currently serve—is to keep Blair babes, and others who are going to have twins, in the House of Commons?

Mr. Chope: My hon. Friend made some excellent comments earlier about "Major's men", a gang of which he was a proud member.

Mr. Bercow: He voted for Redwood.

Mr. Chope: My hon. Friend does not want that to be put on the record—*[Interruption.]* As for Blair's babes. I am the last person who can comment usefully. When I was at school, I was asked to write an essay on the proposition "A Woman's Place is in the Home". I think I was the only person in my year who divided the proposition into different stages in a woman's life. Would it, for example, be appropriate for her to be at home looking after young children and to go out to work later? But perhaps I am straying a bit from the subject of tonight's debate.

The Government had an opportunity to introduce the television licences legislation earlier, if indeed they needed to introduce it at all, but they are now trying to force the Bill through urgently. The Minister said on Second Reading that issues related to the total cost of administering the scheme for free licences would be brought out during the debate in Committee. It is my understanding that those issues have not yet been brought out, and we could have legitimately raised that on Third Reading. I hope that we shall still be able to discuss that during the Third Reading debate, which will be much curtailed as a result of the Government's allocation of time motion.

My constituency contains some 11,000 pensioners over 75, which is more than in any other parliamentary constituency in the country. They are eager to find out how the new scheme for television licences will be administered. Hon. Members will be deprived of the opportunity to raise those issues on Third Reading.

Under the terms of the allocation of time motion, I expect to be able to speak further on amendment No. 6 to the Royal Parks (Trading) Bill, which I was speaking to when the House adjourned at 10 o'clock last Wednesday. The major point that has emerged from today's proceedings on these allocation of time motions is that the Government are guilty of proliferating piecemeal legislation. That is the root cause of the problem over the Government's timetable and the allocation of time motions for debating these Bills.

The provisions of the Royal Parks (Trading) Bill could have been included in a consolidated measure in common with the City of Westminster Act 1999. If the Government were less regulatory minded, we could have achieved the objective of allowing people aged over 75 to watch television without paying a licence fee, without any need for the Television Licences (Disclosure of Information) Bill or the bureaucracy it creates, which will cost some £24 million. Interestingly, that sum is not dissimilar to the extra £29 million that the Government have awarded to the dome—a cause that has little sympathy among the general public.

Mr. Deputy Speaker: Order. Those matters are nothing to do with the timetable motion.

Mr. Chope: I accept your ruling, Mr. Deputy Speaker.

11.3 pm

Mr. Owen Paterson (North Shropshire): It is a great pleasure to be called in the debate, and I shall be as brief as I can, as I know that other hon. Members want to speak and time is short.

This is a completely unnecessary guillotine motion. I was here at 10 o'clock on Wednesday last week. Few Labour Members were present. Progress was being made. My hon. Friend the Member for Christchurch (Mr. Chope) was speaking to amendment No. 6, and the debate was going smoothly. Serious points had been made by my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). To my astonishment, the Labour Whip closed proceedings down and moved the motion that the House be adjourned. That was completely unnecessary. It was a symptom of the fact that the Government and Government Whips in particular have lost control of their Back Benchers. It is as simple as that.

Mr. Maclean: The Back Benchers had gone home.

Mr. Paterson: They had. They wanted to go to bed. I wonder what their constituents think about that. Why were those Members sent here? The debate has been most interesting because it has thrown up major differences on either side of the House. I regard it as a huge honour to be elected to the House. I am allowed to stand here and to say what I like. I am one of 659 people with an enormous privilege: to come here and to speak. That is what Parliament is all about.

I might be a bit of a traditionalist. The first Parliaments were held in Acton Burnell and Shrewsbury in Shropshire. I regard it as a retrograde step that, soon after, Parliament moved to Westminster and has been here ever since. There is always hope that it might move back to Shrewsbury. It is unlikely, but I am prepared to travel from Shropshire to speak, to represent the people of North Shropshire, to say what I think about matters and to give my judgment. I may be wrong. I may be laughed at. I may be shouted down, but that is my role as a Member of Parliament.

I find it extraordinary because people have gone to such trouble to get in here. We all know it because we have all been through the process. We all had to go through the party system, to fight our duff seat, to be councillors and to work our way through our party machines to get in here. It is a long hard slog to become a Member of Parliament.

Mr. Quentin Davies (Grantham and Stamford): Is not the Government's behaviour a much more worrying and sinister phenomenon than my hon. Friend suggests? Is it not a fact that they have become so arrogant with their enormous majority that they do not feel that they need to listen to parliamentary opinion any more? If the going gets a bit rough, they know that they can always pull stumps and guillotine the measure through with their vast docile majority.

Mr. Paterson: My hon. Friend makes a pertinent point, which I shall come to. The Government do take advantage of their huge majority. My hon. Friend is right. What I find extraordinary is that many Labour Members are here on a temporary stay. They will not be here for more than one Parliament.

Mr. David Taylor: Will the hon. Gentleman explain how it is possible to reconcile the view that we have just heard—that the Government have a large docile majority—with his own view that the reason for the timetabling of the legislation is because the Government have lost control of that large docile majority?

Mr. Paterson: The Government are lazy. It is as simple as that. They are lazy in imposing discipline on their troops. We see that. There are ridiculous objections to the time here. In an earlier debate, my right hon. Friend the Member for Bromley and Chislehurst pointed out that, on Friday morning, he was here from 9 o'clock until 2.30. I was here in the later stages of that debate. Surely those qualify as civilised hours for a debate, according to all the criteria of the new Labour luvvies. Surely they can all get out of bed in time to be here by 9.30.

Mr. Gordon Marsden (Blackpool, South): Will the hon. Gentleman give way?

Mr. Paterson: I am delighted to give way to the hon. Member for Blackpool, North.

Mr. Marsden: South, actually.

I have been listening with interest to the hon. Gentleman's argument. Does he not agree that it is perhaps a sign occasionally of greater maturity among Labour Members that many of them prefer—and, indeed, need—to spend Fridays in their constituencies listening to and representing their constituents, rather than sitting in this place and listening to some of the waffle that we have heard this evening?

Mr. Paterson: That is an important contribution because it shows the difference between the attitudes on both sides of the House. The hon. Gentleman is absolutely right to say that he should be visiting his constituency. He should be concerned with his constituents. That is right, but I feel that too many Labour Members are obsessed with face-to-face meetings with their constituents and not with their equal responsibilities here: passing laws that make very important decisions affecting the civil liberties of the citizens of this country.

Mr. Maclean: Is it not the case that, now, almost every second Friday is a non-sitting Friday to enable Members to visit their constituencies and to meet constituents, but that, when we do have sitting Fridays, there is important business before the House? We had two Bills on Friday, which we passed. One was promoted by a Conservative Member and the other by a Labour Member. There was total support from both Front-Bench teams and from hon. Members on both sides of the House. One Bill dealt with the freedom of patients to have doctors' practice investigated. The other tightened up on animal cruelty. It was not waffle or rubbish that Members dealt with on that important Friday, when the hon. Member for Blackpool, South (Mr. Marsden) could not be bothered to be here.

Mr. Paterson: My right hon. Friend makes his point with his usual eloquence. On Friday, he was in the Chamber, speaking and proposing sensible amendments that have improved those two Bills.

It is most important that Labour Members should consider their role. They are more than county councillors or district councillors. Although councillors have a very worthwhile occupation, there is an awful lot more to being an hon. Member than acting as a councillor, by only holding surgeries and paying attention to constituents' nitty-gritty details. Members of Parliament have another role and that role is performed here in the Chamber—by speaking up for constituents.

The hon. Member for Blackpool, South has rights that the 70,000-odd people whom he represents do not have.

Mr. Deputy Speaker: Order. The hon. Gentleman has to speak to the timetable motion, not remind us of the duties of Members of Parliament. Most of us know those duties.

Mr. Forth: Those Labour Members do not.

Mr. Deputy Speaker: I do not need to be reminded.

Mr. Paterson: I shall follow your stricture, Mr. Deputy Speaker.

Mr. Bercow: Does not this allocation of time motion admirably explain the mindset of Government Back Benchers—this is utterly germane to the allocation of time motion—in that they are wholly docile in agreeing not to speak about any of the matters for which time is being allocated, but they are utterly outspoken about their selfish right to go home when it suits them?

Mr. Deputy Speaker: Order. The allocation of time motion is not about when hon. Members go home—it has nothing to do with that—but about an allocation of time for the legislation that we are about to consider. Hon. Gentlemen must speak to that.

Mr. Paterson: Thank you, Mr. Deputy Speaker. It is important to discuss the allocation of time motion in the light of how Labour Members seem to respect parliamentary time. I think that that is the point that Opposition Members are trying to get at.

Mr. Bercow: I certainly comply, immediately and without hesitation, with your guidance, Mr. Deputy Speaker. However, does my hon. Friend not agree that, if sufficient hon. Members were motivated to comment on powers of seizure, on counterfeit, on offences and penalties on the disclosure of information and related matters, substantially more time than the Government are allocating would be required?

Mr. Paterson: Certainly; and perhaps they would be if it were their own property.

A telling phrase was used in a debate, last year, when one of the Government Back Benchers described himself as a "middle manager", which perhaps explains the difference between Opposition Members and Government Members. We think that our role is to oppose the motion, because we believe that we should be spending our time going through the Bill line by line. In the 1240s, knights came down from Shropshire to Parliament to examine Bills line by line, in the light of their own experience. They did not see themselves as middle managers. *[Interruption.]*

The hon. Member for The Wrekin (Mr. Bradley) laughs. One of his predecessors—one of those very first knights from Shropshire—was described by Peter de Montford as being "over independent". The hon. Gentleman should remember that. He has been sent to this place to examine Bills line by line.

We are considering important legislation, affecting confiscation of property—

Mr. Swayne: The Mafia.

Mr. Paterson: I have not come to the Mafia yet.

I am concerned about extending the powers of law and order to the confiscation of private property. The Television Licences (Disclosure of Information) Bill contains dramatic powers on the disclosure of confidential information to the BBC, of all organisations.

Mr. Fabricant: At least the BBC is a public corporation that is governed by royal charter. Is it not also true that the information to which my hon. Friend refers would be disclosed to private corporations contracted under the Bill's terms? Is that not worrying?

Mr. Paterson: That is worrying, but I will not be tempted by my hon. Friend to go into too much of the detail of the Bills, because we are discussing the timetable motion. The Bills deal with serious matters relating to law and order and the disclosure of information.

The hon. Member for Walsall, North (Mr. Winnick), who is sadly not in his place, made a brief speech earlier, arguing that subjects that are debated in the House should be divided between those that are very important and those that are not. That is a dangerous suggestion. We are here to scrutinise the Executive and hold it to account. The Walsall doctrine, as we might call it, would give power to the Executive to decide what is important.

We have pushed as hard as we can this evening at the Liberal Democrats. The first contribution of the hon. Member for Hazel Grove (Mr. Stunell) was about as satisfactory as chewing cardboard and I am afraid that his second contribution did not enlighten us much more.

Mr. Swayne: The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan), who is sadly no longer in his place, likened his speech to the Gettysburg address. He said that he had received no representations during the Committee stage from those who would be affected by the Royal Parks (Trading) Bill, but the hamburger salesmen who would be affected were inarticulate and unlikely to be in a position to make such representations.

Mr. Paterson: My hon. Friend makes a telling point. My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has also tabled important amendments about language. One problem is that the entrepreneurs who sell their interesting sausages, hot dogs and other goods, including hot nuts, we have been told, speak a lot of foreign languages.

Mr. Stunell: It might be more helpful to remember, as my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) pointed out, that the right hon. Member for Cities of London and

[Mr. Stunell]

Westminster (Mr. Brooke)—a Conservative Member who represents those who work in the parks—was keen for the Bill to proceed in its current form and took a dim view of the delays that had taken place. That is a different perspective from that offered by the hon. Member for New Forest, East or West, as the case may be.

Mr. Paterson: There was plenty of time after 10 o'clock last Wednesday evening to sort out the Royal Parks (Trading) Bill. It could have been long behind us and we could be discussing something more interesting and more important. It is unnecessary to be discussing it now.

The hon. Member for Hazel Grove had a second shot in this debate. He said that there should be an all-party legislative Committee consisting of Front-Bench and Back-Bench Members from both sides of the House. I thought that that was a pretty accurate description of the House of Commons. It was the most bizarre constitutional suggestion from the Liberal Democrats. We had waited all evening for it, and all that we heard was that the House of Commons should decide these matters.

Mr. Fabricant: The irony is that if there were such a Committee, as proposed by the woolly hatted woolly thinkers along the gangway, its consideration would be guillotined, so there would be no advantage.

Mr. Paterson: We have got nothing out of the Liberal Democrats about how they would sort out the problem.

We are faced with a capacity problem. The Government are trying to crash through 28 Bills in one Session and are tacking on a few private Members' Bills as well. Not long ago, a senior member of the Tory party who had been involved in running legislative programmes during the 1980s told me that it was not possible to get more than 18 Bills through. The Government are trying to crash through 28 when 18 will go into the pot. We are not increasing the time available—if anything we are reducing it, because the luvvies all want to get home to bed by 10 o'clock.

The problem is compounded by the Government's rotten drafting. My hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser), who has just left the Chamber, referred to amendments tabled to the Utilities Bill that were not spoken to. We all know that that Bill had to be ripped up and started again from scratch. Those are problems caused by the Government. We are already overgoverned. We already have too much legislation, too many bureaucrats and too much taxation and the Government are only increasing that.

Mr. Maclean: My hon. Friend commented on the rotten drafting. One can always criticise aspects of drafting, and I have found some measures that the Government have accepted could have been drafted more appropriately. However, the real criticism should not be of the parliamentary draftsmen—who are desperately overstretched by the Government—but of the instructions issued by Ministers on the Utilities Bill, which tried to do far too much and was nonsense, the Transport Bill and the Referendums (Scotland and Wales) Act 1997.

Mr. Paterson: That is a fair comment. I have sat on the Standing Committee considering the Transport Bill, and elements of that Bill were badly drafted. Mistakes were made.

The hon. Member for Hazel Grove mentioned Europe. I am a member of the European Scrutiny Committee, and I wholly admire the Clerks who have to give us a precis of detailed legislation. Even then, we are making mistakes because we do not scrutinise European legislation as we do in the Chamber; or should do, if the Government allowed us the time—

Mr. Deputy Speaker: Order. We have a timetable motion before us, and I remind the hon. Gentleman again that that is what he must speak to—not other matters in the House. That is not the point before us.

Mr. Paterson: I follow your point, Mr. Deputy Speaker, but I am just making the comparison between the need—

Mr. Deputy Speaker: Order. I have given the hon. Gentleman and the hon. Member for Christchurch (Mr. Chope) some leeway, but making the point and demonstrating what can happen in other Committees is one thing. Going on and on at great length is something that I cannot permit. We have a narrow timetable motion. If the hon. Gentleman cannot speak to it, he has an option; he can sit down and let someone else be called.

Mr. Paterson: I will follow your strictures, Mr. Deputy Speaker.

The first guillotine motion was on 11 June 1887, when the House had got bogged down in debates on Ireland for more than three weeks. It is interesting that Gladstone described that as

a further abridgement of parliamentary liberty.

Mr. John Hayes (South Holland and The Deepings): Long after that guillotine motion was moved, matters concerning the royal parks were debated in this House on 29 November 1926. The then Government saw fit to allow a free and wide-ranging debate on issues similar to those that would be debated tonight, if we had time, in respect of Royal Parks (Trading) Bill. Were not Governments in those days more generous and sensible on matters concerning the royal parks, which are of great concern to us all?

Mr. Paterson: My hon. Friend makes a good point. We should be scrutinising the Bill line by line.

Mr. Maclean: My hon. Friend may like to contrast the guillotine introduced in the 19th century to deal with a long-running debate on the Irish question with the debate on the Television Licences (Disclosure of Information) Bill, which has not had a Report stage. It had a brief Second Reading, two brief sittings in Committee and no time at all on the Floor of the House. Surely there is a world of difference between the guillotine of the Irish business in the late 1800s and the guillotine of the Bill tonight.

Mr. Paterson: My right hon. Friend makes exactly the right point. The first guillotine was brought in to try to resolve the titanic problems of Ireland, which dominated parliamentary debate throughout the 19th century and have not been resolved now. I shall not refer to Parnell, Gladstone and those involved, as the House will be

familiar with them. These were huge issues, debated at enormous length—and here are we, guillotining a relatively little Bill on television licences. The contrast could not be more dramatic. Gladstone, Lloyd George and Churchill did not make their names by going to bed early at 10 o'clock, but by speaking in this House with great erudition, in great detail and at great length. The Minister is laughing, but this debate is totally unnecessary.

Mr. Fabricant: My hon. Friend mentioned the first time that guillotine motions were used following the titanic debates on the Northern Ireland question. How does he contrast those debates, which went on for months, with the debate on the Royal Parks (Trading) Bill, which lasted 43 minutes on the Floor of the House on Second Reading and just 35 minutes in Committee? At that stage, the Government say, "Enough is enough, the Blair babes want to go home so we will table a guillotine motion."

Mr. Paterson: There is a real danger that bad law will be passed, as we have seen with some of the other measures that the Government have guillotined. Severe criticisms were made of the Welsh and Scottish referendums, and that could have been because they were guillotined and debate was truncated. Very real criticisms have been made of the treaty of Amsterdam, which was enacted as the European Communities (Amendment) Act 1998, and that was guillotined. I live on the border with Wales and real criticisms have been made there of the Welsh Assembly. I suspect that is because the relevant legislation was crashed through the House without proper parliamentary scrutiny. That is the point—line by line scrutiny is important.

It is worth reminding the House of the wise words of John Biffen, who was a highly esteemed previous Leader of the House and greatly respected on both sides. He was also my predecessor and is now Lord Biffen. He wisely commented:

> All Governments are tomorrow's possible Opposition.—[*Official Report*, 27 February 1986; Vol. 92, c. 1088.]

[Interruption.] I am delighted that the Minister has noted that point, but I wonder whether she will take it to heart. She made a brief, dismissive speech and I do not think that she really understands the importance of what we are discussing tonight.

Mr. Maclean: Before my hon. Friend criticises the Minister too much, I should point out that the guillotine motion is not her fault. She has been put up to do a job tonight as a departmental Minister when it should have been the Leader of the House. For the second time today, the right hon. Lady is skulking in her office instead of being at the Dispatch Box justifying the guillotine motions.

Mr. Deputy Speaker: Order. Which Minister is before us has nothing to do with the motion. I do not want any debate on that issue. I do not like to say it, but the speech of the hon. Member for North Shropshire (Mr. Paterson) is becoming repetitive.

Mr. Paterson: Thank you for that helpful comment, Mr. Deputy Speaker.

Mr. Hayes: I am a little disappointed that my hon. Friend has not chosen to consider the issue of the Parks Regulation (Amendment) Act 1926 in relation to the guillotine motion, so perhaps he will take the opportunity to consider the Parks Regulation Act 1872 in that context. The 1872 Act preceded the introduction of guillotines but had debate proceeded at inordinate length, the then Government might have been moved to introduce guillotines much earlier. Will my hon. Friend give some consideration to the length and nature of the debate in 1872?

Mr. Deputy Speaker: Order. I want the hon. Gentleman to consider only the timetable motion.

Mr. Paterson: I shall not be tempted by the diversion my hon. Friend offers. There is too much legislation going through the House and the Government are not drafting legislation properly. The only solution is to allow more time for detailed consideration. It is not to try to crash through four Bills in one evening and to curtail debate in this disgraceful manner. I oppose the motion.

11.30 pm

Mr. Eric Forth (Bromley and Chislehurst): We have heard some reference to the fact that the Leader of the House has not been seen or heard this evening. Last Thursday, she stunned the House when she announced the business for tonight. She said:

> The House is taking a great deal of time discussing legislation that is not contentious and that would not normally require much time in the House.

That was one of the right hon. Lady's main justifications for this evening's motions. She also stated:

> No amendments were tabled in Committee to the Nuclear Safeguards Bill, which is an important and worthwhile measure to discourage the proliferation of nuclear weapons . . . the Royal Parks (Trading) Bill was uncontentious and supported by Opposition Members, and the Standing Committee sat only once.

She complained that

> seven new clauses, 31 amendments and two new schedules were tabled to take up debating time on the Floor of the House.—[*Official Report*, 18 May 2000; Vol. 350, c. 459.]

"Erskine May" states that consideration of a Bill on Report gives the House an opportunity to consider the text of a Bill "afresh". Does not that statement sanctify the Report stage, and make it clear that it is an opportunity for the House as a whole to consider a Bill after it has been in Committee?

It has been noted already that the Committee stages of the two Bills under consideration were lamentably brief. The Royal Parks (Trading) Bill was not debated on the Floor of the House. It was smuggled surreptitiously through a Second Reading Committee, which sat for only 43 minutes—hardly time to do it justice. Its Standing Committee sat for only 35 minutes, and that was all the consideration given to the Bill before it came to the Floor of the House on Report.

The Standing Committee considering the Television Licences (Disclosure of Information) Bill sat twice, for 31 minutes and for 92 minutes. Therefore, neither Bill has had the normal serious consideration in Committee. That would be bad enough, but the Leader of the House seemed to argue that the House should not bother with Report or Third Reading because no amendments had been tabled in Committee.

[Mr. Eric Forth]

That is outrageous. Given her vast experience, we look to the Leader of the House for inspiration and guidance. I have been a Member of Parliament for only 17 years and I was a Minister for nine of them. Hon. Members like me look to her for guidance about the conduct of business in the House, but she seems to believe that Bills that have skidded through Committee do not deserve further attention on Report.

Mr. Bercow: The Committee considering the Television Licences (Disclosure of Information) Bill sat for just over two hours, but six amendments and new clauses have been tabled for consideration tonight. In the light of what "Erskine May" has to say on the subject, does my right hon. Friend agree that that justifies much longer consideration of the Bill on Report than was given to it in Committee?

Mr. Forth: Any rational person would have thought so, but apparently not. All logic has been stood on its head to justify this vicious attack on the House of Commons by the Government—something that we have come to learn, sadly, is only too typical, but with which we have to deal as best we can on this occasion.

Scant attention in Committee, very brief sittings and no amendments tabled—something in which the Leader of the House seemed to take pride, rather peculiarly—were all bad enough. In addition, the Government insulted the House by scheduling other business before the Report stage of the Royal Parks (Trading) Bill, so we did not even start debating it until 4.38 pm. To make matters worse, the Government twisted the knife by putting on private business at 7 pm. The net result was that we had only a very little time in which to initiate the Report stage. Even in that short time, progress was made: two groups of amendments were properly dealt with, despite the fact that the Government had insulted the House of Commons by truncating the amount of time available.

Mr. Maclean: Has my right hon. Friend any reason to believe that the Government deliberately curtailed the time available last week to discuss the amendments in an attempt to orchestrate a situation in which they could justify imposing a guillotine motion on it now?

Mr. Forth: That suggests a degree of subtlety and intelligence on the Government's part of which I doubt they are capable. I suspect that this was cock-up, not conspiracy.

I remind my right hon. Friend, who was in his place at the material time that, after the private business, we resumed our debate on the Bill at 9.10 pm and were making progress when the Government pulled the plug at 10 pm. To make this even more incredible, the Minister for the Arts said during the proceedings:

> It is proper that we should debate the proposals in the spirit of satisfying Parliament that the legislation proposed by the Government is necessary, well framed, proportionate—that has been mentioned several times—and therefore fit to proceed speedily on to the statute book.

The Minister acknowledged the role that the House of Commons and those of us present were playing in the Bill's consideration. He went on to say:

> it is appropriate to proceed as we are this afternoon, and I shall address myself to the amendments.—[*Official Report*, 17 May 2000; Vol. 350, c. 372.]

Mr. Bercow: I do not have the relevant copy of the *Official Report* in front of me, but would my right hon. Friend confirm my recollection that those sentiments were uttered by the hon. Gentleman at a very early stage in the debate? The inference that we must draw, and the rationale for the allocation of time motion tonight, is that while the hon. Gentleman apparently had infectious enthusiasm at the beginning of the proceedings, he was soon dissuaded by others.

Mr. Forth: What is so mysterious is that the Minister, having acknowledged the relevance and usefulness of the proceedings in which we were engaged at that time, then conspired with his fellow Ministers, and no doubt the Whips, to end the consideration of his own business at 10 o'clock, presumably to send the babes and others home to an early bed, and then forced the Government to come back with a guillotine motion that is forcing the babes to stay up until what I estimate will be 2 o'clock tomorrow morning. I hope that the Minister will be able to face the babes tomorrow, because when they realise that they could have had an early night and got the Bill over and done with, instead of having to sit here until an early hour of the morning because of this ill-thought-out guillotine motion, the Minister and his colleagues will be in real trouble.

Mr. Hayes: If the sequence of events that my right hon. Friend describes is accurate, as it certainly seems from my recollection, surely it returns us to his earlier point about the role of the Leader of the House. He talked about the Leader of the House offering inspiration and guidance. I submit that the Leader of the House should also offer a measure of protection for the rights of the House—

Mr. Deputy Speaker: Order. I have appealed for interventions to be brief, and that one is not. Interventions must be quick and sharp.

Mr. Forth: Just like me, Mr. Deputy Speaker. Quick and sharp as ever, I shall move on now to—

Mr. Bercow: Will my right hon. Friend give way?

Mr. Forth: No, no. I shall not allow my hon. Friend to lead me astray. Following Mr. Deputy Speaker's guidance slavishly, as ever I do, I must move on to the main thrust of my argument. I have completed my preliminary remarks and must now get stuck into the real business.

Let me return to the claim made by the Leader of the House—insouciant, I think, is the only word to describe it—that the matters before us are uncontentious. That is the ultimate insult. Right hon. and hon. Members who sat in previous Parliaments will remember such triumphs of consensual politics as the Child Support Agency and the Dangerous Dogs Act 1989. Those provisions were shoved through the House on an all-party basis, with agreement

but with brief and inadequate scrutiny. They ended up being some of the worst legislation ever inflicted on our citizenry.

Allegedly uncontentious legislation is some of the worst that exists. I believe that consensus is essentially an evil political concept. Even worse, in the context of the current Parliament's proceedings, when a Bill is deemed uncontentious, we become lazy about it. These two Bills have gone through Committee without proper scrutiny, and now we are told that because they were uncontentious, there is no need to waste the time of the House on debating, scrutinising or seeking to amend them.

That process is passing easily and seductively into the political language. It may be intended to let the babes go home early, but its net result is bad legislation.

Mr. Fabricant *rose—*

Mr. Forth: I shall give way, but I am warming to my theme.

Mr. Fabricant: Does my right hon. Friend agree that he is offering a fine example of how a stitch in time can save nine? So-called non-contentious legislation such as that on the Child Support Agency and dangerous dogs has had to be debated over and over so that it can be amended. If it had been properly debated in the first place, less parliamentary time would have been taken up.

Mr. Forth: That is very likely the case. What makes things worse is the fact that the two Bills that have been impudently described as uncontentious are in fact highly contentious. One need only glance at clause 4 of the Royal Parks (Trading) Bill—"Seizure of property"—or clause 5, which is entitled "Retention and disposal". The Bill gives the police considerably increased powers of seizure and confiscation of property from private individuals. That is highly contentious. If the Bill affected any other area of the law, Labour Members—those who bother to be here—would be outraged by the proposal to increase the powers of the police to confiscate property from vulnerable individual members of society. Not this time, however, because we have been told that the Bill is "uncontentious".

The Television Licences (Disclosure of Information) Bill contains measures on "Disclosure of information", which involve supplying the BBC with social security information. The provision includes not only the BBC, however. It states that

> the BBC includes any person providing the BBC with services in connection with television licences.

If that is not contentious, I do not know what is. These matters are highly contentious, yet the Government have had the nerve to try to smuggle them through the House and inflict them on a hapless populace on the basis that they are allegedly uncontentious.

We must ask why the Government have seen fit to bring new clause 2 before the House this evening.

Janet Anderson: Conservative Front Benchers asked for it.

Mr. Forth: The Minister—I am glad to see that she is awake—may say that my hon. Friend the Member for Ryedale (Mr. Greenway) asked for it. That is surely some demonstration that enough was wrong with the Bill for my hon. Friend to spot it and to persuade the Government, in Committee, to change their Bill. The Government still try to persuade us that such Bills are uncontentious, even when they have to be amended.

We are now in a fine pickle. These Bills—one of which did not even receive its Second Reading on the Floor of the House, and both of which went through a brief and truncated Committee stage—arrived for consideration on Report. One was making excellent progress—the Minister himself told us so—but had the plug pulled on it. Yet, when we are about to undertake such detailed consideration as we are allowed by the guillotine, we find that serious outstanding matters will probably not receive the proper attention of the House because there is no time.

Mr. Bercow: Why, in justification of the Royal Parks (Trading) Bill, have Ministers felt it necessary constantly to denigrate and vilify the hot-dog and hamburger salesmen of the royal parks? Does my right hon. Friend agree that, if Ministers—including those who are usually courteous—opt for such a bitter and personal approach in this Chamber against those who do not have the opportunity to defend themselves, they should at least provide time for others—

Mr. Deputy Speaker: Order. The purpose of a timetable motion is not to go into the Bill in detail. I am sure that the right hon. Member for Bromley and Chislehurst (Mr. Forth) is aware of that.

Mr. Forth: Indeed, Mr. Deputy Speaker. If time permits, we shall soon be able to undertake a little bit of detailed scrutiny—once the House has disposed of the guillotine motion. If the House were to give the motion its approval—as I sincerely hope it will not—then we should move to an all too brief consideration of the amendments that have been selected.

The fact that amendments have been selected, especially on the television licensing measure, is proof that Madam Speaker considered that they were worthy of debate on the Floor of the House. Surely, that is all that is needed to show that the matter is serious and substantial and had to be dealt with. However, the Government did not seem to agree. They will restrict the debate so much that it is highly doubtful whether we shall be able to do justice to the amendments that were selected by Madam Speaker herself.

It remains to be seen how much time the Government propose to take to persuade the House of the virtues and necessity of their new clause. That will be a test of the persuasiveness and commitment of Ministers—something of which we have seen little during the debate so far, especially on the part of the absent Leader of the House. However, the Minister for Tourism, Film and Broadcasting and the Minister for the Arts are both in their places, ready to help the House through the remaining stages of our proceedings on the measures. They will have their work cut out trying to persuade us that we should dispatch—in the little time available to us under their guillotine—the remaining business set down for the Bills.

That would be bad enough, but, on the television licensing measure, we have to deal not only with new clause 2, which would add a considerable, substantial

[Mr. Forth]

and—for all I know—controversial provision, but with other amendments. I tabled two of those that were selected by Madam Speaker—I am flattered by that. The others were tabled by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean). He, too, has seen fit to try to amend the Bill in order to improve it further. However, I very much doubt whether we shall have the opportunity to do that at this stage.

Sadly, the House finds itself in an invidious position. We shall almost certainly be unable to devote a proper amount of time to the amendments, even though they were selected by Madam Speaker and thus, by definition, relevant and important. We may well have to rely on another place—I hate to hear myself say that—to give proper scrutiny to the Bill. If we in the House of Commons cannot adequately discharge our responsibility to scrutinise legislation, and if the Government persist in introducing guillotines, with all their arrogance and contempt for the House, I can but conclude that, in order to do justice to the parliamentary process of scrutiny, we shall have to look to Members in another place to undertake the job that we are proved unable to do. I regret that. As you know, Mr. Deputy Speaker, I try to play my modest part in the scrutiny of Bills. I do my best, as do my—

The Minister for Trade (Mr. Richard Caborn): The right hon. Gentleman is in opposition now.

Mr. Forth: The right hon. Gentleman, whom I welcome to the Chamber, suggests in an accusatory tone that I am in opposition. I had rumbled that fact and I have now come to appreciate it. He has known me for many years and in many different guises, and I tell him that I take my job in opposition seriously. I regard it as one of my duties to do what I can properly to scrutinise legislation and properly to hold the Government to account. Yes—I say this in the House, so it will not go any further—I admit that I occasionally seek to delay the Government imposing more and more legislation on my hapless voters. Many of my right hon. and hon. Friends do the same thing. Is the right hon. Gentleman accusing me of something of which I should be ashamed because the truth could not be more different? I see that he seems to be endorsing what I do in opposition and I am grateful for that.

The Minister for the Arts has put on the record how he appreciated and approved of what we did in our scrutiny of the Royal Parks (Trading) Bill and the Minister for Trade, who has joined the debate at this late hour, has endorsed my description of what I seek to do in opposition. I could not seek for any greater support.

Mr. Bercow: My right hon. Friend has rightly castigated the Government for their restrictions on debate. Given that 13 new clauses and amendments have been selected for debate on the Bills, will he estimate how long he thinks it will take the House to give proper consideration on Report and Third Reading to those new clauses and amendments if every Member in the Chamber were willing to make a short contribution?

Mr. Forth: I shall provide two estimates that are relevant to the guillotine motion, which is about timetabling. My first estimate is based on the progress that we made on the Royal Parks (Trading) Bill last week and demonstrated that we could make. Two groups of amendments were dispatched between 4.38 pm and 7 pm and we gained the praise of the Minister for the Arts for that. We were well through the third group, on which we are about to resume debate, when the Government pulled the plug on us. Therefore, on that basis, I estimate that, last week, we could have probably dispatched all the Bill's stages by 11.30 pm or midnight at the latest.

My hon. Friend poses an even less likely scenario. If docile Labour Members and the absent babes—were they to be here—were capable of making speeches, which few of them are, and if they wanted to participate in the proceedings of the House, which few of them do, I suspect that it might take longer to complete our proceedings. However, because few Labour Members turn up, none of them choose to speak and the few who are capable of speaking have been silenced by their Whips, I do not think that we can expect what my hon. Friend suggests. That is a cause of great disappointment to me. Although the Government Whips smile with smug satisfaction at their silencing of their colleagues, it does little credit to the House that they have been so successful. Ministers may smile to themselves as well, but it does them no credit that they rely on a vicious guillotine of the type that we are debating to ram through the House the Bills that they expect us to endorse.

My final point to Ministers is that they should not expect the other place to treat the Bills as lightly as they have forced this House to treat them. The Government will be held to account if not in this House, then in another place—and so they should be. I predict that that unpleasant surprise will await them when the Bills reach—

It being three hours after the commencement of proceedings on the motion MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 83 (Allocation of time to bills).*

The House divided: Ayes 256, Noes 109.

Division No. 204] **[11.54 pm**

AYES

Ainger, Nick	Caborn, Rt Hon Richard
Anderson, Donald *(Swansea E)*	Campbell, Ronnie *(Blyth V)*
Anderson, Janet *(Rossendale)*	Campbell–Savours, Dale
Atkins, Charlotte	Cann, Jamie
Austin, John	Caplin, Ivor
Banks, Tony	Casale, Roger
Barnes, Harry	Caton, Martin
Bayley, Hugh	Chapman, Ben *(Wirral S)*
Beard, Nigel	Clapham, Michael
Beckett, Rt Hon Mrs Margaret	Clark, Rt Hon Dr David *(S Shields)*
Benn, Hilary *(Leeds C)*	Clark, Dr Lynda
Bennett, Andrew F	*(Edinburgh Pentlands)*
Berry, Roger	Clark, Paul *(Gillingham)*
Blackman, Liz	Clarke, Charles *(Norwich S)*
Blears, Ms Hazel	Clarke, Tony *(Northampton S)*
Blizzard, Bob	Clwyd, Ann
Bradley, Keith *(Withington)*	Coaker, Vernon
Bradley, Peter *(The Wrekin)*	Coffey, Ms Ann
Bradshaw, Ben	Cohen, Harry
Brown, Rt Hon Nick *(Newcastle E)*	Colman, Tony
Brown, Russell *(Dumfries)*	Connarty, Michael
Browne, Desmond	Cook, Frank *(Stockton N)*
Burden, Richard	Corbyn, Jeremy
Burgon, Colin	Cousins, Jim
Butler, Mrs Christine	Crausby, David

Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gerrard, Neil
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Mitchell, Austin
Moffatt, Laura
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rowlands, Ted
Roy, Frank
Ruane, Chris
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jones, Nigel *(Cheltenham)*
Key, Robert
Laing, Mrs Eleanor
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*

Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willis, Phil

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Royal Parks (Trading) Bill and the Television Licences (Disclosure of Information) Bill—

Timetable

1.—(1) Remaining proceedings on Consideration and Third Reading of the Royal Parks (Trading) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) four hours after the commencement of proceedings on this Motion.

(2) Proceedings on Consideration and Third Reading of the Television Licences (Disclosure of Information) Bill shall be completed at today's sitting and brought to a conclusion (if not previously concluded) five hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on either Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on either Bill are taken or to recommit either Bill.

6. No dilatory Motion shall be made in relation to either Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. If at today's sitting—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; but

(b) proceedings to which this Order applies have begun before then,

proceedings on that Motion shall stand postponed until the conclusion of those proceedings.

8. Standing Order No. 82 (Business Committee) shall not apply to either Bill.

Supplemental orders

9. The proceedings on any motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Royal Parks (Trading) Bill

Not amended in the Standing Committee, further considered.

After Clause 3

Amendment proposed [17 May]: No. 6, in page 2, line 4, to leave out clauses 4 and 5—*[Mr. Maclean.]*

12.8 am

Question again proposed, That the amendment be made.

Mr. Deputy Speaker (Mr. Michael Lord): I remind the House that with this we are discussing the following: Amendment No. 28, in page 2, line 13, at end insert—

'(4) Where a park constable exercises his powers under subsection (1) above he shall—

(a) ensure that he provides facilities for the safe removal from the park of any perishable material by the person having possession or control;

(b) give to the person having possession or control a document, in an appropriate language, setting out the reasons for the seizure, itemising the things seized and informing the person of his rights and liabilities under section 5; and

(c) not remove any article until he has performed an assessment under the Control of Substances Hazardous to Health Regulations that the removal of the thing or things would not create a hazard for his or others' health and safety.

(5) The document referred to in subsection (4)(b) above shall comply with the model in Schedule (*Document relating to seizure of property*).'.

Amendment No. 22, in page 2, line 20, after "at", insert "or before".

Amendment No. 23, in page 2, line 26, at end insert—

'(3A) Proceedings arising from subsections (1) to (3) (including appeals) shall be concluded within a period of three months, after which the charges shall be withdrawn, or appeal deemed to have succeeded.'.

Amendment No. 24, in page 2, line 30, leave out from first "of" to second "of" and insert—

'60 days beginning with the date of the initiation'.

Amendment No. 25, in page 2, line 35, at end insert—

'(5A) If the Secretary of State has retained a thing under subsection (3)(b) for the period of 60 days from the initiation of proceedings relating to the offence (including any appeal), he shall return it to the person from whom it was seized.'.

Amendment No. 7, in clause 6, page 3, line 2, leave out from "anything" to end of line 8 and insert—

'which the court believes to have been used in commission of the offence to be forfeited and dealt with in a manner specified in the order.'.

New schedule 2—'SCHEDULE—

Document Relating to Seizure of Property

'(1) Appropriate Language.

An appropriate language in section 4(4)(b) is one of the following:

English

French

Spanish

Albanian

Arabic

Armenian

Azeri

Belarussian

Bulgarian

Croatian (the western variant of Serbo-Croat—also called Croato-Serb)

Estonian

Georgian

Greek

Hungarian

Kurdish

Latvian

Lithuanian

Macedonian

Romanian

Russian

Serbian (the eastern variant of Serbo-Croat)

Serbo-Croat

Slovak

Slovene

Turkish

Ukrainian.

(2) Reasons for Seizure.

The reasons for the seizure are that the person having possession or control has committed a Park Trading Offence, namely (insert offence).

(3) List of Items Seized.

(List the items seized)

(4) Rights and Liabilities.

The person having possession or control and from whom the thing or things were seized shall be informed that—

(a) the Secretary of State may retain the thing or things until the conclusion of court proceedings;

(b) the Secretary of State may sell the thing or things and use the proceeds to pay his costs if the person having possession or control is found guilty of an offence;

(c) the court may order the thing or things to be forfeited and destroyed if found guilty of an offence;

(d) the person having possession of the thing or things may make representations to the court about their disposal before the court makes an order.'.

Mr. Christopher Chope (Christchurch): Last Wednesday, I was interrupted by the Government, who were obviously nervous about further debate on the Bill. We could have covered the ground in a short time then. However, I can assure the House that I shall not take up the whole hour that has been allocated.

The amendments, which my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) so ably moved, raise some important issues. Clauses 4 and 5 are likely to have unintended consequences. We want to achieve the highest catering standards in our royal parks.

It emerged that there are insufficient vendors of such goods in the royal parks, as the Minister said:

> Licensed traders are losing a significant amount of business. Their turnover has been substantially reduced—by about 50 per cent. since the mid-1990s.—[*Official Report*, 17 May 2000; Vol. 350, c. 373.]

He added that illegal traders are proliferating and making as much as £1,200 a day. I asked him how clauses 4 and 5 will deal with the problem in practice, as the parks police will be able to seize the carts but not the perishable

[Mr. Christopher Chope]

goods. So the Bill contains a deterrent against the parks police acting effectively and pre-emptively by seizing carts as soon as they pass through the gates. I cannot understand why they seem to tolerate carts being set up, large queues forming and vending taking place. Why do not they seize the illegal carts as soon as they enter the parks?

Mr. Patrick Nicholls (Teignbridge): I may be able to help my hon. Friend. I understand that the Bill will require an arresting officer to separate the imperishable machine from its perishable contents. He may have to remove the boiling fat to impound a vendor's machine.

Mr. Chope: I am sure that my hon. Friend's reading of the Bill is correct, and I suggest that the Government rethink the proposal. They should amend the Bill before it goes to the other place to enable the parks police to seize perishable goods as well, or the lacuna will defeat the object.

In the past month, I dealt with a constituency case relating to gypsies. The police on the ground have to deal with the legislation passed by the House; and passing legislation raises people's expectations—in this example, those of people affected by gypsies. As soon as the gypsies arrive, the police say, "There are all sorts of practical constraints on what we are able to do. We need hundreds of officers. Where shall we move the vehicles to? What shall we do about the women and children and access for the emergency services?" When I visited my local police station I was told, "Unfortunately, the legislation that you passed in the House of Commons is not much practical use in this situation." I fear that we are entering the same territory with these provisions.

Mr. John Bercow (Buckingham): How can the Minister guesstimate the daily turnover of the average trader in a royal park when he is unable to tell us the prices of their products or the volume of their daily sales?

Mr. Chope: I hope that the Minister can answer my hon. Friend. Government spokesmen have been quick to say that rip-offs take place, but I cannot understand whether the general public are deterred from buying goods from authorised vendors because of the price or because there are too few such vendors in the parks. Both explanations are possible, but people seem to choose to buy from illegal vendors despite unclean conditions and what the Minister would describe as rip-off prices.

Mr. David Maclean (Penrith and The Border): In this week of the Chelsea flower show, when the prices of hamburgers and hot dogs at Chelsea are higher than those charged by vendors in the royal parks, who is committing the rip-off? Might it not appear that those selling the hot dogs and hamburgers have a rather competitive commodity?

12.15 am

Mr. Chope: My right hon. Friend makes a good point.

One of the problems may well be that the royal parks must recover from the licence fees that they charge their authorised vendors sufficient money to be able to continue their other responsibilities. If we burden the parks police with the extra expense involved in having to look after the goods that have been seized, and storing them so that they can be restored if the courts make an order in due course, how will the additional costs be recovered other than by the imposition of increased fees on authorised and licensed vendors? I suspect that one of the biggest rip-offs in the royal parks now is caused by the fact that the licence fee that authorised vendors must pay is far higher than it should be, and that, if it were lower, charges to customers could be reduced.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying rather wide of the amendment.

Mr. Chope: I accept your reprimand, Mr. Deputy Speaker.

Mr. John Hayes (South Holland and The Deepings): Nevertheless, Mr. Deputy Speaker, my hon. Friend is right, in the strict terms of the amendment, to draw attention to the issue of enforceability. As you will know, that issue has punctuated consideration of our governance of the royal parks throughout our dealings with the subject. I refer again to the 1872 and 1926 Acts that I mentioned earlier, and, in particular, would ask my hon. Friend to recall Second Reading of the Bill, when precisely this issue was raised.

Mr. Chope: I shall leave my hon. Friend to make his own speech, which he is extremely well qualified to do. I observe that he has brought some thick tomes into the Chamber. My point is limited to the practicality of what the Government propose. I fear that, in due course, there will be a demand for fresh, amended legislation, because the Bill in its current form will not achieve the purpose that the Government intend.

What could be simpler than this? Anyone who is a potential illegal vendor takes his cart into the park; as soon as he enters the gates, he should be arrested. It should be possible for both the cart and the perishable items on it to be seized and taken away. If that happens regularly, it will not be long before people do not even bring their carts in.

I suspect that the parks police will be inhibited about seizing the property as soon as it enters the park, because they will not know what to do with the perishable items. If the vendor sells some of those items, there will be less of a problem for the parks police to pick up later. As a consequence, the parks police will not be so quick to make seizures and the illegal trading will continue, as will the £1,200 a day that these people can make.

Mr. Edward Leigh (Gainsborough): I am at a loss to understand what all the fuss is about. I pass these vendors hundreds of times, and I have never been tempted to buy the disgusting, revolting, smelly rubbish that they sell. Why on earth do we need legislation?

Mr. Maclean: Very tasty, I think.

Mr. Chope: I am confining my remarks to the context of this group of amendments. I know that engaging in a Second Reading debate would not find favour with you, Mr. Deputy Speaker; that is why I am not challenging the

principle of the Bill. However, like my hon. Friend the Member for Gainsborough (Mr. Leigh), I am a great believer in the marketplace. I suspect that at present there is insufficient legitimate provision of hamburgers and—

Mr. Deputy Speaker: Order. I think that the hon. Gentleman is about to do what he said he was not going to do.

Mr. Chope: I am sorry that my hon. Friend tempted me in that direction, Mr. Deputy Speaker.

Mr. Leigh: I apologise.

Mr. Chope: No, I will accept the responsibility.

I know that many of my hon. Friends are keen to speak, but let me tell them that I think it would be worth while if, in this curtailed debate, we allowed the Minister sufficient time to answer some of the points that have been made.

Mr. Nicholls: We were told earlier that we do not need to have this debate as this matter is uncontentious. We can do no better than look at the headings on Madam Speaker's selection list of amendments to realise that nothing could be further from the truth. The first is:

Powers of seizure, retention and disposal of property.

I cannot think of anything more contentious than seizure of privately owned property, which is retained and disposed of by the state. Amendments Nos. 6, 28, 22 to 25 and 7 deal with that issue, but if the legislation had been properly thought through, it could have been addressed in the Bill.

The amendments deal with the legislative brutality of the Bill. Clause 4 could be straight out of Monty Python. It states:

A park constable who reasonably suspects that a person has committed a park trading offence may, subject to subsection (2), seize anything of a non-perishable nature.

When policemen try to seize anything of a non-perishable nature they do so at their own risk.

Mr. Deputy Speaker, consider what might happen if you were a special constable and you went into the park to try to seize goods of an non-perishable nature. That may seem unlikely, but it makes the point. You may be confronted by a hot-dog van. I have never prepared hot dogs in a royal park—it has never come to that—but I assume that it requires a vat of boiled fat. My hon. Friend the Member for Gainsborough (Mr. Leigh) seems to think that hot dogs are greasy. What is a policeman supposed to do? Is he supposed to say that he will seize the vat but not the fat? Is he supposed to require the fat to be emptied out of the container before he can seize it? Is he supposed to do that himself? Is he supposed to require the person to whom it belongs to empty the fat for him?

Mr. Desmond Swayne (New Forest, West): Under the new schedule that my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) has tabled, is the policeman required to ask the vendor to remove the fat in a western variant of Serbo-Croat?

Mr. Nicholls: I knew my hon. Friend was going to ask me that, and I am grateful to him—I will see him afterwards. I shall deal with new schedule 2 later. Although it is the inspiration of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), I am not sure that it is as good as the other amendments in the group.

Mr. Bercow: Amendment No. 28(c) refers to

an assessment under the Control of Substances Hazardous to Health Regulations.

There are important arguments about the seizure of property and the rights of the private person, but why should a constable imperil his health in the removal of said property on the assumption that he is wearing a pair of gloves and a mask?

Mr. Nicholls: The formula to be used on these occasions is to say that my hon. Friend will make his own speech in his own way. I shall come on to the COSHH regulations, because they are relevant under paragraph (c) of amendment No. 28. Before I get there, however, it is important to consider the dilemma that will face an officer who is about to seize goods of a non-perishable nature.

There is no requirement in the legislation for an officer to do that. It merely says that he "may": it does not say that he shall. It does not require him to seek the assistance of the person to whom this equipment belongs. There is a right at common law for any officer making an arrest in the execution of his duty to require a passing member of the public to help him in that seizure. My hon. Friend the Member for Gainsborough is a barrister, so he can confirm that. It seems inconceivable that a policeman could require some passer-by to help him to seize an errant hot-dog van with a view to getting rid of the fat, so that he is left with equipment of a non-perishable nature.

I say that not in a misplaced attempt at levity, but to make the following point. I did not always have to come here to earn a living. I used to have an honest day job: I was a lawyer. I was a humble country lawyer—well, a country lawyer. One of the things that I had to do was deal with legislation passed by the House which simply had not been thought through. This legislation has not been thought through in any shape or form. The idea that the legislation enables a policeman practically or safely to go around arresting and seizing equipment owned by hot-dog vendors is nonsense.

Mr. Maclean: I had a feeling that my hon. Friend was about to pass on. Before he does so, has he an answer to the question that was posed by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) when we debated the matter the last time? What advice does he give to the policeman, or to the chestnut seller who finds that his hot brazier has been confiscated and then must find somewhere to put his hot nuts?

Mr. Nicholls: I know that the formula on this occasion is not to follow my right hon. Friend, but it is a fair point. The legislation is for all practical purposes unworkable. If any hot-dog vendor was concerned that his equipment would be seized, he could ensure that the perishable and non-perishable elements were so intermingled as to make it impossible.

[Mr. Nicholls]

To be fair to my right hon. Friend, he has in his amendments anticipated the problems that the measure would cause. I draw the House's attention to amendment No. 28:

Where a park constable exercises his powers—

one might say at his peril—

under subsection (1) above he shall—

(a) ensure that he provides facilities for the safe removal from the park of any perishable material by the person having possession or control.

Indeed, but how is that to take place? I do not blame my right hon. Friend for posing that question. He puts down the obligation, but had the matter been properly thought through by Treasury counsel, that would have been addressed. I know why it has not been addressed. I will come to that point, but the next point that my right hon. Friend makes is so absolutely self-evident that one wonders again why the Government did not deal with it themselves.

The amendment says that the park constable shall

give to the person having possession or control a document, in an appropriate language.

I can see from new schedule 2 that a number of languages are selected for that purpose. They include English, French, Spanish, Albanian, Arabic, Armenian, Azeri, Belarussian, Bulgarian, Croatian, Estonian, Georgian, Greek, Hungarian, Kurdish, Latvian, Lithuanian, Macedonian, Romanian, Russian, Slovak, Slovene, Turkish and Ukrainian. I wondered how that would address the situation of a hot-dog seller who had decided to diversify into curry. I did not understand why there was no reference to Urdu, Gujerati, or a language such as those. I understand from my right hon. Friend that he chose that formula because the Minister had opined that the legislation was being introduced on the assumption that all dodgy hot-dog vendors are Albanian.

If I made such a remark outside the House, or even inside it, I would be accused of being racist, but my right hon. Friend has had to draft legislation to deal with the Minister's preconception and, indeed, obsession with the idea that anyone who is trying to earn a modest living as a hot-dog vendor in a royal park is likely to be able to understand only eastern European languages. I find that remarkable. The only criticism that I have of my right hon. Friend is that it seems that he has not considered that the various languages that he has listed in new schedule 2 may not be sufficient, but it is a fair point all the same.

The next point is perhaps the most important in relation to amendment No. 28. It says that the park constable shall

(c) not remove any article until he has performed an assessment under the Control of Substances Hazardous to Health Regulations that the removal of the thing or things would not create a hazard for his or others' health and safety.

When I read that, I felt young again. I felt that my lines were going—I felt young and vital. I recognised those very words from all those years ago, when I was the Minister in charge of the Health and Safety Executive. Once upon a time, my right hon. Friend the Member for Penrith and The Border, too, was young. I think that he is casting his mind back to those days, when he, too, was responsible for assessments under what are now known as the COSHH regulations.

12.30 am

Those who are not familiar with the COSHH regulations might think that they cover not so much vats of fat as vats of sulphuric acid. However, that is not true. As many small business men know, any substance on their premises that might be hazardous to health—even vats of stored water—have to be assessed under the COSHH regulations. That issue has not been addressed in the Bill. Are we really in the business of requiring our brave police officers to have to arrest hot-dog vendors without performing the type of assessment under the COSHH regulations that people in other situations are required to make? I think not. The issue should have been addressed in the Bill, but it has not.

I am not sure that the drafting of amendment No. 28 is exactly right. However—to be fair to my right hon. Friend the Member for Penrith and The Border—what is one to do with a Bill that is so woefully drafted that one has to bolt on provisions that should have been thought through in its very philosophy?

Mr. Bercow: May I direct my hon. Friend's attention to amendment No. 25, one of the possible merits of which is that, in seeking to limit the period in which the non-perishable goods remain confiscated from the vendor, the vendor will thereby at least have the chance to make his own legitimate living—whereas if clause 5 were not to be amended, the likelihood is that, for a very significant and possibly unlimited time, while the vendor was struggling to pay the costs due to the Secretary of State, he would be prevented from making a living? That cannot, on the face of it, be justified or in accordance with the Government's protestations of supporting the underdog.

Mr. Nicholls: My hon. Friend is exactly right, and he takes me on to the next amendments in this group. His mistake, however, is to impute to the Government a desire to help small business men to stand on their own two feet. He says that he is not sure that the clause will enable them to do that, but I think that he is being misled by his own good intentions. I do not find anything in the Bill—in its structure or its ethos—that indicates for one moment that the Government are trying to help small business men. What they are trying to do is to suppress small business men. That is what the Bill is all about.

A moment or two ago, I said that I had been trying to work out what it was about the thinking behind the Bill that was so defective that the Government would propose the legislation, but overlook considerations of practical points such as COSHH regulations and the appropriate language for the warning document. I think that it comes down to what my right hon. Friend the Member for Penrith and The Border said a little earlier about the danger of consensus. The Bill was never meant to be scrutinised. The mind behind the Bill—if one can talk about such a thing in relation to this Bill—never considered the legislation's practical consequences, such as the dangers inherent in requiring police to go round confiscating such equipment and the effects of such action on small traders. The Bill was not drafted for that purpose.

The Bill was drafted to be passed on the nod. It was drafted on the assumption that the Government had only to propose mild-sounding legislation—the type that enables some hon. Members to make cheap remarks about

people who have to earn a living in a far harder way than hon. Members have to—that could be passed not so much on the nod as on the sneer. That is the way in which this legislation was designed. What my right. hon. and hon. Friends and I have tried to do is to show that that is simply not acceptable, and that we are right to perform our duty of scrutiny.

Mr. Swayne: My hon. Friend has mentioned the suppression of small business men. He will be aware that the Bill's supporters have alleged that the vendors who will be affected by it are, far from being small business men, the representatives of organised crime—the mafia has been mentioned. Does not that in itself constitute a hazard of which the arresting officer would do well to be aware?

Mr. Nicholls: It may do, but one must bear in mind the fact that when the Home Secretary was working up his policies for a new Government for a new millennium, he saw squeegee merchants as public enemy No. 1. For all I know, they may now have diversified into selling hot dogs in royal parks, but they were providing a service. I have never felt threatened by a squeegee merchant. I find it quite useful to have my windscreen cleaned when I am at a level crossing.

Mr. Deputy Speaker: Order. I am not sure that those merchants are the subject of the amendments before the House.

Mr. Nicholls: I accept that. As so often, my hon. Friend the Member for New Forest, West (Mr. Swayne) tempts us down forbidden ways. The same thinking that made squeegee merchants a substantial public threat underlies the idea that someone who is selling economically priced burgers might also be a substantial threat.

What do amendments Nos. 22, 23, 24 and 25 do? Nothing very revolutionary or extraordinary. One might have thought that their provisions would have been contained in a Bill that sanctions the seizure and disposal of other people's property. Amendment No. 23 says:

> Proceedings arising from subsections (1) to (3) (including appeals) shall be concluded within a period of three months, after which the charges shall be withdrawn, or the appeal deemed to have succeeded.

That merely means that someone whose equipment has been seized should be prosecuted within a reasonable period. That principle goes with the grain of British law. It does not go with the grain of nobbling the police to go easy on people who are trying to demonstrate about one of the most ruthless criminal regimes in the world, but it goes with the grain of English common law. If someone is not prosecuted within a reasonable period, that should be an end of the matter.

What happens to a person's property if they are not prosecuted? Under the Bill, nothing will happen to it. The state has seized it and that is the end of it. Amendment No. 25 says:

> If the Secretary of State has retained a thing under subsection (3)(b) for the period of 60 days from the initiation of proceedings relating to the offence (including any appeal), he shall return it to the person from whom it was seized.

Again, that does not strike me as a revolutionary proposition. If we take people's equipment away from them and then not use it—the mind boggles at the idea of the Secretary of State doing a bit of trading on his own account—surely there should be some provision for its return. The amendment does just that.

I would like to think well of the Minister. I have known him for a number of years and I would like to think that he has listened to the debate and will cast his mind back to the principles that he once held dear. I hope that he thinks that a Bill that he is putting through the House to seize private property might benefit from the inclusion of some provision for the return of that property. It might benefit from having some decent British lawfulness built back into it.

Mr. Owen Paterson (North Shropshire): Does my hon. Friend think that the Bill is getting at the wrong people? Last Wednesday, the Minister pointed out that very little cash is found on the people concerned, because there is a system of runners to take the money back to those who control them. He said later that

> the police should make every effort to get the racketeers who lie behind the trade.—[*Official Report*, 17 May 2000; Vol. 350, c. 374.]

Does my hon. Friend think that we might just be scratching the surface—the poor innocents who are handing out the hot dogs—rather than getting at the big men with the money who are running those illegal businesses?

Mr. Nicholls: I try to wrestle with the concept of Mr. Big—the sort of person who slips £1 million to somebody for changing party policy. I understand that big money can sometimes be involved, but I do not think that there is big money involved in flogging hamburgers. Perhaps I chose the wrong trade when I went into law.

Mr. Bercow: My hon. Friend is a very sophisticated fellow, but I fear that he is missing one point. Is not his advocacy of the amendments characterised by moderation and reasonableness, rather in the style of the advocacy of our hon. Friend the Member for Ryedale (Mr. Greenway) in support of the Bill, whereas the stance and style of the Minister, for all his other attractive qualities, has been characterised at heart by a deep-rooted and snobbish disdain for the traders?

Mr. Nicholls: There is consistency in some things, as my hon. Friend is right to point out. It is perhaps a sign of the times that those small traders—the sort of people who cannot afford to pay £500 to go to a Labour party fund-raising function—

Mr. Deputy Speaker: Order. The hon. Gentleman is now straying way wide of the mark. I would be grateful if he would come back specifically to the amendment.

Mr. Nicholls: I was simply trying to make the point—I accept that I did not do so appropriately—that the Bill, with all its inadequacies, says something about the attitude of the party that proposed it to people who are in as small a business as this.

I would like to think that the Minister would build back into the Bill some sense of fairness and practicality. If not, there remains the other place. We know that the other place was not thought to be a problem for a Bill of this sort. It was thought that, following the creation of a house of cronies, there would be no scrutiny. The other place

[Mr. Nicholls]

has surprised us all, and probably even itself. When it looks at this debate, I think that it will say that this is a cause worth championing. I hope the other place will see it in that way.

Mr. John Greenway (Ryedale): This has been an important debate. My right hon. and hon. Friends have tried to address whether the clauses as drafted have the desired effect, or whether—because there appears to be no power to seize perishable goods—there is some practical imperfection that will render the operation of the police in implementing the Bill almost impossible.

When I first read the Bill, I had a similar concern. The practical answer is that, in reality, this presents no difficulty. As the Minister has said, within the City of Westminster—where the power already exists—police officers or council officials invite the trader to have the perishable goods removed. Because the goods have value, they are, by and large, removed.

I contrast the powers given to the police under the Bill with the more general powers of the arrest of illegal traders who are, for example, causing an obstruction. I have referred to my practical experience more than 30 years ago of dealing with such traders. In those days, the police did not have a power of seizure. The practical solution was that, if a hot-dog trader was arrested for causing an obstruction somewhere in the west end of London, it was perfectly natural that he would take his cart and the perishable goods to the police station. Otherwise, the chances were that it would not be there when he came back. No power of seizure was required for that practical solution.

The power of seizure adds an important weapon to the armoury of the authorities. The hot-dog stand will be taken off to a police station while the person's arrest is properly documented, whereupon he will take the cart away with him to pursue his illegal trade further. The power of seizure means that the trader no longer has that opportunity, as the police will seize the item at the police station, and the perishable goods can be removed.

12.45 am

I understand that there appears to be a practical difficulty, but the arrangements in the City of Westminster seem to work perfectly normally. The Bill will replicate those arrangements in the royal parks, and I hope that my hon. Friends will be persuaded that no substantial practical difficulty exists.

My hon. Friend the Member for Christchurch (Mr. Chope) asked why items should not be seized as they arrive in the royal parks. The answer to that splendid suggestion is that, under the royal parks regulations, traders commit no offence until they start to trade. One benefit that might emerge from tonight's debate is that the House may revisit some of the issues involved. Reframing the powers available to police, and the offences for which prosecutions may be brought, could make the campaign against illegal traders even more effective.

Mr. Chope: Schedule 1 to the Royal Parks and Gardens Act 1872 makes it an offence to

drive or wheel into a park any vehicle, barrow, truck, or machine not admitted therein by the rules of the park.

Does my hon. Friend accept that?

Mr. Greenway: I do, but my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) said that stepping on the shrubbery or the gardens is also an offence, and I accept that, too. However, my understanding is that that is not classed as a trading offence, so the powers that the Bill gives to the Royal Parks Constabulary would not apply to that particular offence. I believe that that also applies to the point raised by my hon. Friend.

My hon. Friends have raised important, practical issues. Some of the matters that they have raised go beyond the scope of the Bill, and need to be dealt with on another occasion.

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr. Alan Howarth): I am grateful for the opportunity to respond, in the few minutes that remain for this debate, to a number of matters raised by Conservative Members. Our proceedings on the Bill might have been more extensive if less time had been spent discussing the principle of the guillotine, but the amendments and the new schedule allow me to respond to the concerns raised, in a spirit of practicality, by Conservative Members.

Amendment No. 6 is exciting, as it would delete two major clauses. However, the right hon. Member for Penrith and The Border (Mr. Maclean), who tabled the amendment, explained that he drives his coach and horses with an intent to probe, rather than to wreck. The powers of seizure, retention and sale provided in the two clauses that his amendment would knock out are essential. Fines alone, or fines plus the possibility of forfeiture in due course, would not be enough to deter the activity with which we seek to deal.

I remind right hon. and hon. Members that the powers that we seek are broadly similar—in practical terms, they are identical—to those that Parliament very recently enacted in the City of Westminster Act 1999.

The hon. Member for Buckingham (Mr. Bercow) wanted to know, very reasonably, a little more about the evidence that we have about the size of the problem and the extent of what I termed the rip-off. My hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore) made a sedentary intervention on this. At his best—he is customarily at his best at this time of night in the Chamber—my hon. Friend's sedentary interventions are worth, I venture to suggest, more than the standing interventions of a great many Opposition Members. He is a close observer of these matters, and he told the House that one is liable to pay around £4 for a hot dog or hamburger. However, the advice that I have from the Royal Parks agency is that the charge could be £7, and that on occasion charges of £12 were sought from innocent tourists. We would all agree that such extortions are not acceptable.

Last Wednesday, I was asked about the nature of the offences that we will designate as park trading offences.

Subject to the passage of the Bill and the approval of Parliament, we shall designate regulation 4(6) of the 1997 regulations, which says that no person using a park shall

carry on any trade or business in a Park, offer anything for sale or hire or expose or have in his possession anything for the purpose of sale or hire therein.

I hope that that deals with the point.

It may help hon. Members if I deal with another point that has exercised the House considerably. I refer to the powers that constables will have to deal with perishable food. A number of right hon. and hon. Members debated this matter under something of a misapprehension. Constables will have the power to seize non-perishable items—that is made plain in the Bill. They are likely to ask the person who they consider to be committing a park trading offence if he wishes to take the perishable items away. If the person so invited does not wish to take the goods away but abandons them, they may be removed by the constable to avoid a litter problem in the park. To spread litter in the park is itself an offence under the regulations. Officers of the Royal Parks Constabulary, or, indeed, Metropolitan police officers, should they happen to be in the park, will have the power to deal with perishable items. I am happy to be able to reassure the House on that significant point.

I was then asked to comment on the possibility that the barrows, having been confiscated, would be allowed back into circulation. It was suggested that the Government would get nothing like their real value, because of deterioration—

It being four hours after the commencement of proceedings on consideration of the Bill, MR. DEPUTY SPEAKER *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The House divided: Ayes 6, Noes 227.

Division No. 205] **[12.54 am**

AYES

Gill, Christopher
Hayes, John
Hogg, Rt Hon Douglas
Lewis, Dr Julian *(New Forest E)*
Nicholls, Patrick
Swayne, Desmond

Tellers for the Ayes:
Mr. Eric Forth and
Mr. David Maclean.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Beard, Nigel
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Donohoe, Brian H
Doran, Frank
Drew, David
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Moffatt, Laura
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Rendel, David
Rowlands, Ted
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Starkey, Dr Phyllis

Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Bill read the Third time, and passed.

Television Licences (Disclosure of Information) Bill

Not amended in the Standing Committee, considered.

New Clause 2

LIABILITY OF DIRECTORS ETC.

'.—(1) If an offence under section 3 committed by a body corporate is shown—

(a) to have been committed with the consent or connivance of an officer, or

(b) to be attributable to any neglect on his part,

the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body.

(3) "Officer", in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.'.—*[Janet Anderson.]*

Brought up, and read the First time.

1.7 am

The Minister for Tourism, Film and Broadcasting (Janet Anderson): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following amendments: No. 14, in clause 3, page 2, line 5, leave out subsection (3).

No. 15, in page 2, line 29, leave out paragraph (a).

Janet Anderson: I am pleased that we have finally reached consideration of this Bill. There was a lengthy debate on the guillotine motion, but I hope that, in the short time available to us, we shall be able to cover some of the Bill's substance.

The new clause and amendments cover three elements: who can commit an offence under the Bill; the nature of the offence; and the penalty for committing the offence. The Government tabled new clause 2 in response to concerns expressed in Committee by the official Opposition. I hope that the House will accept that as an illustration of the consensual approach that most Members have taken towards the Bill.

Concern was expressed about the current formulation of the offence of unlawful disclosure of personal information supplied to the BBC under clause 3. Some members of the Standing Committee were troubled that, as the offence stands, it would not catch the directors of a company that disclosed such information. Hon. Members—particularly the hon. Member for Ryedale (Mr. Greenway) who raised the subject in Committee—will know that the new clause is similar to a clause in the Royal Parks (Trading) Bill that fulfils the same purpose.

The Committee thought that the deterrent effect would be enhanced if there were a possibility of directors facing personal criminal liability. Therefore, as Conservative Members have acknowledged, I undertook to consider the possibility of extending the offence of unlawful disclosure to cover company directors and to introduce a Government new clause on Report. That is what we have done.

Having considered the matter, the Government concluded that it was right to extend the offence in order to catch directors of companies handling such sensitive information. As I said in Committee, we accept that personal information supplied by the Department of Social Security to the BBC or its contractors under the Bill should be as safe as it is in the hands of the DSS or its contractors. That is one of our main concerns and we are confident that the new clause will achieve our aim. The draft new clause was submitted to the official Opposition before it was tabled, and I understand that the hon. Member for Ryedale agrees with it. Subsection (1) states:

> If an offence . . . by a body corporate is shown . . . to have been committed with the consent or connivance of an officer, or . . . to be attributable to any neglect on his part,

that person, as well as the company, is guilty of the offence and liable to be prosecuted. The maximum penalty will be imprisonment for up to two years or a fine, or both. In extreme cases, directors could face a prison sentence for an offence committed by their company. A body corporate will include the BBC and its contractors.

Subsection (2) states:

> If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body.

Subsection (3) defines an officer, for the purposes of this clause, as

> a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

The new clause will bring the treatment of company directors in cases of unlawful disclosure of personal information into line with the provisions of the Social Security Administration Act 1992 in relation to DSS contractors. Company directors receiving personal data provided by the DSS in connection with free television licences will not be able to escape their responsibility for ensuring that proper measures are in place to prevent unlawful disclosure of such data. Company directors could not encourage or collude in such disclosure and hide behind the defence that they did not themselves commit the act.

If company directors negligently failed to provide proper instructions to staff on the need to keep information provided by the DSS secure, or permitted working practices that led to unlawful disclosure of such information, they could find themselves charged with an offence.

Mr. Douglas Hogg (Sleaford and North Hykeham): Clearly, "neglect" applies to a failure to perform duties. To what extent does the Bill impose a duty on a director to monitor the performance of the officials in the company?

Janet Anderson: The right hon. and learned Gentleman may be interested to hear that a similar point

[Janet Anderson]

was made in Committee. I note that several hon. Members have complained about the short time for which the Bill was in Committee; it is a pity that they did not seek to be members of that Committee.

I said in a letter to the hon. Member for Mid-Dorset and North Poole (Mr. Fraser), who is no longer in his place, that to facilitate the provisions the BBC would tighten up its contracts. In response to another point by the hon. Gentleman, I said that we did not

envisage the contractors incurring hefty legal costs as a result.

I assure the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) that the Bill's main priority is to facilitate the issue of free television licences to pensioners over 75 on the due date of 1 November, and to make that process as simple as possible. If he will allow me to continue, I hope that I will be able to reassure him on the point that he has raised.

While providing for limited personal information to be given to the BBC and its contractors to facilitate the administration of free or reduced-fee television licences, the Bill preserves the crucial principle that personal information should be protected from disclosure, including negligent or reckless disclosure. The new clause will strengthen the protection afforded to such information.

I ask the House to resist amendments Nos. 14 and 15, and I shall explain why.

1.15 am

Amendment No. 14 would mean that it was an offence to publish material in the form of a summary or information that had already been lawfully disclosed to the public. The effect of amendment No. 15 would be that the offence of unlawful disclosure could not be tried in a magistrates court.

Amendment No. 14 is illogical. If information has been made public with lawful authority—for instance, if it has been read out in open court or has been made public with the consent of the person who is the subject of the information—why should a BBC employee, for example, be guilty of an offence if he or she simply repeats information received under clause 1 that is already in the public domain? Similarly, why should it be an offence to disclose information in the form of a summary for, say, statistical purposes, provided that, as is the case with clause 3(3)(a), individuals cannot be identified?

Several hon. Members have tabled questions in recent months about the number of people in their constituencies who will benefit from free television licences for the over-75s. I recall one Opposition Member referring to a specific number in his constituency. I do not know where he got the number from. It is difficult for us to calculate the figures. In many cases, we have not been able to answer those questions as openly as we would like because the information requested is not available.

Mr. Christopher Chope (Christchurch): I am grateful to the Minister. It was I who said that 11,000 people in the Christchurch constituency would benefit. Where did I get the information? From none other than the Chancellor of the Exchequer speaking at the Dispatch Box during questions.

Janet Anderson: I understand that the figures may have been based on a census that took place some years ago. We want to be as accurate as possible. The amendments would make that difficult.

Mr. Eric Forth (Bromley and Chislehurst): Oh, yes.

Janet Anderson: I can assure the right hon. Gentleman that that is indeed the case. Once the concession is up and running and key statistics can readily be extracted, I am sure that hon. Members would find it unsatisfactory if such information could not be provided because the legislation prevented its disclosure, even in summary form. I am sure that Opposition Members would appreciate the ability to tell how many of their constituents were benefiting from the concession. I hope that they will remind them that it was introduced by a Labour Government.

Of course, we must ensure that personal information is protected. The Bill aims to preserve that important principle. It protects personal information in the same way as it would be protected under section 123 of the Social Security Administration Act 1992. That section makes it an offence for an employee or former employee of the Department of Social Security to release personal information obtained in the course of his or her employment.

The Government believe that clause 3 strikes the right balance. It provides a firm sanction against thoughtless disclosure, but provides a defence in cases where the disclosure follows a rational process of consideration of the lawfulness of that disclosure. That was raised in Committee, and I hope that Opposition Members—of those who are present, only the hon. Member for Ryedale, I believe, served on the Committee—will be reassured. We believe that the clause balances individuals' right to have their personal information protected and their right not to be treated as criminals without proper cause.

On amendment No. 15, clause 3(6) specifies the penalties available in the event of unlawful disclosure of information supplied to the BBC by the DSS. If a person is tried and convicted in a magistrates court, he or she is liable to be imprisoned for up to six months, or to pay a fine of up to £5,000, or both. If convicted in the Crown court, he or she may be imprisoned for up to two years or be liable to an unlimited fine, or both.

Opposition Members said on Second Reading that some of the penalties were too draconian. However, the official Opposition in Committee said that they had been persuaded that the penalties were necessary and were not draconian, as there was a need to protect the information as much as possible.

The seriousness of offences under the Bill will vary from malicious to accidental disclosure. The amount of information disclosed may also be relevant. It is therefore appropriate to provide for proceedings in a magistrates court and in the Crown court, depending on the seriousness of the case. Hon. Members will appreciate that not all offences will be sufficiently serious to merit prosecution. However, we must make both modes of trial available, and leave it to the courts to determine the cases

that can be tried in the magistrates court, if the defendant agrees, and those that are so serious that they must go to the Crown court. I therefore commend new clause 2 to the House and ask the right hon. Member for Penrith and The Border (Mr. Maclean) not to press amendments Nos. 14 and 15.

Mr. John Greenway (Ryedale): I thank the Minister for laying a draft statutory instrument before the House on the social security information that would be released to the BBC and its contractors if the Bill was enacted. It makes clear the exact information that must be provided: the name, date of birth, address and national insurance number of everyone over the age of 74. In one sense, that is a narrow definition, but, in another, it highlights the fact that the disclosure of such information would not be countenanced outside Government in any other circumstances.

On Second Reading, when my hon. Friends last had the opportunity to discuss the matter, we made it clear that we regard such information as sensitive. The legal structure, which the Bill outlines, needs to provide a realistic prospect of the required information remaining confidential. To achieve that, we need a framework of criminal law, for which the Bill tries to provide.

As the Minister made clear, there was a gap in the Government's original proposal, because it did not appear that the company directors who would be responsible for processing the information to provide free television licences could be caught by the offences under the Bill. I am therefore grateful to the Minister for acknowledging the strength of our argument and giving me the opportunity to consider the wording of new clause 2. It fulfils the requirement that we had in mind.

If any company wrongfully made use of sensitive information, it would not be right for junior members of staff or for the body corporate to be on the receiving end of any prosecutions. The directors should be responsible. It is crucial for the people at the top of the BBC and the contractors—currently TV Licensing—who will be responsible for implementing the free scheme and for supervising the proper use of information to understand the need to pay the highest regard to confidentiality. They must recognise that any breach of confidentiality will be extremely serious. We can achieve that only by making the directors personally liable for any wrongful use of the information.

I hope that it is clear from my remarks that we support the new clause—it is what we asked for. It will not only improve the Bill; it will strengthen it in the key respect of responsibility at the very top of the BBC and the contractors for their supervision of the arrangements to enable free licences to be provided. That leads me to the standard of proof or the absolute nature of the offence of wrongful disclosure, which we discussed in Committee, but which, for want of a better expression, still lies on the table, although my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) touched on it in his intervention on the Minister.

We debated whether a word should be added to clause 3 to make the disclosure wilful, negligent or reckless. The current drafting makes it absolute, which prompts me to ask what would happen if disclosure were accidental because an electronic transfer had reached the wrong destination. The Minister agreed to my suggestion that her officials speak with the Data Protection Commissioner. Those matters were discussed in Committee during consideration of the Data Protection Act 1998. The commissioner was concerned that members of her staff should not find themselves on the receiving end of a criminal charge because an accidental transmission had occurred. I hope that that issue is still under consideration and that it might be addressed in the other place.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend's point requires amplification. Close scrutiny and tight wording are required as the accidental or negligent loss or transmission of data are hard to define. Having been in the information technology industry for a considerable part of my professional life, I am aware of that difficulty. We must be very careful indeed.

Mr. Greenway: I am grateful for my hon. Friend's support and I acknowledge his expertise in this area. I suspect that my reading of the Bill—clause 3 creates an absolute offence—may be confirmed by my right hon. and learned Friend the Member for Sleaford and North Hykeham should he catch your eye, Mr. Deputy Speaker. I am not a lawyer, but I cannot come to the view that there is any requirement on negligence or recklessness or for the disclosure to be wilful, although it is clear from our discussion in Committee that that is what the Government intend. I hope that they will consider the matter of accidental disclosure.

Janet Anderson: That issue was raised in Committee and we undertook to discuss it with the Data Protection Commissioner's office. I am sorry that we may not be able to debate it in detail, but I assure the hon. Gentleman that it has been discussed. The Data Protection Commissioner is clearly not in a position to determine whether a particular formulation of an offence is appropriate in the context of another piece of legislation—the 1998 Act, which created a general offence to cover all aspects of data protection, has been referred to. As the hon. Gentleman knows, however, the difference is that this Bill deals with a very narrow range of activity.

The Data Protection Commissioner assured my officials that she supported the inclusion of an appropriate offence aimed at restricting the subsequent use or disclosure of DSS information by BBC staff, if there were also an effective defence on which an innocent individual who made a genuine and isolated mistake could rely. I hope that that will reassure the hon. Gentleman.

1.30 am

Mr. Greenway: I am greatly reassured by the intention, but I am afraid that I shall have to rely on some of the legal brains in the other place to tease the issue out once more. I do not mean to disparage the Minister in any way; I think that, in respect of the offence that we are discussing, she and I are in a pretty similar position.

I have an inkling that the staff at TV Licensing who might be caught by our creation of an offence that extended more widely than was strictly necessary have not the faintest idea that they are likely to be affected. We have a duty to ensure that those at the top of the organisations that will implement the scheme understand and face their responsibilities, and new clause 2 would

[Mr. Greenway]

assist greatly in that respect. However, we also have a duty to ensure that the interests of the staff—clerical and administrative assistants—who would implement it on a day-to-day basis are not unfairly caught by the creation of an offence that would cover an entirely accidental loss of information and its transmission to the wrong destination.

I hope that what I have said makes it clear that we welcome the new clause. I hope that the House will support it, although I still think that the issue of accidental transmission needs to be addressed.

Mr. Hogg: Let me begin by declaring an interest, although I am not sure that it is strictly necessary: my wife is a governor of the BBC.

I am not as enthusiastic as some about the new clause. I think that subsection (1)(a) is perfectly sensible, and I have no objection to it. I am more concerned about subsection (1)(b), because it uses the words "attributable to any neglect" on the part of a director. It will be necessary to define the director's duties before it is possible to determine what the neglect is. Neglect in this context attracts a substantial period of imprisonment—a period not exceeding two years, if the conviction be on indictment.

I think that we are creating an offence without the directors to whom the penalty attaches being very clear about the nature of their duties. I think it right for a director to be obliged to lay down a system whereby information is safeguarded, but I am not at all clear about the extent to which the Bill requires directors, for example, to monitor the carrying out of the duties, or to perform some overseeing function. We are creating quite a serious penalty without defining what directors must do in the first instance, in respect of which they can be found to have been in neglect. I do not expect the House to resolve the issue sensibly at this hour, but there is a problem that must be addressed in the other place if directors are not to be faced with an unquantifiable liability.

Mr. Hayes: I am reluctant to appear to differ with my right hon. and learned Friend, but is he saying that, notwithstanding the clear duties placed on directors, the Bill should specify the procedures by which they fulfil those duties? If so, that could apply to all legislation on all subjects, and we would be in an impossible mess.

Mr. Hogg: The offence is neglect of duty. We must determine what the duty is before we can determine what the neglect is. If we do not spell out the duties in advance, the directors or any other officer cannot tell in advance what they should or should not do to perform their statutory duties. The extent of the duties must be defined. The Bill does not do that. I am not grumbling, because it is late at night, but this question must be addressed.

Janet Anderson: I said earlier that it is in the interests of a company director, knowing that he may be liable for such an offence, to take proper steps to ensure that his staff follow proper procedures. If a company director negligently failed to provide proper instructions to staff on the need to keep secure information provided by the Department of Social Security, or permitted working practices that led to unlawful disclosure of such information, he could be charged with an offence. Surely, the knowledge of that would be sufficient for company directors to put proper practices into place.

Mr. Hogg: With respect to the hon. Lady, she is not right about that. She has elided the words "neglect" and "negligently": they are different. Neglect is a failure to do that which someone is required to do, and it does not require negligence. She used the word "negligent". If she is saying that "negligence" and "neglect" are the same, so be it, and let us put it in the Bill. Neglect means omission; it does not mean negligent omission. It just means failure—but failure to do what? She really must address this question. I am not blaming her for not doing so this late at night; no one would expect her to do that.

The problem goes to the nature of directors' responsibilities. I hope that the Minister will reflect on that possible problem, so that her hon. and right hon. Friends can address this matter in the other place.

Mr. David Maclean (Penrith and The Border): Is not the difficulty for the directors compounded by the fact that clause 3(3), which I hope to address in my amendments, will permit them to release certain information? It is not quite as the Minister says: There is a straightforward obligation on them to keep all information secret, and they should set up systems to guarantee that. They will have to juggle: they will have to keep some information secret, but will be allowed to publish other information, which will make their difficulties infinitely greater.

Mr. Hogg: My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) makes a sound point. Although I am against codes of practice, because they are non-statutory and owe their existence to the Executive, if we are to take this general approach of creating an offence of neglect without specifying duties, we will have to introduce a range of non-statutory codes of practice. That will raise problems under the European convention on human rights and the statute that we have passed.

The House should be cautious about creating statutory offences when the obligations have not been spelled out. That is the point I am making.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I want to record my appreciation and that of my right hon. and hon. Friends for the observations of the hon. Member for Ryedale (Mr. Greenway) in Committee, and to commend the Government for this display of cross-party co-operation, which seems entirely appropriate in dealing with a measure that commands the support of both sides of the House. Its examination has proved equally uncontroversial.

I welcome new clause 2. I do not want to cross swords, or indeed to follow very far the arguments of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), who may have a point that is worthy of consideration in another place, although I am not as troubled by it as he is. Ensuring the liability of the directors for disclosure underlines the importance of the confidentiality of the information that is handled.

On the formulation that the Government have used, as I understand it, the Minister is following very closely the wording of the Social Security Administration Act 1992. I believe that the Government of which the right hon. and learned Member for Sleaford and North Hykeham was a member were responsible for introducing that Act. I am not aware that that formulation has given rise to the concerns that he has expressed. It seems that the neglect is plainly the neglect to take the measures that would have been necessary to prevent disclosure from taking place.

I conclude by saying how grateful we are for the measures that the Government have taken.

Mr. Maclean: Before we commenced on the group of amendments, I had assumed that the only major point of contention that the other place would wish to look at was that highlighted in new clause 1, which we are not debating in the House tonight. I know that the other place will be greatly vexed about that issue and the fact that people who are currently receiving free television licences may not continue to get them.

I thought that that was the only point of contention that the other place would want to major on until I heard my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) make his very telling points from a knowledgeable legal position on the difference between neglect and negligent. Having listened to his wise words and tried to grasp the concept behind them, I think that the Government may have been slightly negligent in the drafting of subsection (1)(b).

If the Government intended that officers who were negligent should be prosecuted and, in fact, have stated that officers who have committed any neglect should be prosecuted—we now know that there is a fundamental legal difference between them—although we have no time tonight to debate the matter because of the ruthless guillotine that the Government have imposed on this little piece of legislation, which we have not had a chance to debate in the Chamber before on Report, the other place will wish to take new clause 2 apart—well, not perhaps take it apart, but slice little bits off it.

Janet Anderson *rose—*

Mr. Denis MacShane (Rotherham) *rose—*

Mr. Maclean: I give way to the hon. Lady and then I shall give way to the hon. Gentleman.

Janet Anderson: Does the right hon. Gentleman not accept that, if he and his colleagues had not spent so much time on the guillotine motion, we would have had more time to debate the substance of the Bill? I am sure that the over-75s in his constituency will take note of that.

Mr. Maclean: I reject that entirely. The Government had a three-hour guillotine motion, which was rightfully debated by hon. Members on both sides of the House. The hon. Lady may recall that, in the earlier guillotine motion debate, Members on both sides of the House participated. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) condemned her own Government for the ruthlessness of the guillotines that have been imposed today, so if the Minister is suggesting that we should have more time to debate that aspect of the Bill, the Government's guillotine motion should have given us three, four or five hours—in truth, there should have been no guillotine motion at all on the Bill.

Mr. MacShane: Will the right hon. Gentleman give way?

Mr. Maclean: I will in a moment, but I am responding to the point that the Minister made.

The Government may have attempted to justify a guillotine motion on the Royal Parks (Trading) Bill, which had been debated, but the Television Licences (Disclosure of Information) Bill has not previously been debated on Report.

Mr. Deputy Speaker: Order. The right hon. Gentleman has rebutted the Minister. He should not make a meal of it. He must get on to the new clause.

Mr. Maclean: I accept your guidance, Mr. Deputy Speaker; that was the rebuttal. Whenever I see a Government Member down, whether she is a lady or not, I want to continue to put the boot in further.

1.45 am

Mr. MacShane: As someone who was prepared to support the right hon. Gentleman's new clause, which has not been selected, I agree with him. However, he and his colleagues—

Mr. Deputy Speaker: Order. Amendments that have not been selected have not been selected. We cannot talk about them.

Mr. Maclean: I am glad that I am not being chastised on this occasion, and I am sorry if I inadvertently led the hon. Member for Rotherham (Mr. MacShane) astray, so that he incurred your wrath, Mr. Deputy Speaker. I was merely suggesting, by way of introduction to my remarks and my new clause and amendments in this group, that I thought that new clause 2 was reasonably innocuous—although I did not like the terminology of parts of it, which I thought was not as clear as it could be—and that I was not concerned about subsection (1)(b) until I heard my right hon. and learned Friend the Member for Sleaford and North Hykeham in this debate. I am sure that the Government can expect problems in another place with that provision. I have already heard from many noble Friends in another place that they were looking forward to the Bill, to debate their own amendment—essentially new clause 1, which we are not discussing.

Mr. MacShane: On a point of order, Mr. Deputy Speaker. Could you give me some guidance on how the right hon. Gentleman can incessantly discuss his new clause, which has not been selected, when I am not allowed to do so? Could we have some guidance from you on that matter?

Mr. Deputy Speaker: I do not like having to rise to my feet all the time to keep hon. Members in order. Nevertheless, the hon. Gentleman is quite right. That was the last time that the right hon. Member for Penrith and The Border (Mr. Maclean) will mention new clause 1.

[Mr. Deputy Speaker]

It should not take me to remind the House that that new clause has not been selected—we all know that. Perhaps that will satisfy the hon. Gentleman.

Mr. Maclean: Precisely, Mr. Deputy Speaker; I had mentioned it for the last time and then passed on to say—as I think that *Hansard* will record—that I shall now turn to my amendments Nos. 14 and 15. It was not until the hon. Member for Rotherham made his point of order that you, Mr. Deputy Speaker, were forced to mention those words and that number, which I shall not mention.

Amendment No. 14 suggests leaving out subsection (3). I want to do that specifically because, for the first time, we shall be giving away secret information to a private company. Information that is controlled by the Government and the Department of Social Security will be issued. Each year, thousands of names and related private social security information will be issued to a private company, and potentially to dozens of other private companies that are acting on behalf of the BBC.

If the Government decide to issue information in that way and not as I have suggested in my proposed alternative, I think that it is incumbent on them to say that there are no circumstances in which that organisation will be able to publish any of the information at all. If we are to breach the precedent of not issuing Government information to private companies, and then breach it a bit further by saying, "You can't publish—except summary information", or, "You can disclose information that might already have been disclosed", we shall be creating ever more breaches in the absolute rule of secrecy.

There is no absolute necessity for the BBC or other organisations to publish summary information. If the BBC has information, it can feed it back to the Department of Social Security, which will make the decision on publication. The Department of Social Security should already have the information. It will know how many names it has issued to the BBC, and how many people aged 74 it has told the BBC will be entitled to a licence. The Department will have all that information. If it wanted the information organised on a constituency basis, it might have to establish its own systems.

How would the BBC have that information on a constituency basis? If the Department of Social Security does not know the number of pensioners aged 74 or over in individual constituencies, it will merely pass name, address and national insurance number to the BBC, and apparently the BBC will make that information available in summary form—presumably by using a parliamentary address cross-checker and a parliamentary constituency reference book. That information, which was given to the BBC specifically for the purpose of granting a free television licence, will be turned into a pack of other—no doubt useful and interesting—summary information revealing more general details about our constituents and the breakdown by age in all the constituencies in the United Kingdom.

Mr. Paterson: Will my right hon. Friend give us the benefit of his experience in the Home Office and tell us whether he thinks that the provisions are workable as drafted?

Mr. Maclean: I think that there is a dangerous precedent in the subsections that I want to delete.

Mr. Hayes: Could not the problem that my right hon. Friend has described be dealt with by developing the non-statutory codes of conduct that my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) suggested? That would make it possible for the conduct that he describes to be controlled at least in some way, albeit voluntarily.

Mr. Maclean: I am happy for there to be voluntary codes of practice setting out the duty of the directors, the officers and the chief executive. Presumably, some of the terminology in the new clause is designed to catch BBC governors and director-generals. They must be the "other similar officers", just as the wee secretary involved in selling dodgy hamburgers was caught by the previous Bill. However, I do not want voluntary codes of practice to be used to keep secret our information that we have given to the Department of Social Security. Why should my constituents aged 74 and over have to depend on a voluntary code of practice to ensure that summary information about them is not published by BBC companies or the BBC itself?

We know that the summary information will be used to put extra leverage on the Government at a time when they might decide not to increase the licence fee or to restrict the concession or claw it back. If there was a little bit in the press in a couple of years saying that the Government were finding the concession too great, too onerous or too costly, within months, information issued by the BBC under commercial acolytes collecting the fee would point out how many thousand desperate pensioners there were in each constituency. If Parliament wanted to vote for such a measure, we would be blackmailed into not doing so by the weight of the numbers argument. I am not saying that the Government would be blackmailing us—the BBC and others would be blackmailing Parliament and the Government.

There is no need to issue summary information. I appeal to the Minister to keep it all secret and thereby ensure that people have confidence in the system that the Government are trying to set up.

Janet Anderson: The Government have brought forward the Bill in good faith, because we believe that it is the easiest and simplest way of ensuring that pensioners get the free licences to which they are entitled. Given their antics, we can only assume that the Conservatives are intent on scuppering the scheme.

Mr. Maclean: If we wanted to scupper the Bill, we could have done so ages ago. The Minister is endangering her legislation by adding a new clause—

It being five hours after the commencement of proceedings on the allocation of time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Bill read the Third time, and passed.

Serbia and Iraq (Sanctions)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

1.55 am

Mr. Tam Dalyell (Linlithgow): I wish to concentrate on Iraq, because my hon. Friends the Members for Halifax (Mrs. Mahon) and for Chatham and Aylesford (Mr. Shaw) and I were able to have 35 minutes of the Prime Minister's time a couple of weeks ago, with his PPS and his Foreign Office secretary, and he kindly said that he would consider some of our proposals.

My first question is: the United Nations has been reporting since August 1999 on the stock situation in Iraq involving food and medical supplies, and these monthly reports show a satisfactory distribution picture. Why are Her Majesty's Government continuing to identify a picture of hoarding of these humanitarian supplies? That is my first question.

My second question is that the President of the Security Council in January 1999 reminded the Security Council that there should be monitoring of the impact of sanctions on the human condition of those countries under sanctions, and also that the chairpersons of sanctions committees should visit their respective countries to obtain first-hand information on the ground. Why does that not happen in the case of Iraq, and what are the Government planning to do about it?

The third question is that there is no sign of an end to the stalemate between the UN Security Council and the Government of Iraq with regard to resolution 1284. This stalemate is entirely at the expense of the civilian population. Keeping that fact in mind, what do the Government propose as an initiator of the resolution to end the stalemate?

The fourth question is that the educated public in Iraq refer with increasing frequency to the suffering of the Iraqi people under sanctions, and to evidence of violations of human rights and international law. How do the Government answer that observation?

My fifth question is that it is by now well known that the smuggling of oil occurs across all of Iraq's borders. It is also known that large amounts of the income from illegally exported oil are used by the Iraqi regime for expenditure on items of no value to the deprived Iraqi population, including the building of palaces. What do the Government propose be done about this? Why are ships carrying illegal oil intercepted in the Gulf, while large fleets of trucks—I am told at least 200 a day—carrying illegal oil from northern Iraq into Turkey are left unhindered?

In September of last year, I went to Baghdad for the second time—I had been there first in 1994—with the former Taoiseach, Albert Reynolds, who is not a naive man. We were appalled by the degradation of human beings. This country is perhaps the oldest part of civilisation. It is not all a question of the manipulation of propaganda; there is real human tragedy. It is also true that the Iraqi people are proud, and that they will therefore never allow the inspectors to return, given what has happened.

One helpful action would be to ease student travel and allow the new generation of Iraqis to see something of the outside world from which they have been cut off. Secondly, financial responsibility should be returned to the Iraqi Government. Thirdly, Iraq should be allowed to become a member of OPEC again—a belief held very strongly by Hans von Sponeck, the German diplomat who resigned his post as UN co-ordinator on a matter of principle.

Fourthly, reconstruction and an early overhaul of the Iraqi oil industry should be allowed. Oil experts around the world, and especially the Japanese, are amazed that the industry there should function at all, given the sanctions regime. Finally, water supplies must be monitored. In high summer, the great Tigris and Euphrates rivers have been reduced to little more than sewers.

Confidence-building measures should be taken, where possible. Do rogue countries exist, or just rogue regimes? Behind the statistics stand real people. The UN co-ordinators, Dennis Halliday and Hans von Sponeck, went to Iraq as objective people. They say that 167 children die every day, on average. We must remember the fathers and mothers of those children.

The problems in Iraq have been going on for something like 10 years. Where is the conscience of the world? We cannot believe blindly that economic sanctions will deliver solutions, because they have not done so. If Ministers could see what I and Albert Reynolds saw, their consciences would not allow them to sleep at night.

Risks must be taken for peace. Nothing is solved by sanctions. We are concerned about the degradation of human beings.

This debate is also about Kosovo, the Federal Republic of Yugoslavia, and Serbia. I thought that my hon. Friend the Member for Halifax was going to speak in the debate, but I can tell the Minister that we are worried about depleted uranium. I hope that the Foreign Office will reflect on an article by Felicity Arbuthnot that appeared in the *Sunday Herald* in Scotland. It stated:

> The United Nations has issued an internal warning to all its officials in Kosovo that the water supply in the former warzone may be so contaminated by radioactive deposits of depleted uranium from Nato airstrikes that it is no longer fit to drink.
>
> Depleted uranium, used in military shells, has been linked to Gulf war syndrome and the spiralling levels of cancer and birth deformities.

That is a real problem. A seven-page United Nations report has come into my hands. It was issued to UN personnel at the UN headquarters in Pristina, and it marks out the worst-affected areas of depleted uranium concentrations in that country. My hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), who went to Serbia in March, knows how much concern there is in the hospitals about the issue.

I conclude with one thought: the imposition of sanctions, which is the subject of the debate, far from weakening the position of those who are in charge of Governments, such as Mr. Milosevic or Saddam Hussein, actually strengthens them. Sanctions mean black market revenues, and who do those black market revenues go to?

Mr. Robert Marshall-Andrews (Medway): I would like my hon. Friend the Member for Linlithgow (Mr. Dalyell) to reflect on a simple issue that is political,

[Mr. Robert Marshall-Andrews]

not economic. He and I have been to hospitals in Belgrade. As a first-world country, Serbia had a success rate of 35 per cent. in dealing with almost all cancers. It has now been reduced to 15 per cent. People are dying in hospitals, entirely unnecessarily. The anger that is felt by professional—not necessarily political—people at what is being done to their patients in those hospitals is politically entirely contrary to what we wish to deliver. Those people, who are opinion formers in Serbian society, are now all anti-Milosevic, but they are silenced by what we are doing.

I know that my hon. Friend will reflect on this. Moreover, no one in the House has a more honourable tradition of fighting against regimes of this kind than the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Neath (Mr. Hain), particularly when it comes to sanctions. He must know that the distinction in this case is that we are encouraging the regime by imposing sanctions. As I must ask a question in this intervention, will my hon. Friend the Member for Linlithgow reflect on that?

Mr. Dalyell: My reflection is that the sanctions imposed against both Serbia and Iraq are totally different from those in relation to South Africa. The conditions in South Africa were entirely different, for the sanctions were asked for by a substantial majority of the population. I have met no one in Iraq or Serbia who thinks that sanctions are in any way helpful. Indeed, they bolster rather than weaken regimes.

It is late at night. This is a time for reflection. It is also a time of happiness for children in this country. We ought to think about the consequences of our actions for the children of Serbia and Iraq.

2.8 am

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): May I first apologise for arriving a little late and for missing the opening sentences of the address of my hon. Friend the Member for Linlithgow (Mr. Dalyell)?

Mr. Dalyell: My hon. Friend was not late.

Mr. Hain: I thank my hon. Friend for that. I am grateful to him for allowing us another opportunity to discuss Iraq. Along with my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), I respect my hon. Friend's long-standing interest in Iraq, and his genuine concern for the suffering of the Iraqi people. We both want to see more done to help them.

My hon. Friend raised a number of thoughtful and interesting points, some of which I will reply to this evening. Those which I do not have the opportunity to address directly I will reply to in detail in correspondence, and will place a copy in the Library.

When we last debated the situation in Iraq on 24 March, I commended to the House the provisions of United Nations Security Council resolution 1284. After months of intensive effort, Britain secured adoption of that ground-breaking new resolution in December last year. It establishes a new platform for the UN's dealings with Iraq. It deals comprehensively with a range of issues, notably the humanitarian situation, disarmament, and Kuwaiti issues, including stolen property and missing civilians. It represents the collective will of the Security Council and has the force of international law.

Since I last debated this matter with my hon. Friend, excellent progress has been made on implementing the provisions of resolution 1284. I can update the House with the progress on humanitarian provisions, every one of which is unconditional. The resolution removed the ceiling on the amount of oil that Iraq is allowed to export to fund the purchase of a wide range of humanitarian goods under the oil for food programme.

Iraq's oil reserves are second only to those of Saudi Arabia. Those factors, together with the recent recovery in world oil prices, have boosted Iraq's oil exports back to, if not above, the peak historic level of around $15 billion a year. Iraq's oil Ministers recently announced that the country plans to increase exports further by about 700,000 barrels a day. That would put Iraq among the world's top five oil exporters. Furthermore, the Security Council has doubled the allocation from oil for food for the purchase of oil spare parts, to $600 million.

All that means that an estimated $10 billion will be available for the humanitarian programme in Iraq this year. The funding is available now, and it is unconditional. Food, medical supplies and other equipment can be delivered straight to the Iraqi people. With that huge amount of revenue available, one cannot help but ask why we still see pictures—my hon. Friend has experienced the reality—of malnourished and sick Iraqi children. Those pictures rightly provoke our anger, sympathy and compassion.

There is no need for those children to want or to suffer. Why do they? It is an outrage that the Iraqi Government wilfully deny food and medicine to children and play politics with their suffering. The Government hope that by doing so, they will play on our sympathies and emotions so that we shall abandon Security Council resolutions and lift sanctions, leaving Iraq free to develop its weapons of mass destruction and reconstitute the threat to the region that it has posed time and again.

We see no pictures of starving children from northern Iraq. My hon. Friend must address that point. The same sanctions apply there, but Saddam's writ does not run. In northern Iraq, the United Nations, not the Iraqi authorities, is implementing the oil for food programme. It is doing so in a manner designed to bring maximum benefit to the Iraqi people. As a result, the programme is making vast improvements to people's lives. New homes and hospitals are being built, minefields cleared and food and medicine delivered. All that could happen in the centre and south of Iraq if only the Government in Baghdad would allow it.

The truth is that Saddam Hussein has no interest in putting his people's needs first. He chooses to reject offers of humanitarian assistance from other countries, additional to the oil for food programme, including assistance specifically targeted to meet children's needs. Yet he is encouraging journalists and campaigners to come to Baghdad and to tour the children's wards in its hospitals. It is a scandal that the doctors cannot get the drugs that they need, but the fault lies with the Iraqi Government. They failed to order enough medicines under the UN programme, then they failed to deliver them, despite the huge resources available.

Saddam Hussein makes much more money by selling oil illegally. None of it is spent on food or medicine. It is spent instead on luxury items for those closest to Saddam whose loyalty he wishes to retain. It is spent on building new palaces and theme parks, and on holding spectacular celebrations for Saddam Hussein's birthday. By our estimate—my hon. Friend referred to this—illegal exports of Iraqi oil outside the UN programme reached $250 million last year, and $170 million so far this year. We and other members of the Security Council are making serious and successful efforts to limit that trade. It deprives the United Nations humanitarian programme of revenue and it lines the pockets of Saddam Hussein's regime at the expense of the Iraqi people. We thus remain committed to the multinational interdiction force in the Gulf and continue to discuss with regional states how best to crack down on the illegal trade.

We welcome Iran's recent action against several vessels containing smuggled Iraqi oil. We are also pressing Turkey for action—an issue that my hon. Friend rightly raised.

I discussed the disarmament provisions of Security Council resolution 1284 with Hans Blix, the executive chairman of the new arms inspection body—UNMOVIC—when I was in New York in April. I was extremely impressed by his ability and by his highly professional approach to the challenging job before him. In accordance with the resolution, he has drawn up an organisational plan for UNMOVIC. I am pleased to report that, on 13 April, the Security Council unanimously approved that plan. Dr. Blix is now concentrating on recruiting and training his staff. When that is complete, I trust that those—like my hon. Friend—who have contacts with Baghdad will urge Iraq to take the genuine opportunity that is on offer for a fresh start with a wholly new disarmament body, and for co-operation with Dr. Blix and his staff.

Recently, I met Yuli Vorontsov—appointed by the Secretary-General to be his co-ordinator on Kuwaiti issues. Like us, Vorontsov remains extremely concerned that Iraq is not co-operating with the tripartite commission process—the process chaired by the International Committee of the Red Cross, designed to account for the whereabouts of the 605 Kuwaitis and others missing since the end of the Gulf war. I urge Iraq to put an end to the suffering of the families of those who have been missing for so many years. They deserve to know what has happened to their relatives.

My hon. Friend urges us to lift sanctions immediately and unconditionally, because of the serious humanitarian situation in Iraq. Under Security Council resolutions, sanctions can be lifted only when Iraq has complied with its disarmament obligations and following a review by the Security Council of Iraq's policies and practices—including its implementation of all relevant resolutions.

In March last year, a UN panel of disarmament experts confirmed the analysis of UNSCOM—the United Nations Special Commission—that serious questions remain unanswered. My hon. Friend would surely not suggest that Britain—a permanent member of the Security Council—should decide to abandon the council's resolutions, which have the force of international law. Does he really believe that, if sanctions were lifted now, Saddam Hussein would suddenly change the habit of a lifetime and start putting his people's needs first?

The answer lies with resolution 1284, which clearly maps out the way to the lifting of sanctions and, for the first time, provides for the suspension of sanctions, if Iraq complies with a standard well short of that required for sanctions lift. The Iraqi Government are fond of claiming that they have given up their weapons of mass destruction and that they have nothing to hide. If that is so, then they have everything to gain by resuming full co-operation with the UN.

On Serbia, my hon. Friend raised several issues to do with depleted uranium. There are genuine matters for concern that we have addressed. I shall look afresh at the points he made, if he wants me to do so, to consider whether we can investigate and respond to them. Again, I shall place a copy of my letter in the Library.

The European Union and its international partners are working on the basis of a dual strategy: one that combines the deliberate political isolation of the Milosevic regime with a determined effort to engage with Serbian civil society in all its forms. With increased activity recently by Commissioner Chris Patten and by High Representative Javier Solana, the EU is placing even greater emphasis on its relations with the Serbian democratic opposition and the Montenegrin Government, and on support for independent media, non-governmental organisations and civil society in general.

The Serbian Government's actions last week—including the mass arrests of student activists, the takeover of the only independent television station in Belgrade, further repression of other independent media and police violence against the citizens of Belgrade—show why Milosevic must remain an international pariah. We shall continue and strengthen our efforts to support the embattled independent media and the journalists who are risking so much to preserve a basic human right—that of freedom of expression.

My hon. Friend will know of the EU's energy for democracy programme. That was designed to help a certain number of local authorities in Serbia which, because they are controlled by democratic political forces opposed to Milosevic, were suffering particular discrimination in the provision by central Government of fuel for heating. Despite Milosevic's initial attempts to block the free imports of heating oil, the European Union has prevailed. The pilot programme has now been extended to other Serbian towns.

Mr. Dalyell: Before 10 o'clock, I spent the evening with a visiting Inter-Parliamentary Union delegation from Bulgaria. My right hon. Friend the Prime Minister visited Bulgaria during the conflict and there was close co-operation with NATO. Even the Bulgarians now favour a policy of lifting sanctions. Would it not be wise at least to talk to them while they are in London about their reflections, hard hit as they are by what has happened on the Danube?

Mr. Hain: I appreciate the points that my hon. Friend makes. Certainly, we are very happy to continue discussing with the Bulgarians their points of concern.

We continue to believe that a policy of isolating the Governments of Serbia and the Federal Republic of Yugoslavia—FRY—and making use of a range of

[Mr. Hain]

targeted sanctions must be the key element in our strategy. In addition to the UN arms embargo, which has been in force since 1998, Britain implements the following EU sanctions: a visa ban on Milosevic and his cronies that covers about 800 named individuals; a ban on new investment which does not affect existing EU investments; a freeze on the assets of the FRY and Serbian Governments that extends to individuals and companies deemed to be associated with the regime, and a prohibition on making funds available to the targets of the asset freeze; a ban on the sale or supply of petroleum and petroleum products; and a ban on the sale or supply of equipment that might be used for international repression or terrorism. There are also UK national export controls on dual-use goods and on televisual equipment that is destined for the state media. The EU flight ban is currently suspended.

The sanctions regime bears no resemblance to the comprehensive international sanctions regime that was imposed on the FRY from 1992 until shortly after the signing of the Dayton agreement in 1995. I should make it clear that it does not include a comprehensive trade embargo.

The implementation of the financial sanctions regime is being revised to make clearer which Yugoslav companies are deemed to be owned or controlled by the FRY and Serbian Governments. There will be a "white list" of those companies in Serbia that are not deemed to be under such control or ownership. We will do our utmost to ensure that no companies are persecuted because of their presence on the new EU white list. However, it should be remembered that many companies in Serbia that do not align themselves with the ruling parties already suffer discrimination and harassment.

We have made a number of moves since the Kosovo conflict to reduce the impact of sanctions on ordinary citizens. Most recently, we have suspended the flight ban on Serbia for six months. We are keeping sanctions under review, and will adjust the regime as appropriate. However, we must avoid giving Milosevic easy propaganda victories by the early or unwarranted loosening of sanctions, particularly in a period of increased repression in Serbia.

Mr. Marshall-Andrews: Economic sanctions are an extraordinarily crude weapon. They cannot be targeted in the way that my hon. Friend suggests. The oncology hospital that we visited in Belgrade had only the desire to obtain medicines to treat cancer. Its doctors have to take bags of deutschmarks across the border into Germany to buy those medicines. Will my hon. Friend reflect on that point for a moment?

Mr. Hain: I shall happily reflect on that point, but I ask my hon. and learned Friend to reflect on the consequences of simply lifting sanctions in the way he invites us to do. That would effectively allow Milosevic a free rein, and that is the problem with the sincere and heartfelt points that my hon. Friend the Member for Linlithgow and my hon. and learned Friend the Member for Medway made about Iraq and Serbia. They have not come up with a serious alternative strategy.

Although we and our European partners have taken care to minimise the unintended impact of sanctions, we cannot always compensate for Milosevic's wilful disregard of his own people's welfare. For example, the difficulties associated with health care provision in Serbia—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-four minutes past Two o'clock.

House of Commons

Tuesday 23 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS]*, *(BY ORDER)*.

Order for Third Reading read.

To be read the Third time on Tuesday 6 June.

GREENHAM AND CROOKHAM COMMONS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Tuesday 6 June.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Youth Unemployment

1. **Mr. Brian H. Donohoe** (Cunninghame, South): If he will make a statement on the impact of the new deal on the level of youth unemployment. [121870]

The Secretary of State for Scotland (Dr. John Reid): Youth unemployment has fallen by 71 per cent. since April 1997, and the new deal has made a significant impact in achieving that improvement.

Mr. Donohoe: I thank my right hon. Friend for that comprehensive answer. *[Laughter.]* I should like to bring to his attention the fact that, since 1979, there has been an immense drop in youth unemployment in my constituency—in fact, one could say that it has fallen like a stone—but much is still to be done. What is being done under the new deal for over 55-year-olds?

Dr. Reid: My hon. Friend will appreciate just what an impact the new deal has had on young people in Scotland. The mockery of Scottish National party Members is the same as they showed when we introduced the new deal. However, it is not a laughing matter for the 23,000 young people in Scotland who have benefited from it. If this Government had said in 1997 that we would slash youth unemployment by almost 75 per cent.—by 71 per cent.—in three years, no one would have believed us.

My hon. Friend is right that not only the young faced the terrible spectre of dole queues under the previous Government. I am glad to say that my hon. Friend the Minister of State, Scotland Office only yesterday extended the new deal so that those aged over 50 will be able to benefit, as our young people have. That is another step forward in recognising that, although we have made major achievements, there is still much to be done.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the Secretary of State recognise that the success of the new deal is about getting people fit for work and helping them to find work when it is available? Therefore, crucial to the long-term prospects of the young unemployed and over-50-year-olds is investment by manufacturing, agriculture, the oil industry and tourism in job creation for such people in the Scottish economy. Does he therefore recognise, like the Secretary for State for Northern Ireland, that that investment is put at risk by the stresses of the high pound on those industries?

Dr. Reid: The hon. Gentleman is correct that the Government themselves cannot create jobs; we can only create the economic framework in which those jobs are created. That is why I am extremely pleased that that is exemplified in Scotland by the highest employment for more than 30 years—2.3 million—the lowest unemployment for 25 years and the lowest sustained inflation in generations. We are reducing the national debt and we have a surplus on the current account of £17 billion compared with the £20 billion deficit that the Tory party produced.

The hon. Gentleman is correct that one effect of that strong economy is a strong pound—in the face of a very weak euro. That has caused problems, but I am glad that manufacturing in Scotland has overcome them by increasing its output in the past year, increasing exports by 8 per cent. over the past period and increasing employment. So, I would be the last to say that we cannot do any better, but I think that the hon. Gentleman will recognise just what significant advances have been made.

Mr. Desmond Browne (Kilmarnock and Loudoun): My right hon. Friend will be aware that, although unemployment in my constituency has fallen by more than 25 per cent. in the past three years and youth unemployment has more than halved, there is still a systemic difference between local unemployment in some areas, including east Ayrshire, and the Scottish average of about 2 per cent. That is despite the many thousands of job vacancies in the market. It is for that reason that the Chancellor announced the special initiative for certain areas, including east Ayrshire, of job action zones—special targeted help to match unemployed people to jobs. Will my right hon. Friend cheer up the people of east Ayrshire by giving a general indication of when they may expect some action in the job action zone?

Dr. Reid: My hon. Friend is right that, despite the success of the new deal, we are not content that enough has yet been done. We introduced it for the long-term unemployed and, as I said, have extended it to those aged over 50 and to the partners of those who are out of work. In addition, the Chancellor has announced that we shall be introducing employment action zones. I obviously do

not wish to pre-empt any decision on that, but I do not think that the people of east Ayrshire or my hon. Friend will have long to wait for that decision.

Mr. John Swinney (North Tayside): Is the Secretary of State aware of the report of the Education and Employment Committee, which calls for

greater decentralisation within the New Deal so that it can respond to local needs?

Will he reflect on the contents of that report? Does he believe that it strengthens the case for devolving responsibility for the new deal to the Scottish Parliament?

Dr. Reid: First, I welcome the hon. Gentleman to Westminster again.

The new deal has been an outstanding success in Scotland, but we are always considering ways to improve it. I am glad to be able to tell the hon. Gentleman—he probably has not noticed—that we are establishing a Scottish task force on the new deal. We also work hand in glove and in partnership with the Scottish Executive on this, as on many other issues. We genuinely believe that devolution is a constructive partnership of the Parliaments within the United Kingdom. That is why so many of our areas are covered by British and Scottish Ministers working together.

I fully understand that that is not the view of the hon. Gentleman, that he wants the two Parliaments to be in confrontation, and that every subject he raises, from the boxing ring to the unemployed, will be raised with one objective, which is to push the Parliaments apart and set them in confrontation. In that context, I am surprised that he was not here yesterday, when my right hon. Friend the Home Secretary was at the Box. After all the shouting by members of his party last week, they could not even be here to take up the matters in question. It is the usual old story: all talk in Scotland from the SNP and no action at Westminster.

Mr. Ian Davidson (Glasgow, Pollok): Is my right hon. Friend aware that in my constituency since the election unemployment among young people has dropped by two thirds and unemployment generally has dropped by a third? That is very welcome. But is my right hon. Friend also aware that unemployment there is now the worst in Scotland? Does he accept that the removal of assisted area status from a large sector of my constituency is unlikely to be helpful in generating jobs, and that it is important that Govan shipbuilders be given a clear assurance that work will be found to make sure that that yard remains in operation until the new orders come through for the type 45 frigates? Would he further agree, since he himself mentioned boxing, that Mike Tyson coming to Glasgow gives exactly the wrong impression—

Madam Speaker: Order. These questions are far too long. We have not even reached the end of question 1 yet.

Dr. Reid: In deference to what you have just said, Madam Speaker, I shall answer only the first three points that my hon. Friend raised.

First, I thank him for his congratulations on the reduction of unemployment in his constituency.

Secondly, the decisions on assisted areas were very difficult, because we had to negotiate them with the European Union. But I think that Scotland has had a good deal out of that.

Thirdly, everything possible is being done to make sure that fair and full consideration is given to Govan when it comes to the placing of Ministry of Defence orders.

Mr. Dominic Grieve (Beaconsfield): We welcome the reduction in the level of unemployment, but we are not wholly convinced that the new deal, rather than the overall revival of the economy that started under the last Government, has had a great part to play in it. Will the Secretary of State confirm that of those going through the new deal some 36 per cent. either go back on to welfare or disappear from the system, so that it does not appear that they are traceable? Will he also confirm that about a quarter of those who obtain work come out of work shortly thereafter, whereas the whole purpose is to reduce long-term unemployment, and that all this costs £19,000 per person found a job? Would he, then, agree that the new deal's success is in fact far less than he seeks credit for?

Dr. Reid: It is significant that in the face of a huge cut in youth unemployment the hon. Gentleman chooses not to talk about that, but to have a philosophical discussion on the factors potentially underlying it. It would have been better simply to say that we are all very pleased that three out of four young people who were on the dole under his Government are no longer on the dole under the present Government.

As for those young people who go on to the new deal and do not immediately enter a full-time job, it is of course a high percentage—higher than we would like. But it still means that we get 64 per cent. of them in a job. We have a client group that is very difficult precisely because the new deal is targeted at those who, for generations under the Tory Government, were not in jobs. They are a very difficult group to place. They are being placed only because of the economic climate, which is allowing jobs to be created, and because of the assistance the Government are giving to them. By anybody's standards, a 71 per cent. cut in three years is not a bad figure.

Mr. Grieve: The Secretary of State misunderstands the role of the Opposition, which is to welcome the reduction in unemployment but to question the method and the credit that he claims. I shall try to illustrate one of the difficulties so that we may have a sensible question and answer session. It was said about the new deal that the Scotland Office and the Scottish Executive would take 50 trainees. In fact, they have never managed to take more than 12. What is the reason for that?

Dr. Reid: The reason is that my total staff has been reduced from 4,200 to 86. The hon. Gentleman may not have noticed that, but as he is always the first to accuse me of empire building, that is a bit cheeky.

Madam Speaker: Order. I hope that we can make a little faster progress. Both questions and answers are far too long. It has taken us 15 minutes to deal with one question.

Working Families Tax Credit

2. **Mr. John McFall** (Dumbarton): What representations he has received from political parties on publicising the working families tax credit in Scotland. [121872]

The Minister of State, Scotland Office (Mr. Brian Wilson): I shall try to speak quickly. The Government are determined to maximise the take-up of working families tax credit, which is why it has been well publicised in Scotland, through television, newspapers and magazines.

Mr. McFall: Is the Minister aware that some of the poorer families to whom I have spoken in the past few weeks are receiving upwards of an extra £60 a week from WFTC? Does he agree that it is one of the main planks of social justice in Scotland and is he proud to be a member of a Government who are trying to take poverty out of Scotland rather than just trying to take Scotland out of the United Kingdom?

Mr. Wilson: I am very proud of the anti-poverty measures being taken by the Government. It is important that people see them as a cohesive philosophy that joins up measures to attack poverty at the root and provides, through educational policies, the means to raise aspirations and give people in our society better prospects. The WFTC could provide help to 130,000 families in Scotland at the significant level that my hon. Friend mentioned. *[Interruption.]* I have no idea why the SNP sneers at those 130,000 poor families in Scotland. The important point is that of those 130,000, some 99,000 are claiming WFTC. Some 31,000 more families could claim that substantial additional income and if one family sees this broadcast from the House and claims as a result, we will have spent our time well.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Minister is right that the WFTC is an important benefit. It has only been paid since October and the Government should do everything they can to publicise eligibility and improve take-up. Will the Minister accept that we should consider not only absolute numbers but the percentage of those who are eligible who claim? The benefit replaced family credit, which had a high take-up, and it would be a shame if WFTC did not reach the same proportion of those eligible. Will he also bear in mind the extreme importance of the success of the new child care tax credit? The old family credit assistance for children was very restrictive and I hope that publicity will also be given to the child care tax credit.

Mr. Wilson: I thank the hon. Gentleman for that constructive contribution. He is absolutely right on all counts, but I can assure him that everyone who was on family credit has moved to WFTC. I can also assure him that by the end of March 10,300 awards had been made of WFTC containing elements of child care tax credit, and that compares favourably with the 4,900 who gained from the child care earnings disregard under the family credit scheme. We have doubled the number benefiting from the child care element and, in general, more people qualify for WFTC. It is a substantial benefit for low-income families and I want every eligible family to claim it. It should be the job of us all, from whatever party, to ensure that that happens.

Miss Anne Begg (Aberdeen, South): I am sure that my hon. Friend must be as distressed as I am to meet people who still believe that WFTC will not make them better off if they enter work. Like my hon. Friend the Member for Dumbarton (Mr. McFall), I have met families who are between £40 and £60 a week better off, but a few people are still convinced that it would not benefit them. Would not it be better if the SNP, instead of being cynical about WFTC, encouraged those people to get back into work and get out of poverty?

Mr. Wilson: I am not interested in stupid point scoring. I am interested in action and in the money that will be paid to less well off families, as is my hon. Friend. No family with a weekly income below £238 will pay income tax. From June, the figure rises to £245. In April 2001, it will increase to £255. If any such family is paying income tax, it should not be. That is an important message. As a result of the Budget and previous Budgets, a single earner family with two children on £12,500 a year will be £3,000 better off. These are important statistics for low-income families. They should be understood and the benefit should be claimed.

Mr. Nigel Evans (Ribble Valley): Will the Minister give a commitment to talk to businesses in Scotland that have to administer the working families tax credit? He will know that the burden of rules and regulations has increased and now amounts to £10 billion since the Government came to power. Smaller businesses find it proportionately more difficult to tackle the problems of the administrative burden. Will he talk to them to ascertain what can be introduced to alleviate the extra burden?

Mr. Wilson: I visit smaller businesses all the time. The issue that the hon. Gentleman has raised is not something that comes up as a big problem. We always try to simplify systems. I think that the vast majority of companies are well attuned to administering such a system. If there are complaints which they want to raise with me, I shall be pleased to discuss them.

Electricity

3. **Mr. Michael Connarty** (Falkirk, East): If he will make a statement on the Government's plans for the future regulation of electricity supply, generation and distribution in Scotland. [121873]

The Minister of State, Scotland Office (Mr. Brian Wilson): The provisions of the Utilities Bill will put service to consumers at the heart of the regulatory process.

Mr. Connarty: Does my hon. Friend share my pleasure that the Utilities Bill will establish a new and independent Gas and Electricity Consumer Council, which will be responsible for forwarding the interests of the consumer?

My hon. Friend will be aware because I told him that my spouse was caught by basically a mis-selling trick by signing what she thought was an inquiry form for a

transfer from electricity to gas. She found that she had signed a contract. I had eventually to write to Sir Ian Robinson, from whom I received a letter of apology for the mis-selling. Will my hon. Friend assure me that the new independent council will stop rogue mis-selling by agencies that are not part of utilities but receive money for getting people to sign up by basically conning them into signing forms?

Mr. Wilson: I am glad that my hon. Friend acted so effectively on behalf of his constituent. His point speaks for itself. Any form of rogue mis-selling is clearly improper. A strong consumer body will be empowered to consider that sort of practice. It is important also to say that it will have an office in Scotland. The exact structure is being finalised, but we shall have a more effective consumer body to ensure that the consumer interest is at the heart of the entire process.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Given the imminent construction of the electricity interconnector from the west coast of Scotland, what plans are there for extra patrols on the foreshore to warn of the washing up of phosphorous devices as a result of the construction?

Mr. Wilson: I am aware of the problem with phosphorous devices. If additional measures are necessary, I shall be happy to hear from the hon. Gentleman. I will take up the matter with the various agencies to ensure that public safety is of paramount importance.

Mr. David Marshall (Glasgow, Shettleston): Does my hon. Friend agree that the cost of electricity and other forms of heating is still far too high for many poor families in Scotland? Will he therefore agree to bring to the notice of his colleagues on the interdepartmental group on fuel poverty the real hardship in terms of health and economic cost that is faced by many thousands of families in Scotland as a result of fuel poverty and the adverse climatic conditions that occur every winter? Does he agree that even more urgent attention needs to be paid to the problem?

Mr. Wilson: I agree with my hon. Friend. It is necessary constantly to ensure that nobody is impoverished by the need to have warm, dry homes. That must be a primary objective of government. I need hardly point out to my hon. Friend that we have done much in this regard by means of insulation programmes and grants, for example. We have also substantially increased the winter fuel allowance for pensioners to £150 next year. However, I would be the last to pretend that there is nothing more to be done. My hon. Friend has a very honourable record of contributing to that debate.

Tax Raising Powers

4. **Sir Teddy Taylor** (Rochford and Southend, East): If he will meet the Scottish Executive to discuss the implications for the Scottish economy of devolved tax-raising powers. [121875]

The Secretary of State for Scotland (Dr. John Reid): I meet regularly with Scottish Executive Ministers to discuss a range of issues.

Sir Teddy Taylor: Does the Secretary of State agree that an additional rate of income tax, apart from doing economic damage to Scotland, would create a bureaucratic nightmare—particularly, for example, for self- employed organisations that do work both north and south of the border and for people moving house during the year? Will he at least have a discussion with the Scottish Executive to ensure that, before the system is implemented, it will work? Will he personally urge the Scottish Parliament not to get involved in a tartan tax?

Dr. Reid: I always have the feeling that the hon. Gentleman is arguing the case from where he left off when he departed Scotland. All of those issues were settled many years ago, and the Scottish people voted for a tax-raising power. However, it is obvious that if any Scottish Executive wished to implement the power, they would ensure that it worked before going ahead with it. As for the current, Labour-led Scottish Executive, before the Scottish parliamentary elections, the Labour party made it clear that it would not be using that tax-raising power in the first Parliament. The matter, therefore, does not arise in the immediate future.

ADVOCATE-GENERAL

The Advocate-General was asked—

Human Rights Convention

17. **Miss Anne McIntosh** (Vale of York): What recent advice she has given on the introduction into Scots law of the European convention on human rights and its implications for practising *(a)* lawyers and *(b)* judges. [121890]

The Advocate-General for Scotland (Dr. Lynda Clark): I have had many meetings in different parts of Scotland and in London in which I have discussed the implications for Scots law of the European convention. As Advocate-General, I give legal advice on matters of human rights. I have also ensured that United Kingdom Department lawyers are aware of the effects on Scots Law of the introduction of convention rights. I regularly inform UK Departments about the implications of devolution issues that have been raised in Scotland.

Miss McIntosh: When the hon. and learned Lady and I were law students at our respective Scottish universities and European law was first introduced into Scots law, there was an obligatory European Community law course. Has she advised that a similar obligatory course should be introduced for all undergraduates, practising lawyers and sitting judges in Scotland?

The Advocate-General: It is not for me as Advocate-General, but for the Scottish Executive, to give such advice. It is also a matter of the organisation of universities and of the various training courses that they offer. I have, however, visited various Scottish universities, and I am pleased to advise that their students

are very well-informed about the European convention on human rights. It is a matter of great interest in the universities and, of course, elsewhere.

Mr. Dominic Grieve (Beaconsfield): The hon. and learned Lady takes a little refuge in the particular of not being able to reply to specific questions, but I am sure that she will agree that some of these matters are of general importance and have a United Kingdom-wide effect, as the Human Rights Act 1998 will apply in all parts of the United Kingdom. What action could she, please, take to ensure that hon. Members and the public are fully briefed on how the Government—for whom she speaks on the matter—understand the implications of implementation, so that Parliament itself can understand the problems that it will face?

The Advocate-General: If the hon. Gentleman would like me to provide a little human rights course for him and other hon. Members, I would be delighted to do so. I have made it perfectly clear that I am more than happy to meet individual hon. Members—or groups of hon. Members; however they wish—to discuss these matters. I also have regular meetings with Ministers and with the lawyers across Whitehall. I assure hon. Members that lawyers in Whitehall and in the wider community are very much aware of the convention's implications, and that action is being taken to ensure that lawyers are ready for the convention when it is in force in the United Kingdom.

18. **Mr. Desmond Browne** (Kilmarnock and Loudoun): What steps she is taking to anticipate the incorporation of the European convention on human rights into Scots law in October. [121892]

The Advocate-General for Scotland (Dr. Lynda Clarke): Since last year, I have spoken to many groups on those issues. As my hon. Friend will be aware, the Scottish Parliament and Scottish Ministers are already bound under the Scotland Act 1998 not to breach convention rights.

Mr. Browne: My hon. and learned Friend will be aware that the incorporation of the ECHR into Scots law in respect of the actions of the Scottish Executive and the Scottish Parliament has already given rise to a substantial number of applications to the court, including an important current case. What steps are being taken to ensure that the lessons learned in Scotland are disseminated among the Departments of the UK Government that still have responsibility for reserved matters for Scotland?

The Advocate-General: There have been approximately 650 devolution issues covering a range of subjects intimated to me as Advocate-General. As part of the procedures that I introduced, we have taken steps to ensure that UK Departments are well aware of the issues, the problems and some of the solutions available. I appeared last week in the current court case that my hon. Friend mentioned and I shall appear again tomorrow.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Licensing Justices

20. **Mr. Nigel Waterson** (Eastbourne): What discussions he has had with the Secretary of State for the Home Department regarding transferring the licensing justices' powers to local authorities. [121894]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The Lord Chancellor's Department has been fully engaged at both official and ministerial level in discussions between Government Departments relating to all the proposals contained in the Home Offices's White Paper on modernisation of the licensing laws.

Mr. Waterson: I thank the Minister for that answer. Is she sticking up for magistrates in the interdepartmental warfare? Does she agree that there is real apprehension that decisions about licensing will be politicised, particularly when there is great pressure from chains of so-called superpubs? Does she agree that the magistrates and the police, working together, have unrivalled expertise in dealing with applications, not least in knowing the backgrounds of those who apply for licences, as well as the advisability from a public order point of view of granting applications?

Jane Kennedy: The proposals to transfer licensing to local authorities will ensure a more streamlined approach, uniting alcohol licensing with other aspects, such as public entertainment licensing, which are already the responsibility of local authorities. The lay magistracy will continue to have a significant role, with its jurisdiction to hear licensing matters that breach the criminal law and its role at the appeal stage.

Mr. Nick Hawkins (Surrey Heath): Does not the Minister recognise that many justices will feel that their powers are being eroded by the Government? Is there not a danger of corruption? After the Donnygate scandals involving her party, surely she is aware of the great concerns that transferring such powers to local authorities could lead to a serious risk of justice not being done or seen to be done. Is not that another case of the Government rushing ahead with change for change's sake? Would they not be better to say "If it aint broke, don't fix it"?

Jane Kennedy: The lay magistracy has done a very effective job in undertaking its licensing responsibilities. The proposal to transfer those responsibilities does not in any way reflect any criticism of their work. The lay magistracy will continue to perform important roles in hearing criminal cases involving breach of the law in such instances. It is disappointing to hear the hon. Gentleman once again attacking the role of local government in an important area in which locally elected and accountable councillors may properly undertake the role of issuing licences. The proposals in the White Paper should be welcomed. If hon. Members have views to express, we are always willing to listen to them.

Family Law

21. **Mr. Simon Burns** (West Chelmsford): What plans he has to make further reforms in the field of family law. [121895]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The Government are pursuing a number of initiatives to reform and improve family law. In particular, we are further considering the issues surrounding the court process for contact proceedings where domestic violence is an issue and the extent to which we can improve compliance with child contact orders.

Mr. Burns: I am grateful to the Minister for that reply. With the advancement of equal rights for women in all walks of life, is it not an anomaly that, following the breakdown of a relationship, the law tends to discriminate against men by usually insisting on the children residing with the mother and time-limiting the father's access to them? Should not the law be changed to give fathers equal rights and equal time throughout the year to be with their children, in an era when we are seeking to enhance the equality of the sexes and their rights?

Jane Kennedy: I believe that the hon. Gentleman misunderstands the situation. The law does not prescribe that children should live with their mothers rather than their fathers after the breakdown of a marriage. Most divorced or separated couples make their own arrangements for their children. In some cases, it may be possible, and appropriate, for children to divide their time, exactly half and half, between their parents after a divorce. The courts can make joint residence orders if that is in the children's best interests. However, that is often not practical—it might, for example, disrupt the children's education and their social life. It would not be appropriate to require the courts to impose such an arrangement in every case.

Mr. David Kidney (Stafford): Am I right in thinking that those parts of the Family Law Act 1996 that have not been brought into force will now not be brought into force? If so, is it intended that new legislation will be put in place in due course to state the Government's support for marriage, and that it will include such measures as marriage preparation and marriage support?

Jane Kennedy: My hon. Friend is not accurate. Before implementing part II of the Family Law Act 1996, which is the main area of family law that has not been implemented, the Government must be satisfied that the new arrangements for divorce will work. The interim results of extensive pilots, testing information meetings, have been disappointing, particularly with regard to the number of people being encouraged to attend mediation. The final results of the research from the pilots will not be ready until summer of this year, when the Government will consider how to proceed.

Court Fees

23. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the level of court fees. [121899]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): The Government inherited from the previous Government, and have continued to apply, the principle of full cost recovery, subject to an expanded system of exemption and remission, which the previous Government attempted to remove in its entirety for the Supreme Court and severely limit for family proceedings and the county court. This means that in the present year, £326 million of the £362 million that it costs to run our courts is expected to be recovered from fees.

Mr. Brady: I thank the Minister for his response. Is he not concerned that rising levels of court fees will deny access to justice to many people, and that the charges probably hit hardest those who are least able to pay and who most need the protection of our justice system? What will the Government do to put the situation right and ensure proper access to our legal system for all citizens?

Mr. Lock: The Government have expanded the area of remission and exemption for those who cannot afford to pay. That means that more people are able to access courts without having to pay fees. The truth is that it is lawyers' fees and costs, not court fees, that prevent people from getting access to justice.

Mr. Michael Jabez Foster (Hastings and Rye): May I tell my hon. Friend how welcome it is that some people can now obtain a waiver or remission of fees because of their modest means, and how helpful they find it? May I suggest that the notional fees that are waived should be added to the cost of a successful action, so that at least defendants do not benefit from their opponents' lack of funds?

Mr. Lock: I am grateful to my hon. Friend for that helpful and constructive suggestion. He is right about the effect of exemptions and remissions. As for his interesting suggestion, I undertake to consider it carefully. I can see that it has some merit; I will write to him about it and put a copy of my answer in the Library.

Mr. John Burnett (Torridge and West Devon): I am told that there was a surplus of court costs over court fees for the year 1997–98. Will the Minister tell the House how much that surplus was, what happened to it and what he believes should have happened to it?

Mr. Lock: In the past financial year, income fell well below profile—by approximately £8 million. From recollection—I shall write to the hon. Gentleman if I am wrong—only once in the past five years has the amount of fees exceeded the amount anticipated, but that was not a surplus, because there is a system of remissions and exemptions. In the single case where a slight overestimate was made, it amounted, I think, to a few hundred thousand pounds, which, in the context of an overall cost of more than £300 million, is a small sum. The true position is that if the amount of fees recovered exceeds the cost of running the courts, we should reduce the fees.

Crown Courts

25. **Mr. David Ruffley** (Bury St. Edmunds): What recent representations he has received regarding the closing of Crown courts in rural areas. [121901]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): There is no record of any such representations having been received within the past few years.

Mr. Ruffley: I am grateful for that reply. Is the Minister aware that as a result of the development of new Crown court facilities in Ipswich, Crown court users in Bury St. Edmunds have been informed that our Crown court may close and that there may be a consultation period? Does she understand that if justice in rural areas is to be delivered and dispensed locally, the Government must ensure that such Crown courts are not closed, and, more to the point, that proposals to close them are not made by her Department?

Jane Kennedy: I understand local concern, but the Court Service, in conjunction with the judiciary and the criminal justice organisations, has been studying ways to make the criminal trial process more efficient and effective. The Court Service has undertaken a major programme of work—the Crown court programme—and its overarching and straightforward objectives are: to reduce the economic cost of crime by reducing the unit costs of a Crown court case to the criminal justice system; to deal with cases throughout the system with appropriate speed by reducing the time taken from committal to sentence or other disposal; and, finally and most important, to meet the needs of victims, witnesses and jurors by improving their satisfaction levels.

Judicial Appointments Commission (Scotland)

27. **Mr. Gordon Prentice** (Pendle): If the Lord Chancellor was consulted by the Scottish Executive over proposals to establish a judicial appointments commission in Scotland. [121904]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): The Lord Chancellor was aware of the proposals, now set out in a consultation paper issued by the Scottish Executive, to establish a judicial appointments commission in Scotland. This is a matter for which the Scottish Executive has devolved responsibility.

Mr. Prentice: So the Lord Chancellor was aware, but was not consulted. Will experience in Scotland lead the Lord Chancellor to think again about a long-established Labour policy—set aside two years ago—to move away from the secretive, widely criticised current system towards an open and transparent judicial appointments commission? Why cannot we have one?

Mr. Lock: My noble and learned Friend the Lord Chancellor keeps judicial appointments procedures in England and Wales under continuous review. Over recent years, there have been many developments in procedures, and he is constantly seeking to improve them. That is why he asked Sir Leonard Peach, a former commissioner for public appointments, to conduct independent scrutiny of the judicial appointments and Queen's counsel procedures. Sir Leonard reported that the appointments procedures were as good as any that he had seen in the public sector. One of his main recommendations was that there should be a commissioner for judicial appointments, and that has been accepted by the Lord Chancellor and is being carried forward.

Immigration Adjudicators

28. **Fiona Mactaggart** (Slough): What discussions he has held with the Home Office about its policy in relation to recommendations by immigration adjudicators. [121905]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): I have not discussed the policy in relation to the adjudicator's recommendations with the Home Secretary. As a matter of law, the Home Secretary has complete discretion whether or not to adopt an adjudicator's recommendation.

Fiona Mactaggart: Might I persuade my hon. Friend that it would be a good idea to have such a discussion? At present, many adjudicators make recommendations once they have made a finding of fact that a family can support and accommodate itself without recourse to public funds at the time of the adjudicators hearing, although that had not been the case at the time when the entry clearance officer made the initial decision. If the Home Office pursues its policy of not implementing recommendations in those circumstances, many of my constituents who are applying in Islamabad may have to wait more than a year before their cases can be reconsidered, even when all that is at issue is a matter of fact already confirmed by an immigration adjudicator.

Jane Kennedy: But as I understand it, the Home Secretary will act on an adjudicator's recommendation—although only where there are clear, compassionate circumstances that have not been considered and that would merit the exercise of his discretion. One essential element of the Government's reforms and, indeed, the expansion of the immigration and asylum system, is the one-stop appeal. That will give people a chance to raise at the first stage all their grounds for entering or remaining in the United Kingdom. It would thus be more sensible to reconsider any policy on recommendations by adjudicators—if that was needed—only when we have experience of the one-stop appeal process. However, I am grateful to my hon. Friend for raising the matter.

HOUSE OF COMMONS

The President of the Council was asked—

Appointments Commission

31. **Mr. Gordon Prentice** (Pendle): How often the Appointments Commission has met; and if she will make a statement. [121909]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Appointments Commission is an independent body, appointed on 4 May. I understand that it has not yet met, but that it will do so soon.

Mr. Prentice: Are we not getting ourselves in a terrible pickle over this Appointments Commission, which will be advised by a firm of chartered accountants as to the persons who are suitable for membership of the second Chamber? Will it be open to the Appointments Commission, under its terms of reference, to appoint people to the upper Chamber by random selection, in the way that juries are appointed? Is that a bizarre suggestion?

Mr. Tipping: Yes.

Sir George Young (North-West Hampshire): Was not the hereditary principle the random selection to which the hon. Member for Pendle (Mr. Prentice) referred?

Is not the Government's Appointments Commission but a pale shadow of the independent statutory appointments commission that we really need, so as to remove the enormous patronage that remains in the hands of the Prime Minister? At present, he can decide how many peers there will be and the party balance between them. When will the Government respond to the Wakeham commission's proposals on that and on the rest of the report?

Mr. Tipping: Let me remind the right hon. Gentleman that the Conservative party remains predominant in the upper Chamber, with 236 Members. I understand his reluctance to make changes quickly on House of Lords reform. We want to build on the Wakeham report. The independent Appointments Commission is an important first step. If we could arrive at a consensus on the way forward, I hope that we should quickly move to the Wakeham recommendations.

Oral Questions

32. **Mr. John Bercow** (Buckingham): If she will bring forward proposals to the Select Committee on Modernisation of the House of Commons to place time limits on ministerial responses to oral questions. [121910]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I have no plans to do so, but I am aware of the need to balance the desire of Ministers to give full replies with the desire of the House to deal with a reasonable number of questions.

Mr. Bercow: Given that, in 1991, each oral question and answer took an average of two minutes and 57 seconds and nearly 19 questions were reached in an hour, but that, in 1999, each oral question and answer took, on average, three minutes and 42 seconds and only just over 15 questions were reached during the time, will the President of the Council consider a time limit, so that more MPs can ask questions of Ministers, extensive wafflers—from the Prime Minister downwards—can be cut short, and the right hon. Lady herself can emerge victorious as the most dextrous and succinct Minister at the Dispatch Box?

Mrs. Beckett: I am grateful to the hon. Gentleman, but flattery will not get him anywhere. I simply say to him that there is a balance in these matters, as ever. If he considers the way that questions are asked—not necessarily by someone such as himself, but more widely from those on the Conservative Benches—he will find that questions are often discursive and cover many topics. It is then difficult for Ministers to reply succinctly.

Mr. Dale Campbell-Savours (Workington): Are Ministers told to keep their answers short?

Mrs. Beckett: Constantly.

Mr. David Heath (Somerton and Frome): Would it discourage Ministers from giving very long answers, and their civil servants from preparing essays rather than short answers, if the period between the tabling of questions and their answer was reduced? That would have the additional advantage of making our questions topical occasionally, rather than relating to what was in the news two weeks previously.

Mrs. Beckett: I am not sure that what the hon. Gentleman suggests would make much difference from the point of view of topicality, but I know that he has raised this matter before. I believe that it has been suggested to him that he might like to take the matter up with the House authorities in other ways.

Mr. Andrew Mackinlay (Thurrock): Would it not be better if Ministers and hon. Members did not read questions and replies? That would speed matters up and make things much crisper. The problem is that planted questions get planted replies. Unlike my right hon. Friend, many Ministers are incapable of paraphrasing and feel obliged to read out what has been supplied to them. That is a great pity, and detracts from the House.

Mrs. Beckett: With respect, my hon. Friend will know that there has long been a tendency in all parties to be more disciplined about what is asked and what is answered. However, I repeat that the pressure in this exchange has been about replies from Ministers, and that it is difficult to answer discursive questions with less than discursive replies.

Parliamentary Data and Video Network

33. **Mr. Michael Jack** (Fylde): If she will bring forward proposals to the Select Committee on Modernisation of the House of Commons for the adaptation of Committee Rooms to enable hon. Members to use the parliamentary data and video network system during Standing Committee sittings. [121911]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I have no plans to do so. However, the right hon. Gentleman may wish to take the matter up with the Information Committee and with the Chairmen's Panel.

Mr. Jack: I am grateful to the Minister for that guidance, but I hope that he might think again. The House has made tremendous strides in giving hon. Members access, by means of the PDVN, to a great deal of information that is very relevant to our work, both in the House and in Committee. However, information cannot be accessed in Committee Rooms, even by downloading onto a computer. If we are to hold the Executive to account, we need access to a large amount of data, so would it not be possible for the Modernisation Committee to examine the role of information technology as an adjunct and aid to the work of Committees in this House?

Mr. Tipping: I understand that the purpose of Standing Committees is to hold Ministers to account, and it is clear that members of Standing Committees must listen carefully to debates. There is a case for looking at new technology and how it impinges on our lives, but that is a matter for the Chairmen's Panel.

Charlotte Atkins (Staffordshire, Moorlands): What progress has been made in improving access to the internet for hon. Members and their staff? Has a decision been made about whether users of the service will be charged?

Mr. Tipping: A lively discussion is taking place on that subject. Hon. Members with constituencies and offices away from London feel disadvantaged, and the Information Committee is looking into the matter.

Westminster Hall

34. **Mr. Graham Brady** (Altrincham and Sale, West): If she will make a statement on the experimental sittings in Westminster Hall. [121912]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Sittings in Westminster Hall provide valuable opportunities for debates initiated by Back-Bench Members, for debates on Select Committee Reports and for debates on subjects for which we would not otherwise have found time on the Floor of the House. The Modernisation Committee will review the experiment later this Session.

Mr. Brady: Does the right hon. Lady agree that the sittings in Westminster Hall are putting increased pressure on members of the Chairmen's Panel and on *Hansard*? Does not the level of attendance at most debates in Westminster Hall suggest that there is very little interest among hon. Members? Is it not time that we thought again and started returning important business to this Chamber, where it belongs?

Mrs. Beckett: Of course the sittings in Westminster Hall do put extra pressure on members of the Chairmen's Panel and on *Hansard*, as any extra opportunity for debates is bound to do. The Modernisation Committee will look at attendance levels, but I do not agree with the hon. Gentleman's suggestion that debates in Westminster Hall are not required. When Westminster Hall was opened as a forum, thereby doubling the opportunities for Adjournment debates, demand for such debates more than doubled.

Mr. Peter L. Pike (Burnley): Is it not strange that the Opposition seem to want to avoid the opportunity to challenge the Executive? One minute they say that they want to question the Executive, but the next they want to eliminate their opportunities to do so.

Mrs. Beckett: My hon. Friend is entirely right. The Opposition are always complaining that there are too few opportunities for scrutiny, but they do not seem to want to take them up when we offer them.

Voting Methods

35. **Helen Jackson** (Sheffield, Hillsborough): If she will make a statement on proposals for reform of the voting methods of the House. [121913]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Modernisation Committee is currently reviewing this matter.

Helen Jackson: Does my hon. Friend agree that it is only stick in the muds and conservatives with a small "c" who are never interested in considering how to reform the behaviour of the organisations in which they work? Clearly, we should consider voting systems and examine whether there are other ways of making voting quicker and more efficient. The last time that the issue came before the House, a complex multiplicity of options was suggested. Instead, we need to examine one or two simple alternatives that might speed up the voting process and make this place work more efficiently.

Mr. Tipping: There is a mood for change in the House, but what is in dispute is the pace of that change. Some Members would like no change whatever, while others are more radical. My hon. Friend is a member of the Modernisation Committee and she will remember that the last time the issue was considered, Members were offered several choices. The best course might be to make two options available—the present system and an alternative—and to ask Members to judge them.

Mr. Nigel Evans (Ribble Valley): The fact is that Members have considered alternative systems, and the system that we currently use is the one that they prefer. The issue is not just making voting easier. When Members come together during votes, they are able to talk to Ministers. If it were not for the fact that we have physically to walk through the Lobbies, certain Ministers would not be seen in the Chamber at all.

Mr. Tipping: It has been known for people to change their minds. I suspect that there is a mood among some Members for a change on this matter. However, I accept the hon. Gentleman's point that the Lobby provides an important opportunity for Back-Bench Members to talk to Ministers. Ministers may run but, in the Lobby, there is nowhere to hide.

Sitting Days

36. **Mr. Andrew Mackinlay** (Thurrock): If she will propose to the Modernisation Committee a more even distribution of the sitting days throughout the parliamentary Session. [121914]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The Select Committee on Modernisation of the House of Commons considered the parliamentary calendar in its first report of the Session 1998–99. It is something that the Committee continues to bear in mind in its deliberations.

Mr. Mackinlay: I welcome that reply, because it is not recognised that the House has more plenary sessions than any other parliamentary Chamber in the world. In a few moments, we shall hear a statement from my right hon. Friend the Secretary of State for Defence, but, if the circumstances that have prompted that statement were to occur in September, there would be no such statement. Should we not move away from the situation in which the House is driven by legislation and only sits when there is legislation to consider? Should there not be sittings in the early autumn to allow for parliamentary questions and for parliamentary statements?

Mrs. Beckett: I understand the point that my hon. Friend makes. He will know that the issue has been considered continually down the years and from Parliament to Parliament. Proposals for major change have always foundered on issues such as the timing of party conferences and the necessity to make arrangements for them many years ahead. However, unless the House sits every day, there is always the possibility that something untoward may happen when the House is not sitting.

I assure my hon. Friend that we continue to keep the matter under review. However, I say to him and the House that, unless we are able to be more ordered and more efficient in the conduct of our business and in the way that we handle the parliamentary timetable and legislative discussion, it will always be difficult to deal with the kind of issues that he raises.

Mr. Paul Tyler (North Cornwall): Even allowing for the fact that the next parliamentary Session may be foreshortened—I understand that today there is speculation that polling day may coincide with a certain first birthday—will the Leader of the House consider whether this year might not be a good one to see whether we can achieve greater consensus across the parties about the timetabling of legislation through the year?

Mrs. Beckett: The first that I heard anyone seriously speculate about such issues—at least, they thought they were serious—was immediately after publication of the previous Queen's Speech. The press, who had clearly become rather bored with this Parliament, began to say that it was clearly time for another general election. I have long thought that such speculation had much more to do with the boredom of the press, who want something different to write about, than with anything else.

I certainly concur with the latter part of the hon. Gentleman's remarks. The House needs to reconsider seriously the recommendations that have been made over 10 years about how we programme our discussions to ensure that we scrutinise our legislation well and not dilatorily.

Parliamentary Recesses

37. **Mr. Simon Burns** (West Chelmsford): What plans she has to ensure that the dates of future parliamentary recesses coincide with school holidays. [121916]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The dates for schools holidays are already a factor in setting recesses, but other considerations must be taken into account.

Mr. Burns: Many hon. Members on both sides of the House have children who are younger than, say, those of hon. Members 30 years ago. May I thank the Leader of the House for her genuine efforts over the past two years or so in trying to make parliamentary recesses coincide more with school holidays? However, it was a disappointment to go into the Easter recess as the schools went back from their Easter break. As we know dates of school holidays in the state and private sectors for at least the next 15 months, will the Leader of the House redouble her efforts and her sterling work to try and make those dates coincide with those of parliamentary recesses when feasible?

Mrs. Beckett: I am grateful for the hon. Gentleman's kind remarks. It is true that we try hard to make recesses coincide with school holidays. I understand and sympathise very much with all those whose children were back at school in the last recess. Unfortunately, however, the great bulk of school holidays occurred after Easter and it was not possible to combine the variation in school holiday dates with a reasonable length of recess. The hon. Gentleman will appreciate that at least some of his hon. Friends are constantly calling for shorter recesses.

Sierra Leone

3.31 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Madam Speaker, I wish to make a further statement about the deployment of British troops in Sierra Leone.

In my statement last week, I informed the House about British forces' deployment to Sierra Leone. British troops are in Sierra Leone to get British nationals out and help get UN reinforcements in. That is what our troops were sent to do and it is what they will carry on doing as long as is necessary. They are doing that job exceptionally well. British forces in Sierra Leone have secured Lungi airport while UN Forces are building up. Following the attack on the Parachute Regiment last week, they moved light guns ashore and conducted reconnaissance flights to assist in that task.

Separately, British officers are providing military advice to UNAMSIL, the Government of Sierra Leone, and the UN in New York. Our aim is to help the UN create a more effective UN force in Sierra Leone, which can restore peace and order in Sierra Leone and help the Government there re-establish stability.

That strategy is making significant progress. In the past week, we have seen the arrival of capable and effective UN reinforcements through Lungi airport. The Revolutionary United Front has been pushed back by the forces of the Government of Sierra Leone. We have seen Foday Sankoh, the RUF leader, arrested and detained by the Sierra Leonean authorities. That is of significance. He is ultimately responsible for the actions of the rebels whom he leads. His future is for the Government of Sierra Leone to decide, but the RUF must be clear that the violence must stop, and that the peace process must be carried forward. Our longer-term aim is to have a stable Sierra Leone in which rebel fighting forces have been demobilised, with the Government of Sierra Leone in control of the diamond-producing areas.

I should like to inform the House of changes in our military deployments following that encouraging progress in the UN build-up. As I made clear last week, our intention is that UK forces will stay in Sierra Leone no longer than is necessary. Indeed, UNAMSIL is preparing the way for a formal takeover of the UK's role at the airport in due course.

The 1st Battalion Parachute Regiment has played an outstandingly successful role in securing the airport since it arrived earlier this month. However, conditions on the ground are difficult. Living conditions are extremely basic and the environment in which the forces are operating is hot, humid and thoroughly unpleasant. Furthermore, the regiment now needs to prepare for other duties facing it later this year. The Government have therefore decided to replace the 1st Battalion Parachute Regiment, which will start to return to the UK this week, with 42 Commando Royal Marines. That has a practical advantage, as the marines can be sustained logistically from HMS Ocean's amphibious group just offshore. That will enable us to continue to secure Lungi during the continued build-up of UN forces in the period to mid-June, and to do so without ourselves overtaxing the limited infrastructure of the airport.

The changeover will represent the first stage of our plan to withdraw the bulk of our deployed force by the previously announced timetable of mid-June. That recognises the other commitments that our armed forces have, and my concern to avoid adding to the pressures on them. It also demonstrates the utility and effectiveness of the flexible, balanced force that we sent to the region.

Looking ahead to when the main UK forces withdraw, advance elements of the UK-led international military assistance training team, announced by the Prime Minister on 27 March, will be arriving in Freetown very shortly. The training team is part of the Government's wider programme of assistance in helping the Government of Sierra Leone to restore peace and stability after eight years of brutal civil war. The team will provide advice and training to help the Government of Sierra Leone rebuild new, effective and democratically accountable armed forces and a Ministry of Defence in line with the Lomé peace agreement.

I take this opportunity to assure the House that we will also continue to be very mindful of the situation regarding all the detainees—in particular the delicate position of Major Andrew Harrison and the continuing search for the missing aid worker, Alan Smith.

Creating new, democratically accountable armed forces in Sierra Leone is vital to the long-term restoration of peace and security in that country. The UK will provide the majority of the personnel, but the team will be a multinational effort. We are encouraging other countries with an interest in building peace in Sierra Leone to contribute to building it up, as soon as it is safe to do so, to a team about 90 strong.

Given the return to violence by the RUF, we will also be giving the Sierra Leone army access, under the supervision of British officers, to stocks of light weapons and ammunition, if those are needed for operations. The precise distribution of arms and ammunition will be carefully considered in the context of the local political situation and the wider regional issues.

Our armed forces are doing an excellent job, as has been widely acknowledged in Britain and internationally. Our service men and women can be justifiably proud of the job that they have done. What we are now setting in place are the arrangements for our continuing support to the Government of Sierra Leone. Our deployment has been a practical example of British ground forces being a force for good, and has clearly demonstrated the flexible deployment concept that was at the heart of the strategic defence review. We are showing not only that we can deploy forces rapidly in response to a crisis, but that we will withdraw them when we judge that it is right to do so.

In short, our immediate mission remains the same: to secure the airport for evacuation purposes and to allow the reinforcement of the UN contingent. Our assumptions on timing remain the same: the build-up of UN forces between now and mid-June is clearly on schedule. The replacement of the Parachute Regiment by the Marines is a sensible military step, which preserves our capability on the ground for the remainder of this mission, while allowing the Parachute Regiment to return to the UK.

Finally, our commitment to promoting stability and security in Sierra Leone remains the same. Our decision to enhance the capability of the Sierra Leone army is an essential element of that. We will continue to do all that we reasonably can to help the UN achieve its mission,

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including giving advice and providing logistical support. Britain will continue to stand by the people of Sierra Leone in their search for a permanent peace.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I thank the Secretary of State for giving me prior sight of the statement, even though it was difficult to obtain a copy until shortly before he spoke. He will forgive me if some of my questions have already been answered.

The Opposition are proud of all that our armed forces have been asked to do and of what they achieve. Whatever they are asked to do, we will continue to support them. The situation was brought home to us last Wednesday, when we had a clear reminder—if any reminder were necessary—of how dangerous the situation in Sierra Leone is. We were also reminded how good our troops are when they came under fire, as the Secretary of State said, apparently from members of the Revolutionary United Front. Our troops behaved impeccably, drove away those fighters and, it seems, killed four of them. We understand, and I hope that the Secretary of State will confirm, that the people who took them on were not drug-crazed youngsters blazing away, but efficient, reasonably well trained and well armed troops. It is important to point that out, as it reminds us all the more how good our troops are.

We welcome the announcement of the withdrawal of the Paras. It must have been pretty miserable for them to sit in the airport in those conditions. We recognise that that consideration must have contributed to the MOD's decision, and we welcome that as well. Our thoughts are with the families of those Paras and all the others who are serving out there: it must be a difficult time for them, as they do not know when they will see their menfolk—or their women—again.

I welcome the Secretary of State's decision to make the statement. It is clear that things are moving fast in Sierra Leone. We called for statements, and the fact that the Secretary of State has responded is cause for congratulations.

Our position is also clear, and has been from the word go. We have always been worried, and continue to be worried, that without enough clarity—without a clear mission and simple tasks—we risk being sucked into a longer-term engagement that will chase events rather than controlling them. To an extent the Secretary of State faced that fact today, and gave answers to some of the questions that have been raised. We will, however, continue to support our armed forces. As the Secretary of State knows, more than a week ago we made a clear offer to support them and, if they are called on to do even more—to take a more aggressive stance in dealing with the RUF to stabilise the situation—to support the bringing in of the United Nations if necessary.

The statement raises questions which, at first glance, require answers. The Secretary of State spoke of the way in which rebel forces had been demobilised, with the Government of Sierra Leone controlling diamond producing in the long run. That seems to differ from what the Foreign Secretary has said in the past about arrangements in the Lomé agreement to establish who controls the diamond fields. Will the Secretary of State explain exactly what that means?

The Secretary of State spoke of other duties later in the year for our armed forces. Will he also explain exactly what that means? The reference seems somewhat open-ended, and I am not sure how it will work in practice. The right hon. Gentleman referred to military advice, and to advisers' being fully in place to advise and train Sierra Leone armed forces. There is a clear sense that that has already been announced: we knew that those advisers were being put in. I wonder why the Secretary of State felt it necessary to reannounce it. Are we talking about a greater number of advisers, or about an expansion of their role?

Back in March, a $16 million aid package was announced for just such a training scheme. Perhaps the Secretary of State could check with the Foreign Secretary, and ask what happened to that package. Was it sent, has it been used, or is it still part of the new package that the Secretary of State has announced? Furthermore, the commitment to the UN seems to run counter to the Foreign Secretary's assurances that we were not becoming embroiled in the workings of the UN in Sierra Leone. Surely the mission has changed in that respect: it has not remained exactly the same.

Let me now deal with questions concerning the Sierra Leone army, and the Secretary of State's announcement that we will provide it with arms. How will the MOD control the way in which those arms are handed out? We already know that there are at least five separate militias—a sort of alphabet soup of shifting allegiances. It is very difficult to track the way in which those militias work with, within or without the SLA. We know that last night members of the Armed Forces Revolutionary Council were engaged in a vicious fire fight with members of the Government, during which two members of UNAMSIL were shot dead, as well as three AFRC members. That illustrates just how difficult it is to define the clean break between who are members of the SLA, who are members of the militias, who is on the Government side and who is not. If we are not careful, we may risk arming some of the militias, and possibly even passing some arms to the RUF. How will we stabilise the position? What will we do about the militias, and what does the MOD plan to do with regard to the reconstruction of the SLA and the question of being sucked in?

What set tasks does the Secretary of State expect to be in place, so that we can define when we will withdraw British troops? What tasks will be achieved? We need to know exactly how the troops will be withdrawn.

Conservative Members still believe that greater clarity is required about our relationship with Sierra Leone, and whether it is necessary for us to take a more aggressive stance to stabilise the position, to drive back the RUF, and to work with the militias. If so, how will we control them? Will the Secretary of State confirm that that option remains open?

Mr. Hoon: I thank the hon. Gentleman for his unqualified support for British forces. I confirm that the RUF contingent that engaged in a fire fight with elements of the Parachute Regiment last Wednesday was well armed, well equipped and well organised. I thank the hon. Gentleman for his further thoughts for the families of those who are deployed in Sierra Leone. Arrangements are in place to ensure that those families are properly briefed about the circumstances.

I take issue with the hon. Gentleman's comments about consistency. There is no inconsistency in the Government's position. If he compares the statement that I made today with that made by the Foreign Secretary on 8 May, the statement issued on behalf of the Prime Minister on 11 May, and the statement that I made last week, on 15 May, he will realise that our position has been clear and precise throughout.

On the hon. Gentleman's final question, the mission that we asked British forces to complete was set out in those statements: it is to secure the airport to allow for the evacuation of British and other entitled nationals and to permit reinforcement by the UN of its contingent in Sierra Leone. That remains the task in which British troops are engaged. If the hon. Gentleman requires a test for when we will have completed the mission, it is when the UN reaches its authorised limit. More important, the UN will then be in a position to secure the airport for further reinforcements, if necessary, to assume the responsibilities that British forces have undertaken.

The hon. Gentleman referred to the diamond areas and the Lomé agreement. Clearly, it makes sense that we should ensure that the forces of the Government of Sierra Leone are in a position to secure the country which they have a mandate to represent. That includes the diamond-producing areas, which, as my right hon. Friend the Foreign Secretary made clear in his statement, are the source of the instability in Sierra Leone. It therefore makes sense when training the forces of the Government of Sierra Leone to allow them to be properly equipped. That is consistent with decisions that had previously been made pursuant to the Lomé agreement. That is why the training team, which was announced some time ago, will continue its task as soon as it is safe to do that. Frankly, the hon. Gentleman simply underlined the consistency of our approach throughout.

May I apologise to the hon. Gentleman for the late notice of the statement and explain that the "other duties" about which he asked are not necessarily in Sierra Leone. They are the normal duties on which we would expect the Parachute Regiment to be engaged. Given that the regiment was deployed as part of the Spearhead Battalion, it is right that, if possible, it should continue with its normal duties. The changeover allows that.

Mr. Menzies Campbell (North-East Fife): I, too, offer my support to the troops and their families in the same terms as the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith). I offer my support for the statement not least because the Secretary of State has outlined an identifiable political aim, namely the stability of Sierra Leone, the demobilisation of the rebels and bringing the control of diamonds into the hands of the Sierra Leone Government. That is a substantial political objective. When the Secretary of State says that British troops will not stay longer than necessary, is not the truth that they will have to stay as long as is necessary to achieve those political objectives?

It is also clear that the direction of United Kingdom forces, United Nations forces, the Sierra Leone army and the Nigerian forces is under the control of Brigadier Richards. Why do we not acknowledge that? Why are the Government reluctant to admit that they are doing good? The answer is that to do that would require them to go beyond the original stated purpose of evacuation and securing the airport. On any view, what is happening on the ground is at the very least a flexible interpretation of those original objectives.

There is some relief on the Liberal Democrat Benches that the Secretary of State has now abandoned the fiction that the British forces are not combat troops. Is it not clear that they have enjoyed success precisely because they are ready and capable of combat and because anyone who seeks to interfere with their activities will find that out to their cost?

Mr. Hoon: The right hon. and learned Gentleman is a subtle and sophisticated man, and I am sorry that he resorts to such convoluted reasoning to justify his present position. I used the expression "force for good" and we are proud of our forces and the work that they have done, and continue to do, in Sierra Leone. As regards the right hon. and learned Gentleman's suggestion that I should admit that they have been used as combat forces, we have never had any reservations about that fact. We have made it clear, and my right hon. Friend the Foreign Secretary has said repeatedly, that if those forces were attacked they would defend themselves and the mission that took them to Sierra Leone—the protection of the airport. That is precisely what happened in the early hours of last Wednesday morning. They were attacked and they responded robustly and extremely effectively. There has never been any doubt about that, but we have made it clear that British forces would not become combat troops on behalf of either the Government of Sierra Leone or the United Nations. That has been absolutely consistent throughout and it remains the case today. We are supporting the Government of Sierra Leone and the UN mission by ensuring that the Government of Sierra Leone—consistent with the Lomé agreement—have access to properly trained, properly disciplined forces, which they can use to bring Sierra Leone under their effective control.

Mr. David Winnick (Walsall, North): Has my right hon. Friend seen the photograph in a British newspaper of a 14-month-old child, whose hand was cut off six months ago? Is not that as good an illustration as any of the crimes and atrocities that are taking place in Sierra Leone? Have we learned the lessons of the past—that any kind of coalition with the rebel forces in that country should be totally unacceptable, that there can be no stability until the rebels are militarily defeated and, therefore, that an international force is necessary? We should be proud of the role that British troops are playing.

Mr. Hoon: I thank my hon. Friend for his observations. Yes, I have seen the photograph to which he refers, and many others like it. An appalling aspect of what has taken place in Sierra Leone is that it is possible that that child lost an arm as a result of the activities of child soldiers on the other side who perhaps are only a few years older. That is why it is necessary that Sierra Leone should return to peace and stability and why it is important that we should assist its democratically elected Government to achieve what was set out in the Lomé agreement in respect of training and equipping their forces to do the job that is clearly necessary to bring greater peace and

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stability to that country—otherwise we could face the recurrence of such violence, and see more of the appalling pictures to which my hon. Friend refers.

Mr. Tom King (Bridgwater): Is it not our duty not merely to pay tribute in the House to the skill at arms of our forces—the Paras and 42 Commando—but to ensure that their achievement is lasting so that they do not have to go back and do it again? I have raised this matter previously with the Secretary of State: what efforts are Her Majesty's Government making to ensure that the RUF is distinctly isolated and not getting any help from over the borders that might help to sustain its activities?

On the point made by my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), although I entirely accept that it is right to support the Sierra Leone army and ensure that it is properly supported, several other bodies may be temporarily in alliance, and they may be unreliable. We must ensure that the weapons that we may be providing to the Sierra Leone army do not get into the wrong hands so that we do not find that our forces are shot in the back by people using our arms.

Mr. Hoon: The right hon. Gentleman is right. It is important that we ensure that the achievements our forces have made in Sierra Leone are lasting achievements. That is why I consciously linked the timetable for withdrawal to the prospect of an effective training team, to which, we hope, other countries will contribute, although we will take the lead and provide, I think, the bulk of those who are engaged in the training. It is important that we ensure that they have the means to carry out that training successfully and effectively.

I agree, too, that the RUF must be isolated. The continued detention of Sankoh assists in that process. We want to see him brought to trial. We want to be clear that he should no longer have any influence over the RUF in Sierra Leone. It follows from that that other countries, other forces outside that country, should not have any influence over that particular rebel group.

It is obviously important, which is why I expressed myself in very careful terms, that we maintain a degree of supervision over the distribution of those weapons, but, equally, we need to ensure that the training is accompanied by proper equipment for the forces of the Government of Sierra Leone which will take on and continue to take on those difficult and dangerous tasks.

Mr. Tony Lloyd (Manchester, Central): The Secretary of State is right to be proud of what our Government and our troops are doing in Sierra Leone, but does he agree that a stable Sierra Leone and Sierra Leone now are legions apart? Stability requires a democratic Government who have the wherewithal to control the whole territory of Sierra Leone. The training of the army is fundamental both to controlling the diamonds, and to having an army that is accountable to that democratic Government and that is not simply one more armed band marauding and ripping up that country. In that context, my right hon. Friend is right to say that it is necessary to ensure that the army of Sierra Leone is properly equipped to take on the RUF, which itself is very well equipped because of the blood diamonds and the weapons that come through.

Will the Government make it clear to President Taylor of Liberia that his role in all this has been outrageous? His use of the profits from the diamond industries is an outrage. It is about time that he, too, cleaned up his act. That message should come not just from Britain but from the whole world community.

Mr. Hoon: My hon. Friend is right to call for stability and for the forces of the Government of Sierra Leone to be properly trained. It is obviously vital that we do not simply create a situation in which we see a repetition of the appalling events that we have witnessed over recent times—but the situation today, thanks to the efforts of British forces and others, is unrecognisably different from that three weeks ago. By securing the situation in and around the airport and in particular by giving extra confidence to both the forces of the United Nations and the Government of Sierra Leone, British forces have made a considerable impact on the ground, which I am confident we can take forward through the training arrangements that I have described.

It is also important that we take that forward in the context of international pressure, as I indicated earlier. Pressure must be put on all those in the immediate vicinity to desist from any actions or activities that might lead to further instability in Sierra Leone. That means in particular the immediate neighbours of Sierra Leone itself.

Sir Peter Emery (East Devon): Does the Secretary of State accept that we all praise the work of the British forces and that many of us wish the Royal Marine Commando who are going in the best of good fortune, but does he know of last night's statement by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain), to the Select Committee on Foreign Affairs about the application by President Kabbah to the British Government, after the death of the Nigerian senior officer Maxwell Kobe, for Britain to supply a British officer to take the place of that Nigerian officer, who had been co-ordinating the military forces? Was the Secretary of State informed of that application? Did he have any input into the decision making before civil servants at the Foreign Office turned it down?

Mr. Hoon: I am grateful for the right hon. Gentleman's observations about the Royal Marine Commando. I am sure that those forces will be delighted to leave HMS Ocean, to get on to the ground and to continue the excellent work that has been done by the Parachute Regiment. We have had a number of requests from the President of Sierra Leone and, as I said in my statement, we have been able to accede to certain of them. We certainly want to ensure that we are in a position to give effective advice, but we recognise above all that it is for the Government of Sierra Leone to sort out their own affairs and to ensure that they have effective forces at their disposal with which to control Sierra Leone.

Mr. Donald Anderson (Swansea, East): My right hon. Friend will know that our troops have carried out a very effective but limited operation, although the attainment of the broader political objectives that he set out will be formidably difficult to achieve. He must be aware—anyone who knows the history of Sierra Leone will be so—that very infrequently has the writ of central Government extended far beyond Freetown and Lungi.

Does he really expect the Sierra Leone army, given its degree of fragmentation and lack of morale, even with the light arms that we will supply and the United Nations, to be able to inflict such a decisive military defeat on the RUF that it will not be able to move into Liberia and regroup, creating a continuing state of turbulence? Will he not underestimate the enormous degree of difficulty in attaining that laudable objective of peace of security which he has set out?

Mr. Hoon: My hon. Friend referred to the effective and limited objective. It has been the Government's position throughout to ensure that British forces were deployed in order to achieve a particular and specific objective. My right hon. Friend the Foreign Secretary made that clear in his statement. The Government's position has remained absolutely consistent.

That is why it is important that I have linked the prospect of a withdrawal of British forces to the question of an effective training team in Sierra Leone which, working on behalf of the forces of the Government of Sierra Leone, can provide appropriate advice, assistance, equipment and logistical support to carry through what I accept and agree is the much more difficult process of bringing the remainder of the country under control. British forces have contributed significantly to the very early stages of what I recognise will be a difficult process for the Government of Sierra Leone.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the right hon. Gentleman understand that, despite the statement, there remains continuing anxiety about the nature, scale and length of the commitment? Does he also understand that, although we welcome statements, they are not a substitute for a full debate on a substantive motion? Will he therefore provide such a debate on our military and political commitment in Sierra Leone? Does he understand that many of us feel that the practice ought to be changed so that, whenever there is a substantial deployment of British forces overseas, the authority of this House is sought and obtained on a substantive motion?

Mr. Hoon: I am grateful for the first part of the right hon. and learned Gentleman's comments. I do not accept, however, that there has been the slightest anxiety about the scale of the deployment. The deployment of HMS Ocean and the Amphibious Ready Group was one matter that attracted comment, yet the reality, as I hope I have demonstrated today, is that their presence on the scene has given us the necessary flexibility to allow the changeover that I have just described.

So, notwithstanding the right hon. and learned Gentleman's anxieties, the deployment of that force—considerable, I recognise, but nevertheless one that has been used and has been useful—which simply initially contained elements in and around the airport, was a substantial undertaking. The airport area is 4 miles in radius—a significant area in which to control the activities of those who might threaten the security of the airport and landings by a variety of aircraft.

We have required a substantial force. Our forces have used it very effectively, and continue to do so. The reason for the size of the contingent was specifically to provide the flexibility of which we are now able to take advantage.

I am sure that the right hon. and learned Gentleman's request for a debate will have been heard by those who are responsible for such matters, and that he and his colleagues can pursue it through the usual channels.

Dr. Phyllis Starkey (Milton Keynes, South-West): My right hon. Friend has restated that the British forces are acting in support of the UN mission. Does he believe that the UNAMSIL mandate is sufficiently widely drawn to allow the UNAMSIL force to be proactive in protecting civilians in Sierra Leone and in helping to build a stable civil society there?

Mr. Hoon: I am confident that the mandate is sufficiently robust to allow that. I recognise what the UN mandate is, and we continue to look carefully at it and consider whether it is in need of any improvement. We are absolutely confident at present that there is a sufficient mandate to allow UN forces to carry out the tasks for which they are responsible.

Mr. John Wilkinson (Ruislip-Northwood): Does not the permanent Joint HQ Northwood deserve warm congratulations on having put together a particularly well-balanced force, with the appropriate range of capabilities?

I should like to put to the Secretary of State the question that he did not answer on 15 May. First, who is paying for this British deployment, in the first instance to extricate British nationals? Secondly, who will pay for the further involvement: the support of the UN, logistically and otherwise, perhaps over many months; the provision of the training teams; and the provision of armaments to the army of Sierra Leone? These are very serious engagements, which may not have British popular approval for very long, particularly if they are expensive to the taxpayer.

Mr. Hoon: Ultimately, of course, it is the British taxpayer who will be responsible for meeting the cost of British forces in Sierra Leone. That has always been the position. We have armed forces to protect our immediate domestic interests, but also to operate as a force for good around the world. British taxpayers support that position, and have always done so.

As regards the UN, the hon. Gentleman knows full well that we make a regular commitment to the United Nations, and the cost of UN peacekeeping is paid for out of that.

The provision of training teams is part of a package of assistance to Sierra Leone that we announced some time ago: it is part of the continuing support that the British Government have given to Sierra Leone—support unmatched by any other country in the world.

Mr. Andrew Mackinlay (Thurrock): There have been extensive reports that the bandits are using United Nations insignia and uniforms. One of the long-established principles of war is that it is a serious offence to wear the battledress and insignia of one's adversaries. Has my right hon. Friend had an opportunity to discuss with others—perhaps my right hon. Friend the Foreign Secretary—whether there should be international measures to jealously safeguard the light-blue insignia of the United Nations, so that it would be made abundantly clear,

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both in this conflict and in any other, that any infringement and abuse of United Nations insignia would be a very serious war crime?

Mr. Hoon: My hon. Friend consistently points out details of these issues that sometimes I have not thought of. That is certainly one. I take his comments seriously, but in the context of appalling atrocities, some of which my hon. Friend the Member for Walsall, North (Mr. Winnick) mentioned, the wearing of cap badges pales into insignificance alongside the mutilation of small children.

Mr. Peter Brooke (Cities of London and Westminster): Leaving aside the fact that so far the Leader of the House has rejected Opposition requests for a debate on Sierra Leone, can the Secretary of State tell the House why he did not answer the question of my right hon. Friend the Member for East Devon (Sir P. Emery)?

Mr. Hoon: At this stage I cannot.

Mr. Tony Worthington (Clydebank and Milngavie): I wish to associate myself with the congratulations to our defence forces, not just the paratroops, but the Ministry of Defence training team that I met in Freetown in March, who are doing nothing less than redesigning and recreating a democratically accountable army in Sierra Leone. On the success of its work will depend the success of the mission.

May I associate myself with the words of my hon. Friend the Member for Manchester, Central (Mr. Lloyd)? Unless we tackle the issue of Liberia, which has supported the RUF for nine years—this is associated with control of the diamond fields—we shall not achieve the objective. I realise that my right hon. Friend cannot tell us exactly what is happening about that, but we must put every pressure on President Taylor to stop the work that he has been doing.

Mr. Hoon: I can assure my hon. Friend that we are doing so, but I congratulate him on putting the problems of Sierra Leone into the appropriate international and regional context. It is clearly important that we take diplomatic and political action, as well as military action, to ensure that the pressure to which he referred is successful.

Mr. John Swinney (North Tayside): In offering support for the Government's strategy in Sierra Leone and for the work of our armed forces, I would also ask the Secretary of State to give some further details to the House on the type of supervisory role that would be envisaged for British personnel in the distribution of arms to the Sierra Leone army to guarantee that they are used to reduce conflict, not to intensify it.

Mr. Hoon: The hon. Gentleman is right to highlight that point and we are considering carefully the precise circumstances in which the arms will be distributed. As I said in my statement, there will be an appropriate degree of supervision.

Mr. Mike Gapes (Ilford, South): My right hon. Friend knows that when the British soldiers were attacked the other day they were with Nigerians, and the Nigerians have been working effectively alongside our armed forces in Sierra Leone. Will my right hon. Friend take this opportunity to pass on from the House to Nigeria and the other countries in the region, as well as to India, Jordan and the other countries that have supported the UN efforts, our best wishes to all those personnel who are doing such a vital job?

Mr. Hoon: My hon. Friend is right to place what is happening in Sierra Leone in an appropriate regional context. The forces of Nigeria have made a tremendous contribution in the region and have sustained significant losses in the process. It is important that we pay proper tribute to the efforts that they have made and continue to make, and to the fact that they are still willing further to reinforce their contingent in Sierra Leone as a contribution to the efforts of the international community.

Mr. Martin Bell (Tatton): I wish to communicate to the Secretary of State an offer about which I have also written to him. It comes from my constituent, Mr. Shakib Basma of Wilmslow, who happens to be a prominent Freetown barrister and is the owner of a disused holiday village some 25 miles from Freetown that might make an ideal British base with the capacity to accommodate 500 men. So impressed is Mr. Basma with what the British have done that he wishes to offer the facility for no fee. I hope that his offer will be seriously considered and that he will be thanked for his patriotic offer.

Mr. Hoon: I am grateful to the hon. Gentleman for that offer and I am sure that it will be considered with appropriate care.

Mr. David Chidgey (Eastleigh): Under what precise circumstances would the Government be prepared to provide combat troops to the UN force in Sierra Leone?

Mr. Hoon: I have made it clear throughout, as has my right hon. Friend the Foreign Secretary, that British forces would not be deployed in a combat capacity on behalf of the UN in Sierra Leone.

Points of Order

4.13 pm

Mr. James Wray (Glasgow, Baillieston): On a point of order, Madam Speaker. I refer to Home Office questions yesterday, during which my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) asked the Home Secretary whether he was aware that one of the promoters of the Tyson fight was a man who

has a violent criminal past and has connections with Glasgow's criminal underworld.—[*Official Report*, 22 May 2000; Vol. 350, c. 656.]

I wish to make it clear to the House that the man in question is not a co-promoter. There is only one promoter and that is Sports Network. The man is one of my constituents and his family and friends, who were very upset by the allegations, contacted me to say that he is a hard-working man with a haulage contractor's business. He gets up at 6 am and gets home at 7 pm. They are very disappointed that he should be so maligned.

To give the House an insight into the type of person the man is, I can list some of the donations that he has made to charities throughout Scotland. He gave £30,000 to Clippen school for the disabled, £9,000 to the Lockerbie disaster fund, £8,000 to a sick children's hospital, £7,000 to Father Bob Gardiner in Easterhouse, and £6,500 to Rev. Galbraith, for Kosovo. He has also paid for a drug addict's funeral and trucked four tonnes of food to Croatia.

That is the kind of man he is. He has connections not with the underworld, but with the underclass. There are many pages setting out the donations he has made and the assistance he has given, including helping the police to take food to Croatia. It is—

Madam Speaker: Order. I must ask the hon. Gentleman to resume his seat. I am grateful to him. I have more than the gist of his point of order because he indicated earlier the nature of it. As he appreciates, it would not be appropriate for me to comment on the details of the issue that he raises. However, I know that he is concerned about the matter. In the light of that, I remind the House that we have a greatly valued privilege in terms of freedom of speech in this place. I have often reminded the House that with that privilege must go responsibility. It is incumbent on us all to use our privilege responsibly, especially when we refer to people outside the House who do not have a platform from which to respond. We must keep in mind the balance between our privilege and our responsibility when making comments.

Mrs. Maria Fyfe (Glasgow, Maryhill): Further to that point of order, Madam Speaker.

Madam Speaker: I can hardly allow a further point of order when I have already given guidance on our behaviour. However, I shall hear the hon. Lady.

Mrs. Fyfe: Thank you, Madam Speaker. Of course I take note of the guidance that you have given. I merely wish to say, in case anyone is unaware of the position, that when I spoke yesterday I did not name names. I have no intention of naming names.

Madam Speaker: Thank you.

Sir Peter Emery (East Devon): On a point of order, Madam Speaker. Due to the entirely inadequate response—it was a non-reply—to my question from the Secretary of State for Defence, I give notice that I will raise the specific matter on the Adjournment as soon as possible.

Mr. Simon Burns (West Chelmsford): On a point of order, Madam Speaker. I seek your advice. The hon. Member for Colchester (Mr. Russell) failed to be present for Question 26 to the Parliamentary Secretary, Lord Chancellor's Department. The question concerns the courthouse in Colchester, which is of great importance to people in mid and north Essex.

Do you, Madam Speaker, believe that when Members fail to turn up to pose a question they have won in a selection process that that is discourteous to you, to our constituents and to the House? Did the hon. Gentleman notify you in advance that he would not be present for his question? If not, do you think that you are owed an apology?

Madam Speaker: I am sure that all hon. Members are aware that from time to time Members are not in their places to put questions that have been tabled. That does not show very good manners to the Minister who has to answer the question, to the Chair or to the House itself. However, a Member is often unable to be present for outside reasons. Members normally come to the Chair when they arrive in the House to apologise when they are late, or I receive a note from them. A Member apologised to me today because his train was an hour late. These are not political point-scoring matters. I understand that for many reasons Members on both sides of the House often find it impossible to get here and impossible to withdraw their question in time.

Mr. Quentin Davies (Grantham and Stamford): On a point of order, Madam Speaker. I wonder whether you can help me and other Members, who I fear may be in exactly the same position, by giving some advice on how one can secure timely answers from Departments without every time asking you for an Adjournment debate.

I have a sad and urgent case involving two of my constituents, Mr. and Mrs. Money of Corby Glen in Lincolnshire, and their son David, who has been seriously handicapped from the age of six months following inappropriate vaccination. The family have been waiting for compensation for a long time. I wrote to the Under-Secretary of State for Social Security on this matter on 22 February. There has still been no response despite many attempts to get one. The Halifax bank is about to dispossess the family from their house because they cannot pay the mortgage. They have been waiting to no avail for compensation, or even a response, for a long time.

Madam Speaker: The hon. Gentleman may be aware that some weeks ago I raised such issues with the Cabinet Secretary and the Minister for the Cabinet Office. I used my best endeavours with those two individuals. I know that they are taking all steps to try to improve the situation. The fact that the hon. Gentleman has raised his point of order may speed things up.

Genetic Testing (Consent and Confidentiality)

4.20 pm

Mr. Nick Harvey (North Devon): I beg to move,

That leave be given to bring in a Bill to require that genetic testing and genetic test results and other information derived from such tests may be used only for medical and clinical purposes, after informed consent of the patient has been given; to prohibit the giving of such information to other parties; and to prohibit insurance companies, banks, mortgage providers and employers from requiring genetic tests to be taken or insisting on disclosure of the results or of information derived from such tests.

Hon. Members will be aware that genetic science is proceeding apace, that completion of the human genome project is not far away, and that it will soon be commonplace for genetic tests to be available for a variety of conditions. Currently, however, genetic testing is still in its infancy. Moreover, some genetic diseases are multi-factorial—meaning that, although a gene may predispose one to a disease, other environmental factors, such as diet and exercise, influence whether one gets it. To date, the scope of the Government's concern seems to have been to ensure that any genetic tests employed can be said to be accurate and appropriate for use by genetic companies—in short, that the tests detect what they are said to detect.

It is generally agreed that medical records and medical examinations may appropriately be used by insurers in an assessment of risk. Such information is historical, recording previous illness, disease and disability which it seems proper to take into account in deciding insurance premiums. Conversely, genetic testing looks forward, trying to establish what will happen. Many genetic diseases are currently not treatable. Information derived from genetic testing is, therefore, a very powerful matter for the individual concerned. It could reasonably be argued that, in cases of disease with a very poor prognosis, individuals have a right not to know and not to submit themselves to testing.

The problematic consequences of making available the results of genetic tests to insurance companies seem to be threefold. First, there would be the spectre of the creation of a whole underclass of people unable to obtain health insurance, mortgages or loans, and thereby financially excluded from society as a whole. Secondly, compelling individuals to take genetic tests against their will—to discover information that they do not want to know, and that might offer them very little or no medical advantage—seems to undermine the principle of informed consent.

Thirdly, some people who might benefit from appropriate medical intervention might be dissuaded from taking genetic tests because the information from the tests might later be made available to insurers. That concern goes over much of the ground that has been covered in previous debates on human immune deficiency virus and acquired immune deficiency syndrome.

The Association of British Insurers has in place a moratorium on the use of genetic testing. Regrettably, however, not all insurers are observing the moratorium. There have been exchanges between some of the campaigning pressure groups and the ABI on the conduct of specific companies. It is also worth remembering that 5 per cent. of insurance companies do not even belong to the ABI or recognise its code of conduct. It is also clear that many of the companies that do recognise the code are requesting the declaration of all medical tests that have been undertaken, rather than restricting themselves in the matter as they are supposed to do.

The danger is that less scrupulous companies which ignore the voluntary code of practice will cherry-pick individuals who are low risk and offer them low-premium products. So far, only one company—Virgin—has pledged not to use genetic test information, for ethical reasons. As I said, however, the main argument is that although genetic tests may show a predisposition to a particular disease, they are absolutely uncertain in suggesting that an individual will necessarily get that disease.

Other countries have recognised the problem and are taking action to deal with it. In Australia, insurers are not allowed, for example, to ask for an applicant's age. In Sweden, there is an agreement between the Government and the National Federation of Swedish Insurers stipulating that insurance companies may not require either family medical history or genetic results to be disclosed by the applicant. There are legislative restrictions in a number of other countries, including Austria, Belgium and Norway, as well as in 18 US states, while Australia, France, New Zealand and the Netherlands have voluntary agreements.

The Government are putting too much faith in the ABI and its code of practice. The Government set up an earlier commission, which reported in November 1998 and recommended a ban. Unfortunately, the Government did not accept that recommendation entirely and set up two subsequent commissions, both of which I welcome, to look into the two aspects of the issue. One is considering the practical aspect of whether particular tests are accurate and satisfactory; the other is just beginning its work on ethical and social considerations. I regret that the Government have not introduced at least a temporary ban while the two commissions are doing their work. I also regret that the Government do not appear to have considered the public health aspect of the problem. They do not even seem to have put in place measures to monitor how many people will decline genetic tests because they are fearful of the insurance implications, thereby perhaps imperiling their health and not taking advantage of new procedures that would be available to them.

The ABI code of practice says that applicants will not be asked to undergo a genetic test, that insurers will take account of existing results only if their reliability and relevance have been established, and that they will not interfere with the premiums that they charge unless a genetic test clearly indicates an increased risk. That should apply only to a limited range of products, but it seems to apply more widely across the board. There are some notable exceptions and it is unfair that those insurers who behave in a controlled and ethical fashion should lose out to those who do not. That is a taste of what is to come if we do not put in place tight regulations that ensure a fair marketplace.

The Alzheimer's Disease Society has been vocal in its criticism of the ABI and the Government's position. Its main critique of the ABI is that it has failed to demonstrate that insurers need to collect information on pre-symptomatic genetic tests. That is an important point. If insurers are not able to get such information, they will be in the same position as they are today. They will not

be materially worse off for not having information in the future that they do not currently have. It is incumbent on them to show that the existing insurance markets will fail if the companies are denied such information.

The Alzheimer's Disease Society also points out that insurance companies have yet to demonstrate their competence in dealing with such genetic information or their ability to self-regulate. The society is right to flag up those substantial fears and many people are justifiably concerned.

I am also particularly encouraged that President Clinton has signed an executive order forbidding the United States Federal Government from using genetic information in employment decisions. That will protect all 2.8 million federal employees. President Clinton said:

> We must not allow advances in genetics to become the basis for discrimination against any individual or any one group. By signing the executive order, my goal is to set an example and pose a challenge for every employer in America, because I believe no employer should review your genetic records along with your résumé.

That sets out a bold course in the United States and we should do something similar. We should recognise the example of other countries and realise that those scientific advances will soon be with us. The legislative framework within which companies will operate needs to be put in place now, so that when the scientific advances come no one will have any cause for fear or alarm.

Question put and agreed to.

Bill ordered to be brought in by Mr. Nick Harvey, Dr. Peter Brand, Mr. John Grogan, Mr. Martin Bell, Mr. Simon Burns and Dr. Evan Harris.

GENETIC TESTING (CONSENT AND CONFIDENTIALITY)

Mr. Nick Harvey accordingly presented a Bill to require that genetic testing and genetic test results and other information derived from such tests may be used only for medical and clinical purposes, after informed consent of the patient has been given; to prohibit the giving of such information to other parties; and to prohibit insurance companies, banks, mortgage providers and employers from requiring genetic tests to be taken or insisting on disclosure of the results or of information derived from such tests: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 132].

Orders of the Day

Crown Prosecution Service Inspectorate Bill *[Lords]*

Order for Second Reading read.

4.30 pm

The Solicitor-General (Mr. Ross Cranston): I beg to move, That the Bill be now read a Second time.

This is a concise but important measure. Its purpose can be summarised shortly: it places the Crown Prosecution Service inspectorate on a statutory basis. I am pleased to say that, so far, it has received a warm welcome from both sides of the House.

The CPS inspectorate is a non-statutory body, operating within the CPS itself. The current chief inspector and his staff are all members of, or on loan to, the Crown Prosecution Service. They therefore report to the Director of Public Prosecutions. Although the inspectorate has produced valuable work since its inception in 1996 under the previous Government, there is no doubt that the current arrangements are not ideal. It is important that an inspectorate should be not only independent in practice but demonstrably independent. The current arrangements do not necessarily achieve that purpose, which is why we are introducing this Bill.

The Government attach considerable importance to having an effective and efficient CPS. We believe that an important part of building a credible organisation is ensuring that it is subject to rigorous inspection. The Glidewell report into the future of the CPS, published in 1998, reached the firm conclusion that it is essential to retain and expand the role of the CPS inspectorate. It said that public confidence in any organisation is greatly enhanced if it has an efficient and effective inspectorate system, advising those at the top of the organisation as to its corporate health and publishing the results of its work.

Glidewell recommended introducing an independent element to the inspectorate in the form of a part-time independent chairman. I am pleased to say that, in this respect, the Bill goes further than the Glidewell recommendation. The independent chief inspector will occupy a full-time post.

The Bill will guarantee that the inspectorate enjoys the same independence and status as other criminal justice inspectorates, such as the inspectorate of prisons and the inspectorate of probation. Importantly, the inspectorate will be separated from the CPS. It will be financed separately and located in separate accommodation. The chief inspector will be appointed by the Attorney-General, who will have the authority to appoint other inspectors. That is the effect of clause 1.

I intend no disrespect to existing members of the inspectorate, whose work was praised in the Glidewell report, when I say that that change of status will also provide an opportunity to bring into the inspectorate additional staff with a wider range of backgrounds. In other words, there will be staff members whose background and experience are quite distinct from the CPS. A number of outside people have already been appointed as business management inspectors and legal inspectors. They will bring fresh ideas and a different perspective to supplement the existing expertise in the

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inspectorate.The chief inspector will acquire management responsibility for the inspectorate, again separate from the CPS.

The chief inspector's overriding responsibility will be to inspect the operation of the CPS. That duty is cast in wide terms in clause 2. The clause is drafted to ensure that the chief inspector has independence. He can inspect and report on any matter connected with the operation of the CPS that concerns him. However, the Attorney-General may refer matters to the chief inspector to report on. The chief inspector is thus responsible to the Attorney-General and, ultimately, to Parliament. The chief inspector will have to submit an annual report to the Attorney-General, who is then under a duty to lay that report before Parliament.

A further change to the inspectorate since the Glidewell report is that it now no longer concentrates exclusively on matters of case work. In accordance with the report's recommendations, its remit has been broadened to include all aspects of the CPS operation that support its case work. Inspectorate reports will continue to concentrate on case work, but will also provide a complete overview of CPS performance in the area inspected, including management and operational issues.

The CPS inspectorate will also undertake more inspection work of a thematic nature. It recently published a report on disclosure of unused material, which attracted wide attention. In February, it published a report on advocacy and case presentation. Although that did not attract the same attention, it was important.

Preparation of such thematic reports will continue once the inspectorate is placed on a statutory footing. The chief inspector also proposes that more work should be undertaken with other criminal justice inspectorates. Some such work has been undertaken, such as the joint report by the CPS inspectorate, the magistrates courts service inspectorate and the inspectorate of constabularies, "How Long Youth Cases Take". More recently, the first joint inspection by all six inspectorates with an interest in the criminal justice system has been completed. Their report—"Casework Information Needs Within The Criminal Justice System"—was published at the end of April.

Such joint scrutiny of aspects of the working of the criminal justice system supports the Government's establishment of overarching aims and objectives for the criminal justice system. We are determined that individual agencies should provide a more coherent and effective service without compromising their individual, and sometimes independent, roles.

Clause 2 allows the chief inspector to designate an inspector to discharge his functions when he is absent or unable to act. Clause 3 simply sets out the short title, extent and commencement arrangements.

This is a short, but important, measure. It has obviously gripped the attention of the whole House. I am convinced that it will make a significant contribution to the effective operation of the criminal justice system.

4.37 pm

Mr. Edward Garnier (Harborough): As the Solicitor-General correctly said, he and I have managed to attract our usual adoring fan clubs to the House this afternoon. I am grateful to those who have come to see us.

The Bill has been described as modest, short and uncontroversial. In some quarters, those epithets might lead people to think less of it, but, despite, or even because of, its brevity, narrow compass and inoffensiveness, it should command the support of the House.

It is perhaps surprising that the Bill has taken so long to get here from the other place. Second Reading in the Lords took place on 30 November last year, when the Attorney-General stated with pride that it was only the second piece of legislation promoted by a Law Officer in 50 years. The first had been a Bill to increase the salary of the then Solicitor-General, the noble and learned Lord Falconer of Thoroton, and any other Law Officer who was a member of the other place rather than this House. Lord Williams of Mostyn said that that was

> plainly a piece of legislation of the utmost importance—[*Official Report, House of Lords*, 30 November 1999; Vol. 99, c. 761.]

Now the Solicitor-General has introduced the second Bill to this House, and the beguiling tones of the Wales and Chester circuit have been replaced by something a little more antipodean. As the House will know, Australia House is just across the street from the London School of Economics.

The Bill itself is none the worse for that. I congratulate the Solicitor-General on bringing to the statute book an idea whose genesis is to be found in the period of office of my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell). When he was Attorney-General, the Conservative Government decided that an inspectorate of the Crown Prosecution Service was needed, and there has been a non-statutory inspectorate within the CPS since 1996. Had we been successful at the general election, the Bill, or something very similar, would have been introduced by my right hon. and learned Friend.

It is fair to say that the idea behind the Bill was given further impetus by the Glidewell report on the Crown Prosecution Service, which was published in 1998. As the Solicitor-General told us, once the Bill is enacted the inspectorate will have a status equal to the other statutory inspectorates with which we are already familiar—such as those for prisons, the probation service, magistrates courts and the constabulary. They have proved to be powerful and useful additions to the armoury for public accountability of the public services; I welcome the Bill on that ground alone.

In clause 2, the chief inspector's functions are spelt out in a general fashion. Having been to see the current chief inspector, Mr. Stephen Wooler, in his offices in Ludgate Hill in the City earlier this year, I have no doubt that both he and his staff will carry out their duties well and with great thoroughness and independence. They have already built up an ethos that suggests that they take seriously their responsibilities to the public and to the CPS. They will look into specific issues referred to them by the Attorney-General and they will also, I understand, prepare thematic reports that will flow from longer and more detailed inspections of particular aspects of the work of the CPS—such as prosecution policy in respect of certain types of crime or the use of resources in a particular field of CPS work.

However, may I suggest that one of the first things the statutory inspectorate considers is the current state of morale among CPS staff—lawyers and non-lawyers alike? Is the Solicitor-General aware that, according to a survey

carried out by the Association of First Division Civil Servants, the levels of stress-related illnesses among the CPS work force are so high that the association described the CPS as being

on the brink of crisis?

One in four of its 9,000 staff suffer high levels of stress. The proportion of lawyers and administrative staff shown to be affected is greater than in similar findings anywhere in the private or public sector. That comes from a survey that had a 65 per cent. response rate—a remarkable statistic in itself.

The Government propose to cut the CPS budget by almost 5 per cent. next year. I am as keen to see the proper use of taxpayers' money as any Member of the official Opposition, but there are ways and ways of ensuring that the public receive good value for money. The Labour Government's approach to the finances of the CPS appears to be unintelligent, and calculated to have an even more depressing effect on the performance and morale of its staff.

The present Director of Public Prosecutions is an extremely able and justifiably respected criminal lawyer of the first rank. He has not been afraid to appear in cases in the magistrates courts to see for himself the work of his most junior lawyers. From my visits to CPS offices, both as a constituency Member of Parliament and as the shadow Attorney-General, I am aware of the stresses and difficulties faced by the CPS; they need to be addressed speedily and effectively by the Government.

As a recorder of the Crown court, I see the results when ill-prepared cases come to court—the avoidable delays and frustrations for witnesses and other court users, and the general air of hopelessness that often seems to pervade junior and middle-ranking CPS lawyers, who are overworked and under-resourced.

It is incumbent on the Government to get a grip on aspects of our criminal justice system where they can do some real good—as with this Bill—rather than wasting time, money, energy and the good will of the legal profession, and of many others who care for the rights of the citizen, on destroying the jury system by means of the Criminal Justice (Mode of Trial) (No. 2) Bill. I urge the Government to use the Bill for the benefit of the CPS certainly, but, above all, for the benefit of the public by whose interests they ought to be guided.

4.43 pm

Mr. John Burnett (Torridge and West Devon): If the Bill results in the creation of an independent and autonomous inspectorate, it cannot come into force too soon. I shall refer later to such matters as independence and annual reports, but I must first express my great concern about the state of morale in the Crown Prosecution Service. I endorse wholeheartedly the comments of the hon. and learned Member for Harborough (Mr. Garnier). I, too, pay tribute to the Director of Public Prosecutions. His integrity and independence are not in question.

My awareness of the state of morale in the CPS does not come only from recent newspaper reports; it also results from my discussions with members of the service. Because of their fear of recrimination, I cannot disclose their names to the House; indeed, I have given my word that I shall not do so.

The hon. and learned Member for Harborough referred to a recent independent report. On 20 May, *The Times* carried an article with the headline "Stressed CPS—Staff Close to Crisis". It stated that, according to the survey published the previous day, the CPS was on the brink of crisis, with one in four of its 9,000 staff suffering high stress levels. The survey had a response rate of 65 per cent., and was carried out last year by an independent organisation. I gather that it was commissioned after a female member of the CPS sadly committed suicide, allegedly because of the stress of work.

The First Division Association is using the survey in an attempt to reverse a 4.6 per cent. cut in the budget for next year. That information is in the public domain, but members of the Crown Prosecution Service have told me directly that there are reasons other than funding for the rock-bottom morale in the service. They say that they lack the most basic resources and equipment for the job.

The House will be amazed to hear that the 10 Crown prosecutors in one team, many of whom deal with road traffic matters, have one textbook to share between them. The support given to the CPS is negligible. I am told that there is also a lack of computer and secretarial back-up. It is very difficult for Crown prosecutors to get up-to-date information on any law. There is no link to Lexis or to any other computer-based information service.

It is a disgrace that the Government should fetter and hamper their prosecution service so dreadfully. It is no wonder that the record of the CPS is criticised so frequently. The service has many very able people, who are dedicated to doing their jobs as fairly and efficiently as they can. How can they achieve that with both hands tied behind their backs?

It makes a mockery of our criminal justice system if the state is not able properly to mount a prosecution. There has been a lot of talk recently about new offences such as corporate manslaughter, but it is useless if there is no confidence that the Crown can mount a compelling prosecution in the first place.

I am told that in the west country, the CPS cannot keep up with its commitments in the magistrates courts, let alone in the higher courts. The House will recall that the Access to Justice Act 1999 gave properly qualified members of the CPS rights of audience in the higher courts. Liberal Democrat Members supported that provision, but I remind the Solicitor-General that the Act made it clear to all lawyers that their first duties are to the court and to the integrity of justice. Many CPS members believe that the underfunding and underresourcing that I have described have put them in breach of the relevant section of the 1999 Act. I understand that, this year, the CPS in Devon and Cornwall must make good a budget shortfall of some 8 per cent.

I hope that the Solicitor-General has something to say to the House on the matters of funding and morale, as the current state of affairs is utterly unacceptable. It makes a mockery of any attempt by the Government to deal adequately with their responsibilities for the criminal justice system. We want the Bill to establish a scrupulously independent and autonomous inspectorate. It must report annually to Parliament. Its chief inspector must come before the appropriate Select Committee after the annual report has been published, and at any other time that the Select Committee may determine.

There should be no inhibition or strictures on any CPS employee contacting the inspectorate at any time to make known the misgivings that he or she may have about the service. Those misgivings do not necessarily have to

[Mr. John Burnett]

involve matters of funding or resources; the employees should be able to raise other matters and, most important, to refer to any endeavour by any person to exert undue influence on a Crown prosecutor.

I remind the House that one of the conclusions of the Glidewell report was that it was essential to expand the role of the Crown Prosecution Service Inspectorate and that the inspectorate should have an independent chairman. I welcome the fact that there will be an independent chairman and I welcome the Bill. However, I hope that the Solicitor–General can assure the House that members of the CPS will be free to make complaints to the inspectorate without recriminations. Furthermore, I look forward to hearing from the Solicitor-General that the chairman will be independent and autonomous and will report to a Committee of the House at any time that that Committee should determine.

4.51 pm

The Solicitor-General: With the leave of the House, Mr. Deputy Speaker.

I am grateful for the warm welcome that has been given to the Bill. I thank the shadow Attorney-General, the hon. and learned Member for Harborough (Mr. Garnier), and the hon. Member for Torridge and West Devon (Mr. Burnett) for their support for the principles behind it.

I shall deal briefly with a few points that have been raised in the debate. The shadow Attorney-General said that he had visited the Crown Prosecution Service Inspectorate and I am grateful that he did. I am sure that the visit gave him a greater insight into its operation. He mentioned thematic reports, which the Attorney-General and I have encouraged the inspectorate to carry out. At present, the inspectorate is undertaking reports on the handling of ethnic minority issues, custody time limits and offences arising out of fatal road accidents. I know that they are three issues of concern to both sides of the House.

The shadow Attorney-General and the hon. Member for Torridge and West Devon referred to the recent stress survey. The Government should be commended for undertaking that survey, which produced results that were not exactly unexpected. Prosecutors work under great time constraints, there is a problem of funding—I shall come to that point shortly—and, at present, there is a lack of sufficient information technology facilities in the service. None the less, the report identified the strength of the CPS; the nature, diversity and importance of the work that prosecutors and the non-lawyers in the service carry out and which is appreciated; and the good terms and conditions that they enjoy as part of the civil service.

Let me make it clear that funding is an historic problem. It harks back to the founding of the CPS and the Conservative party cannot avoid responsibility for that. The CPS was underfunded from the outset and it is only now that the position is being redressed.

Mr. Garnier: The Solicitor-General says that the CPS has been underfunded historically, but why are the Government cutting its budget for next year?

The Solicitor-General: I was just about to say that the Attorney-General is making great efforts in putting the case to the Treasury for an increase in funding for the CPS. That case has been supported by the Lord Chancellor and by my right hon. Friend the Home Secretary, who both understand that an effective CPS is necessary if other parts of the criminal justice system are to work. At present, I cannot tell the House the outcome of those negotiations, but I am optimistic that there will be good news in the near future.

Mr. Burnett: Are financial deficiencies carried forward from previous years included in the discussions and representations of the Home Secretary and the Chancellor?

The Solicitor-General: As I said, the problem is historic. The previous Government underfunded the CPS and we have a lot to make up. The hon. Gentleman mentioned information technology, which is one area in which we have made progress. As I have told the House before, we successfully obtained an extra £12 million in the capital modernisation programme and, as a result, the Connect programme will be implemented later this year. It will provide all prosecutors with basic information technology, and will enable the CPS to access databases and send e-mails via the internet to other criminal justice agencies.

Mr. Burnett: Will the computer technology that is being funded and installed include Lexis or some other legal information and case-law network accessible to Crown prosecutors, enabling them to know the up-to-date law to which they must refer in court?

The Solicitor-General: It certainly will. In the pilot projects, Archbold, the standard textbook on criminal law, is available to prosecutors.

I refute the view that morale is at rock bottom. Certainly, that was not the case in Derbyshire and Hertfordshire, where I visited CPS officers last week. I did not conclude that morale was at rock bottom when I visited the Devon and Cornwall CPS last year with the hon. Gentleman. No doubt, there are stresses and strains and the situation could be improved, but the bleak picture painted by Opposition Members does not reflect reality.

In response to a point made by the hon. Gentleman, there is no reason why the CPS inspector should not appear before the Select Committee on Home Affairs. Indeed, in relation to the independence of the CPS, all prosecutors are fiercely independent and must act in accordance with the statutory code for Crown prosecutors.

Mr. Burnett: Will individual members of the CPS have access to the inspectorate so that they may discuss anything that is germane to their job in the service?

The Solicitor-General: The chief inspector's main function is to ensure that the quality of work is up to standard. However, as he goes round different areas, I am sure that individual prosecutors and others will have an opportunity to raise and discuss matters with him.

The Bill goes considerably beyond the recommendations in the report by Sir Ian Glidewell. I believe that the statutory inspectorate will continue to develop within the framework established by this simple measure. Of course, it is of paramount importance that the CPS gains increased public

confidence. However, an open, accountable and vigorous inspectorate will go a long way towards developing that confidence.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

CROWN PROSECUTION SERVICE INSPECTORATE BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Crown Prosecution Service Inspectorate Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(1) sums in respect of salary, pension, allowances and compensation for Her Majesty's Chief Inspector of the Crown Prosecution Service; and

(2) expenditure incurred by the Chief Inspector in the discharge of his functions under the Act.—*[Mr. Dowd.]*

Question agreed to.

Limited Liability Partnerships Bill *[Lords]*

Order for Second Reading read.

4.59 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Dr. Kim Howells): I beg to move, That the Bill be now read a Second time.

The creation of limited liability partnerships adds to the variety of business entities available to those wishing to set up in business in Great Britain. Firms can usually choose between being a company—which is good if one wants a split between ownership and management—and being a partnership, which is good if one wants greater flexibility in arranging the internal affairs of the business and does not mind unlimited liability. However, firms will now have the option of becoming a limited liability entity with the internal flexibility of a partnership.

Limited liability partnerships, or llps, were first proposed by the previous Administration, and responses to a consultation on the general principles were clearly in favour of their introduction. The Government agreed that the concept had merit and published a draft Bill in September 1998. That, too, was well received, and consultees provided feedback on the detail of the legislation. I should add that consultees represented a wide range of interests, including accountants, lawyers, actuaries, architects, surveyors, academics, trade associations and those representing the potential clients of an llp. The measure has wide support across the professional business community.

The Bill was subject to pre-legislative scrutiny by the Select Committee on Trade and Industry. The Committee's comments were a valuable contribution to the development of the Bill.

To explain the way in which we have chosen to construct the llp, I need to say something about where the idea of limited liability partnerships comes from. In 1996, the Department of Trade and Industry published for consultation an authoritative investigation by the common law team of the Law Commission into the law of joint and several liability, a complex area of common law.

The report examined the problems that resulted from joint and several liability for professional defendants. For example, defendants might find themselves liable for the whole amount of the damage caused to the plaintiff, even where other wrongdoers were involved. However, the report concluded strongly against any reform of the law of joint and several liability. The main reason was that a change towards a system of proportional liability would favour the wrongdoer at the expense of the plaintiff. This is a simplified summary of the report's detailed conclusions.

The common law team's remit did not extend to looking at joint and several liability in partnerships, but the Department of Trade and Industry at the time took the opportunity to consult on the question whether to allow for llps in Great Britain.

Llps were already a well-known concept in the United States of America, and Jersey—not New Jersey, but Jersey in the Channel islands—was also planning to introduce them. As a result of the process of consultation,

[Dr. Kim Howells]

we concluded against any reform to the law of joint and several liability, but gave our commitment to the introduction of limited liability partnerships.

Surprisingly, there has been no fundamental change to business entities in Great Britain since 1907, when the Limited Partnerships Act was introduced. Only a company offers all its members limited liability, which perhaps seems a little odd in the 21st century. The creation of llps demonstrates the Government's commitment to ensuring that Britain maintains its competitive and up-to-date legal framework for business.

The development of llps takes account of the changing business environment, which has become increasingly litigious in recent years. The structure of an llp means that some firms may find it an advantage over a company, as it offers the freedom for members to arrange their internal relationship to each other and to the llp as they wish, while having the benefit of limited liability. That is likely to be popular with those who already have partnerships, but it may also prove to be of some benefit to start-up businesses.

Mr. John Burnett (Torridge and West Devon): I am grateful to the Minister for giving way. I shall refer to this in my speech, if I am fortunate enough to catch your eye, Mr. Deputy Speaker. The Minister says that the limited liability partnership will be useful for other businesses. Will it be useful for other incorporated businesses? If so, it would be a lot more useful for incorporated businesses—that is, limited companies—if the tax penalties on disincorporation were eased.

Dr. Howells: I hope that the hon. Gentleman will bear with me. I shall deal with tax separately and in some detail, as it is a crucial component of the Bill.

In November 1999, the Bill was introduced in another place, where there was wide support for the concept. That is not to say that the Bill's passage through the other place was uneventful. A lively and useful debate took place, and the Government made a number of amendments, with which I shall deal later.

I am pleased to say that the Bill is in very good shape, and I thank Members of the other place for their contribution to bringing that about. We believe that the right balance has been struck between the interests of those who will want to be llps and of those who will do business with them.

Although the new entity is called a limited liability partnership, in many ways it is neither fish nor fowl. In some respects, it is closer to a partnership, while in others it is closer to a company. That hybrid quality has been at the root of most debates on the measure, with some wanting the entity to be allied more closely to a partnership and others wanting it to be allied more closely to a company.

We had to strike a balance. While members will be free to agree among themselves, their relationship being rather like that of members of other kinds of partnership, the llp itself will be a separate legal entity, owned by the members. That means that it will be able to enter into contracts, hold property and continue to exist independent of changes in membership. In that sense, llps will be closer to companies than to partnerships. We will therefore apply to llps, by way regulation, appropriately modified companies legislation—for example, the Companies Act 1985, the Insolvency Act 1986 and the Company Directors Disqualification Act 1986.

The limited liability of the members is also clearly more closely akin to the position of a company than to that of a partnership. Limited liability is a privilege, and we need to ensure that it is not abused. The companies and insolvency legislation will help to do that.

Clause 6 makes it plain that a third party dealing with an llp will be entitled to rely on the fact that the member is an agent of the llp, but because the llp is a separate legal entity, we expect the third-party contract to be with the llp rather than with the member. That mirrors what happens in the case of companies. It is anticipated that, in the event of a claim for negligence, the claim would be against the llp rather than the member.

Mr. Burnett: I thought that an overriding principle of the Bill was that a member who conducted work for an individual client would be liable to the extent of the entirety of his assets, if he was found to be negligent.

Dr. Howells: That is absolutely true. If he is found to be negligent, he will be liable to exactly the same punishments, and to be pursued in the same way, as the director of a company; there is no doubt about that. The llp, however, is the first port of call when there is deemed to be a problem.

The llp would be liable to the full extent of its assets, but—I think that this is what the hon. Gentleman is getting at—that does not rule out the option of the third party's pursuing the negligent member as well. The third party, however, would only be able to sue the negligent member in tort, as the contract would have to be with the llp. Tort liability may be much more difficult to prove.

Clients of the llp will need to be made aware of the nature of the entity with which they are dealing. To help ensure that, firms using the abbreviation "llp" after their names will have to mention on their business letters and order forms that the letters stand for "limited liability partnership".

The Bill also requires that two or more people must be associated for the carrying on of a lawful business with a view to profit, and that their names must be on the incorporation document. The limited liability partnership and its members must be registered at Companies House. Its records must be kept up to date. The llp must also have two designated members whose responsibilities include filing the annual return, notifying Companies House of changes in membership and of any change to the address of the registered office.

Taxation is the other main subject of the Bill. The hon. Member for Torridge and West Devon (Mr. Burnett) asked about that. The Bill expressly provides for llps to be taxed as though they were partnerships. Without such provisions, they would be taxed as companies because, elsewhere, the Bill provides that they are corporate bodies. Although llps will be corporate bodies, they will retain the partnership ethos at their core. Like partnerships, llps will consist of members who are involved in running the firm. We anticipate that they will continue to be an important source of working capital. It was therefore agreed that it was more appropriate for an llp to be taxed as a partnership than as a company.

Several amendments were tabled to the tax provisions in another place. They were technical amendments, which were intended to ensure that the legislation achieved our objectives more effectively. One amendment was intended to apply sections 117 and 118 of the Income and Corporation Taxes Act 1988, with appropriate modifications, to llps. The purpose was to ensure that they could not be exploited for specific forms of tax avoidance. That would have involved members of llps being able to obtain tax relief for a loss sustained beyond their personal obligation to meet it.

Amendments were also made to ensure that the transfer of partnership assets from an existing partnership to an llp would be tax neutral. We thus maintain our policy of ensuring tax neutrality when conventional partnerships transform themselves into llps.

Mr. Burnett: When the Minister considers tax neutrality, I hope that he will refer to the possibility of limited liability companies becoming llps. Will he also confirm that, when he says that the transfer of a business or partnership into an llp will be tax neutral, it includes stamp duty?

Dr. Howells: I shall find out by the end of the debate. I believe that the provision includes stamp duty, but I shall confirm that later. Although I appreciate that the hon. Gentleman understands the purpose of the Bill, his initial and follow-up questions suggest a misunderstanding. I do not expect the Bill to be especially useful to incorporated businesses because they already have limited liability and have already organised themselves as a company. There is no reason for them to organise themselves into llps, which will be taxed as partnerships while companies are taxed as companies. I envisage no reason for, or easy way to make, the transformation of a company into an llp tax neutral.

Mr. Burnett: Members of a limited company might want to become an llp for good tax reasons.

Dr. Howells: That would be up to different companies. We hope to provide a new vehicle for companies and business; clearly, the decision would be up to them.

Another amendment was made to ensure that members were treated for national insurance purposes as if they were partners in a partnership. Although we believe that it is right to tax llps as partnerships, we are aware that the tax treatment may allow scope for llps to be used when the primary or only attraction of llp status is tax treatment. I sense that the hon. Member for Torridge and West Devon was hinting at that when he spoke. Clearly, that is not intended. We shall consider that issue carefully with the Inland Revenue and, depending on our conclusions, measures may be introduced in the 2001 Finance Bill. The Revenue will consult widely on its intentions. It is important to emphasise that we do not intend to undermine the commercial certainty of llps' taxation treatment for those businesses for which llp status was intended. That will be at the forefront of our minds, whatever options are proposed.

Apart from those on tax, several amendments were made in the other place, the most notable of which included clarifying that an llp's members will not be its employees and putting it beyond doubt that, if an llp member were liable to a person for a wrongful act or omission in the course of the llp's business, it would be liable to the same extent as the member.

We intend to apply secondary legislation to llps, which will include similar requirements to those for companies; it may be useful if I touch on what that will mean. The regulations will include a requirement for financial disclosure equivalent to that required of companies, provision that members of an llp can be sued for wrongful or fraudulent trading and provision that members can be disqualified from being members of an llp and a company director. The regulations will apply, with appropriate modifications, the provisions of the Insolvency Act 1986. Those modifications include a measure that will deter members from siphoning off funds to the detriment of creditors.

We have published the draft regulations for consultation twice—in September 1998 and July 1999. We shall amend the regulations to take account of the concerns expressed by consultees and by Members of another place about the disapplication of partnership law to llps. That is part of considering how far we treat llps as partnerships and how far we treat them as companies. As a result, we shall include a default provision that will apply if there is no llp agreement or if the agreement does not cover a particular issue. The draft proposals were consulted on and generally welcomed by those who responded.

It might be suggested that a significant weight of legislation will be applied to such an entity and it would be understandable if hon. Members asked whether a lighter touch were preferable. The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) knows full well that I am very much in favour of a lighter touch. However, I would argue strongly that we shall provide for an entity that will have the privilege of limited liability and we must ensure that a balance is struck between the interests of business and an llp's potential clients. Becoming an llp will be a purely voluntary and commercial decision. Any firm that chooses to become an llp and wants limited liability will compare the llp with a company. Anyone who makes that comparison will find that the regulatory requirements applied to an llp are not unreasonable.

The Bill has benefited from the careful and measured attention of learned consultees, learned Members of another place and the Trade and Industry Committee. As a result, we have achieved the right balance in creating a new entity that combines limited liability with the organisational flexibility of a partnership while ensuring that appropriate safeguards are applied to protect those who deal with the entity. I am pleased to commend the measure to the House.

5.19 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): I declare an interest. Actually, it is not really an interest; it is more a confession: I am a chartered accountant. Some of my best friends are chartered accountants. Many of my friends work for chartered accountancy partnerships. I worked for such a partnership for 13 years before entering the House.

The Bill is welcome. It started life under the last Conservative Government in response to concerns, particularly from the accountancy and legal professions,

[Mr. Nick Gibb]

about the difficulties of unlimited liability. The prospect of losing one's house and savings because of the negligence of a fellow partner whom one may not even have met in a larger partnership was becoming a huge impediment to recruiting and retaining key personnel.

Mr. Austin Mitchell (Great Grimsby): I am sure that the hon. Gentleman will go on to paint the tear-jerking spectacle of those in accountancy partnerships living in terror in case their yachts, farms, pubs and holiday retreats are suddenly confiscated, but has it ever happened? We estimate that the total revenue set aside from the fee income for contingency claims was no higher than 2.7 per cent. Most of the things that are claimed to be a threat over accountancy never materialised.

Mr. Gibb: It has happened in the United States. A number of medium-sized firms have got into severe difficulties and partners have lost their personal assets, but it is the fear of losing, through no fault of their own, assets for which people have worked all their lives that is wrong. It also has an unhealthy effect on the working method within the firms. People might argue, as the hon. Gentleman no doubt would, that the prospect of losing everything if one does poor-quality work for a client concentrates the mind wonderfully and so increases the quality of work. My experience is that the determination to keep clients is the driving force behind doing good work. The fear of negligence action acts as a dampener on the work.

Letters giving advice are packed full of caveats and disclaimers. Sometimes it is barely possible to discern the actual advice that the letter seeks to give. Huge resources are pumped into ensuring that terms of engagement are correctly documented and filed, not to improve the quality of the work, but to safeguard the firm in case of legal action. That is the consequence of the ever-present threat of legal action.

Even under the Bill, it will still be possible for partnerships to be sued, but the prospect of partners unconnected with the negligence losing everything will go. It is wrong that, in circumstances where—the Minister alluded to it—99 per cent. of the blame for something going wrong attaches to, say, the impecunious fraudulent director of a company, and the audit firm or solicitor can be shown to be just 1 per cent. to blame for what went wrong, they can be sued for 100 per cent. of the loss. Because many of the partnerships have deep pockets, it is to those firms that aggrieved investors turn for recompense.

The general legal concept of joint and several liability will not be changed by the Bill, but the concept and joint and several liability within a partnership will. The limited liability partnership will be suable for breach of contract to the full extent of its assets. The partner responsible for any negligence will, as the Minister said, be liable under tort, but the remaining partners will be able to sleep easy at night knowing that their personal assets will be safe.

The Bill has been through an enormous number of stages. The last Conservative Government issued a consultative document in February 1997. A draft Bill issued by the present Government in September 1998 was scrutinised by the Select Committee on Trade and Industry. The Government issued a new draft in July last year and a final Bill came out in November. Despite all that pre-legislative scrutiny, during which many of the less attractive options were dropped, the Bill that went to the other place still had a number of problems.

Conservative Members were concerned that the Bill provided no default mechanism to the existing body of partnership law in circumstances where the partnership agreement is silent: for example, the right to share in capital and profits, the right of a member to take part in the business, procedures for retiring as a member and procedures for holding and calling meetings. We believe that there should be a default mechanism, so that those rules are covered.

We were concerned about the inherent ambiguities that could enable partners or members to be regarded by the Inland Revenue as employees of the llp. We were concerned about the absence of any definition of "designated member". There are plenty of subsections about the appointment of designated members and the requirement for two such members, but no mention of what they are meant to do.

We were concerned about the inadequacy of the taxation provisions. The Bill is meant to be tax neutral, as the Minister said, but, before it went to the other place, there was no clarity over whether transferring a partnership to an llp would trigger a tax charge on the cessation of the old partnership. There is no mention of stamp duty consequences. We had enormous concerns about the insolvency provisions, which appeared to apply much stricter tests on trading while insolvent than similar provisions applicable to companies. We were concerned about the acquisition accounting requirements that llps would automatically be required to adopt. As hon. Members will clearly understand, that method of accounting for the merger of two llps would be absurd given that they do not issue shares.

All those issues were raised in the other place by my noble Friend Baroness Buscombe. Thanks to her effort—and, one must acknowledge, to the reasonable approach of the Minister, Lord McIntosh—those concerns were largely taken on board and substantive amendments were made in Committee. We have always said that, as an Opposition, we will say it as it is. If the Government do the right thing, we will say so; if they do the wrong thing, we will oppose them. This is a good Bill—much better, it must be said, thanks to my noble Friend's scrutiny—but one or two loose ends and remaining criticisms need to be aired, to which we can return in detail in Committee.

Far too many key provisions are hidden in secondary legislation. From the now 19 clauses and one schedule, one would have no idea of some of the Bill's basic tenets. One would have no idea that a member of an llp will remain liable to the full extension of his personal assets, notwithstanding the limited liability, for negligent work that he or staff reporting to him had carried out; no idea about a host of important issues relating to the legal position of members if the llp trades while insolvent; no idea about which company law and which partnership rules will apply to the llp. Those matters are in a host of regulations to be issued under sections 14, 15 and 16.

The Trade and Industry Committee was highly critical of the degree of use of secondary legislation in the Bill. Its report states:

> There does not at first sight seem to be any over-riding reason why the Regulations and schedules should not be incorporated into the Bill . . . We would . . . far prefer that the detailed secondary legislation proposed be incorporated in the Bill.

The Committee recommended that revised drafts should be resubmitted to it for re-examination. Has that happened? Was the Committee asked to have a look at the revised draft statutory instruments?

Lord Goodhart, a Liberal Democrat peer, said in the other place:

> The Delegated Powers and Deregulation Committee in your Lordships' House, of which I am a member, accepted the Government's proposals to put these provisions in regulations. But it seems to me that this comes close to the borderline and the more I look at some aspects of this Bill the more doubtful I am whether the Delegated Powers Committee was not rather too lenient.—[*Official Report, House of Lords*; 9 December 1999; Vol. 607, c. 1438.]

He was right to express concern. The Committee's report draws attention to the fact that what is now clause 16 is

> a Henry VIII provision which allows regulations to amend or repeal primary . . . legislation.

Dr. Howells: The hon. Gentleman's criticisms are well placed; he is a well-known deregulator. However, is he aware that the first set of regulations will be subject to the affirmative procedure and that affirmative resolutions will then apply to anything that we introduce immediately afterwards? That should be some defence.

Mr. Gibb: I am aware of that, but I am grateful to the Minister for bringing it to the attention of the House. However, affirmative secondary legislation is still a far cry from primary legislation. Many regulations in that pile of draft regulations amend primary legislation. I have great concern, shared by many Members of both Houses, about secondary legislation amending primary legislation.

That was not the Committee's main concern. Its main concern was that the draft regulations created offences punishable on summary conviction by a fine, but the way in which those instruments were drafted was wide enough to allow the regulations to provide for imprisonment or for trial on indictment. The Committee thought that the Government intended to use those powers only to provide for summary trial and fine, and wanted that limitation to appear on the face of the Bill. As Lord McIntosh admitted in the other place,

> it is our intention to apply to LLPs the same offences as apply to companies . . . In some cases these offences are triable on indictment and punishable with imprisonment.—[*Official Report, House of Lords*, 9 December 1999; Vol. 607, c. 1421.]

The Government wanted to see those powers to create offences which carry a punishment of imprisonment. Given that admission, and the fact that the Delegated Powers and Deregulation Committee had assumed in its conclusions that the delegated powers would not be used for such purposes, I urge the Committee's Chairman to look at the Bill again. I shall be interested to hear the Minister's response on that concern.

The over-use of delegated legislation is a serious matter, which should be of concern to all hon. Members. We shall seek to put it right, regardless of administrative inconvenience or precedent.

Our remaining concern over the drafting of the Bill relates to what have become known as the default provisions. The Minister also referred to them as such. Under clause 1, the whole body of partnership law is disapplied as regards llps except where it is explicitly provided for in the Bill. This is of concern because most of the firms that will want to convert to llp status will simply use their partnership agreement as the basis for the internal arrangements within the llp. The agreement may well be silent on a number of important issues, because well-established partnership law provides these details where they are not explicitly set out in the agreement. Small partnerships in particular will have relatively short agreements which may not include details such as the rules for the retirement of partners, the detailed rules about calling meetings or rules giving all parties the right to see the books and records. Those rights and rules are all there in general partnership law. To disapply that law may well cause difficulties for such smaller firms.

Dr. Howells: Presumably the hon. Gentleman is not arguing for over-prescription in terms of what a partnership should or should not be. One of the strengths of partnerships is the flexibility of arrangements. We are not seeking to take that away.

Mr. Gibb: I am grateful to the Minister for that intervention, but he misses the point. Our proposal in the other place was for a simple default provision where there were no provisions in an agreement about certain aspects of the partnership arrangement. When a crisis arose, those involved in a partnership could always fall back on those partnership laws that had evolved since 1890 through the courts and in statute. The Bill explicitly removes that default provision and could therefore give rise to difficulties. That is why in the other place my noble Friend Lady Buscombe proposed a provision that, for the avoidance of doubt, partnership law would apply if not otherwise excluded by the Bill. The Government rejected it on the grounds that, as the llp had a separate legal identity and would need primarily to adhere to the Companies Act rules, having a default to the partnership law rules might result in confusion and possible conflict.

Mr. Burnett: I agree with the central thrust of what the hon. Gentleman is saying. Does he agree that one of the great advantages of the Partnership Act 1890 is that not only has it stood the test of time, but a great deal of case law behind it is intelligible and easy to understand?

Mr. Gibb: The hon. Gentleman makes a very good point. We can never anticipate all the problems that will arise, but a hundred years of case law will probably have covered almost every likely contingency. We are rejecting that hundred years' experience in having clause 1(5) disapply all that body of partnership law.

We do not accept the Government's argument about why there should not be a default provision, because we are talking about the rules relating to the partnership agreement and the relationship between partners. The Law Society is also clear on that point. In its briefing for this debate, it states:

> The Law Society has always considered there to be the need for some default provisions that would operate in the absence of agreement to the contrary within a limited liability partnership and which would cover certain basic matters relating to the mutual rights and duties of the members of an LLP.

[Mr. Gibb]

In response to such concerns, the Government issued a consultation document in February, which proposed incorporating specific partnership law rules into delegated legislation under clause 15(c) of the Bill. The Government amended the Bill in the other place to enable that to happen. We will no doubt debate the issue in detail in Committee, but key provisions such as fundamental partnership rules should appear in primary legislation. We stick to our view that the Bill should contain an overall default provision.

I would also be grateful if the Minister could address another important concern raised by the Law Society over whether the Administration of Justice Act 1960, as in force, will permit firms of solicitors to adopt the new form of incorporation. It understands that the Act will need to be amended, so I hope that the Minister will respond to that point.

This is now a much improved and useful Bill that will assist professional firms to recruit and retain top-quality staff and partners who otherwise might be put off by the prospect of perpetual unlimited liability arising from the negligence of others. It should also reduce the risk of such partners fleeing to non-UK jurisdictions. Subject to our remaining concerns, which we will address in Committee and about which I trust the Minister will be as reasonable as his colleague in the other place, we remain supportive of an important and useful Bill.

5.37 pm

Mr. Austin Mitchell (Great Grimsby): I tend to get suspicious when I hear bipartisan bleating about how wonderful a Bill is, although that is not why I wished to speak. I do not know whether we will have a tripartisan bleat from the Liberals, although they put in some good work in opposition to the Bill in the House of Lords. I hope that that might be followed up here.

The Bill is not the epoch-making measure that it has been portrayed as, by both my hon. Friend the Minister and the Opposition. It is a shabby measure. If not sordid, it is at least suspect, and it is interesting that the songs of praise for it have come largely—in fact, overwhelmingly—from the vested interests. It is regarded as a technical Bill, but it will have enormous repercussions that should be more widely discussed. Unfortunately, we cannot discuss them in an atmosphere in which everyone agrees that the Bill is wonderful.

The Bill will take the limited liability partnership—a device that began as a vehicle for tax evasion in Texas and Delaware, specifically to limit the tax obligations of partners in firms—and turn it into a new vehicle for corporate business. We do not know what the consequences of doing that will be. They could be substantial or they could be minimal. I fear that they will be more substantial than we think.

The change in company and partnership law is being done at the behest of the mighty and the greedy, and indeed the mighty greedy. The lobby for the Bill comes overwhelmingly from the big five—formerly big six, until they started eating each other—accountancy houses. The fee revenue of the big five was £4.5 billion in this country alone in 1999. That makes them powerful organisations, and I do not like the spectacle of the Government rushing to serve their purposes, their greed and their desire to protect their profits, revenues and incomes as partners. I can understand the Conservatives doing that, because that was the whole process of Conservative Government for 18 years, and it is fitting that they began the Bill. I am more doubtful when a Labour Government pursue the measure. After all, Labour is a new and pristine party that will not make concessions to vested interests. We must ask why the Bill is being introduced—and especially why now?

We know that the legislative timetable is packed. We know that there is a long queue of Bills. Discussions at the meeting of the parliamentary Labour party last week produced an enormous list of proposals from Labour Members for the legislative programme next year. These proposals included measures to deal with hunting with dogs; housing, including multiple occupancy; pensioners and carers, especially action on long-term care; the regulation of the private security industry; regulation and reform of park homes; equality and employment legislation; and consumer protection measures.

Those proposals are only a part of the list. There is an enormous list of socially responsible and sensible legislation that needs to be introduced, but we are told that that cannot happen because of pressures on the legislative timetable. However, one of those pressures is this sordid little Bill. Why is it being introduced, and why now?

It is a concession to a major vested interest, that of the big five accountancy houses. Unfortunately, it is not matched by any balancing changes to afford protection against any of the powers that are being given through the Bill. The Bill includes no protection for consumers of accounts—they are pretty weak or impotent when it comes to dealing with the big five or with unreasonable audits. Stakeholders in companies have very few rights to protect them from negligent auditors, but we are rushing to strengthen the position of those auditors. It is unreasonable to proceed in that way.

If we are to make such a concession to the big accountancy houses—we are giving them a special privilege—let us also give some privileges to the consumers of accounts, to stakeholders and to those who suffer from negligent auditors. We should reverse the Caparo judgment; we should impose a duty of care on auditors; and we should stop auditors taking on other business and thus introducing dilution. Company law imposes liability. Directors are responsible and liable if they publish false and misleading accounts. However, if an auditor publishes such accounts, there is no responsibility. Nevertheless the Bill will give auditors increased privileges.

The provisions that I have suggested could have been dealt with at the same time as the Bill. There is no reason for haste. That is why I have asked why the Bill is being dealt with so quickly. The Department of Trade and Industry company law review is continuing. It may propose some of the changes that I would like to see to redress the balance towards the consumer. Why not make these changes at the same time? That should be part of the deal.

If the big accountancy houses want to secure a special concession, in return they should make concessions to protect the consumer. However, they are not doing so, and we are handing them a concession on a plate. That is extremely unreasonable, especially for small shareholders, along with the stakeholders and employees who want to

know what is going on in their company and want honest, objective and effective audits. It is unreasonable similarly for those who rely on accounts to make investments. We are not giving those people any concessions while the vested interest is getting all that it wants. It seems that the consumers of accounts were not consulted in that process.

What about Lord Paul and his experiences with the purchase of a Fidelity radio? He found that if he was to sue the auditors he had to buy the company and sue the directors, who then had to sue the auditors. That sort of experience gives me no faith in redress against auditors, yet auditing is a monopoly granted by the state to a particular class of people. Why are we giving them a concession when it is surely our job to regulate them?

The United Kingdom has public limited companies and 600,000 partnerships. Now, we are creating an intermediate breed, limited liability partnerships, which might even be called a corporate third way—although I do not think that such a development was envisaged in Professor Giddens's third way. This development could have severe consequences. Such partnerships could be established by fraudsters and by those who have been disqualified as company directors. We are diluting controls over those people, who could slough off their responsibilities.

I know that new Labour is nice to business, and that it is right that we should be nice to business. All sections of the community have to get on. We are not in a class war and we no longer feel basic antagonism towards business. I also know that the accountancy houses have been very nice to Labour. When we were in opposition, they gave employment to people who have subsequently become Ministers. They have organised conferences for us, provided advisers and advice, and even attended our fund-raising dinners. They have done us good service. I do not think that they did that with any view of a return such as the Bill—they are averse to such sordid motives—but they are not averse to getting this legislation.

The legislation's origins are very murky indeed. I should like to detail those origins because they are not based solely on a process of consideration, as we have been led to believe by the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) and Ministers. The fact is that the big accountancy houses got into a panic—which was well detailed by the hon. Gentleman—because, as they have deep pockets, they felt vulnerable. They were afraid that people would make huge claims against auditors. They were afraid that people were thinking, "If you cannot do anything else, you can make a claim against the auditors." However, the panic that possessed auditors bore no relation to reality. It also took no account of their own involvement in their own mistakes.

These days, the accountancy houses offer auditing services to the big public limited companies and essentially use those services as a market stall from which to sell other accountancy services. They get their foot in at the plcs by auditing them, and then use the audit service as the basis for selling other services to the company. That practice, however, dilutes the auditing process. Obviously, if they want to sell other services to the firm, they will be complacent in auditing. Audit problems in such situations are, therefore, of the auditors' own making.

There may be audit problems and dodgy companies, but who made the auditors take on those companies as clients? Who made them take on Maxwell? What force was used to make auditors audit the Maxwell accounts or the Bank of Credit and Commerce International accounts? Auditors do not need to take on the accounts of dodgy companies. They should, therefore, face the consequences of dealing with such companies. The accountancy houses are in that position because of their own greed and their desire to maximise both fee income and the sale of other services to audit clients.

The hon. Member for Bognor Regis and Littlehampton tried to hype up the houses' panic and alarm, but all the examples that he gave were from America. He could not produce any evidence of huge claims. The Select Committee on Trade and Industry also commented on the lack of evidence. Even the figures that have been mentioned are suspect, because they are the claim figures, not the settlement figures—which have not only been kept very quiet, but are very small indeed.

The hon. Gentleman also took no account of the fact that those who sue auditors usually come from other parts of the same big five accountancy house. Usually, the insolvency arm of an accountancy house sues to reclaim money from the audit arm at the same or another big five accountancy house. It is the worst type of incestuous suing. The terror that auditors have expressed is terror of themselves and of other parts of their own firm.

Mr. Gibb: Does not the small number of settlements and claims to which the hon. Gentleman referred rather contradict his lifetime's work in condemning audit firms' ability to do their job well?

Mr. Mitchell: I do not condemn the ability of audit firms to do their job well, but they are influenced by a desire to sell other services, which might make them more complacent than they would otherwise be. Business needs good, honourable auditors of integrity who provide a true and fair account of the affairs of the company. I do not want any constraint on that. If auditors do not do that, they should suffer the consequences. The Bill does not provide for that. We are protecting them from suffering the consequences by allowing them to escape the liability. We are not giving them any discipline or sanction to force them to provide that service.

Dr. Howells: I made it clear in my speech that limited liability partnerships are subject to all the same restrictions and controls as companies on fraudulent dealing or any other form of misdemeanour. I do not understand why my hon. Friend thinks that they are suddenly above the law.

Mr. Mitchell: I do not think that they are above the law, but no protection has been offered to the consumer. Admittedly, partnerships as they exist do not provide such protection, but we need a sanction against bad audits, fraudulent audits or misguided audits, which at present we do not have. The Bill will limit the liability of partners who might have been responsible for such audits. My figures suggest that only 2.7 per cent. of the total fee income of the big five goes on liability-related expenditure. Their huge terror about the grab at their deep pockets is over 2.7 per cent. of their fee income. It is difficult to get verifiable information about that.

The accountancy firms tried to panic the Conservative Government, who referred the issue to the Law Commission. On the ground that proportionate liability

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did not fit in, the Law Commission said no go—it might have said it in Latin, but it said that the firms could not have that special concession.

The big audit firms then began another devious manoeuvre. They were so anxious to secure limited liability that they went to the Jersey legislature and tried to buy legislation on their own terms. It was drawn up by Slaughter and May and financed by what was then Price Waterhouse and by Ernst and Young at a cost of £1 million. The Jersey law draftsmen found the legislation very unsatisfactory, but it gave the big audit firms all that they wanted. One of the senior partners of Price Waterhouse said that they were promised that it would be nodded through.

Unfortunately, the legislation that the firms wanted was not drawn up properly and the Jersey legislative draftsmen raised doubts. Attempts to rush it through caused protests and the expulsion of Senator Syvaret. It was delayed and the firms did not get the fast-track procedure that they wanted. When they got the legislation, they were warned by the Inland Revenue that there would be tax consequences if they set themselves up as limited liability partnerships in Jersey—so, after all that effort buying legislation in Jersey, no firm went there. They were using the process as a means of pressuring the Conservative Government. The hon. Member for Bognor Regis and Littlehampton has told us how proud he is of his accountant friends. Some of my best friends are accountants. A fear was created in the Conservative Government that all those black-coated accountants would don their black suits and trot off to Jersey to work in the sun.

That threat produced action. The Conservative Government began to draw up the legislation, we have continued with that. They did so under pressure from the big five and with a departmental civil service that works in what I would call close collusion—but let us say cahoots or a relationship—with the big accountancy houses. They are anxious not to offend them and are keen to do what they want, as they did in this case.

I pay tribute to my hon. Friend the Minister for his willingness to listen to the criticisms. The same goes for his predecessor. Changes were made—for example, we warned that if the concession was given just to accountants, other professional groups would have a rights case against the Government that they should be able to set up limited liability partnerships, so the original intention had to be widened.

However, the pressure was too strong and the Bill is the result. I still do not understand why it is necessary. I sat on the Committee that considered the Companies Bill in 1989—it was my last great effort as a Front-Bench Labour spokesperson. I was fired just before the Committee began its proceedings, but I still took a close interest in it. That legislation gave the accountancy houses the right to set themselves up as plcs if they wanted. They had been pressing for that, claiming that the fate of the accountancy profession depended on being given plc status. We gave them it, but only one accountancy firm took it up, converting its audit arm into a plc. That shows how they panicked. That alternative is still available. Why do they not want to be plcs? Why do they want special limited liability partnership status?

In 1991, the Institute of Chartered Accountants in England and Wales said that

> the obligation . . . to publish their accounts is perceived as a considerable drawback.

In other words, the firms want to keep their business to themselves. They do not want the partners to have to reveal their income. They do not want to reveal anything beyond the firm's total fee income. That is why they did not want to take up the offer of plc status.

We are giving those firms what they wanted. I am not sure of the tax position. As partnerships, they have advantages over plcs. The Bill does not create a new tax regime for llps. The Bill says that the tax effects are neutral. I am not sure. I hope that my hon. Friend will deal with that. Large numbers of plcs might see the benefits and convert themselves into llps. What is to stop them? There could be a mass exodus, not from partnerships to limited liability partnerships, but from plcs to llps. Do the Government anticipate that? Has there been an estimate of the possible scale of that? What are the restrictions?

Such a move would minimise corporation tax obligations. Indeed, the firms would escape the corporation tax regime and move on to schedule case 1 and 2. That requires them to be taxed on a cash basis, not an accrual basis. They can stagger their payments over a far longer period than plcs can. That is the advantage. Any account can be shifted from one year to another.

Expenditure on entertainment—or whatever—for plcs has to be wholly, exclusively and necessarily required. That is three obligations. For partnerships, the word "necessarily" is dropped. That is a much laxer tax regime on entertainment spending. Companies pay corporation tax nine months after the end of the year; llp partners have up to 21 months to pay their tax. That gives much more scope and must offer tax savings. As legal entities, plcs have a liability to pay tax and llps do not. The partners, not the organisation, are liable. The organisation can have no assets and be only a shell.

It is quite possible that there will be a loss of tax. We estimate that the shift from partnerships to limited liability partnerships will result in a tax loss of about £200 million a year. I can think of a lot better uses for £200 million, if our estimate is correct, than giving it to accountants, such as spending it on social purposes.

Dr. Howells: Will my hon. Friend tell me to whom he is referring when he says that "we" estimate that the measure will mean £200 million a year less in tax for the Inland Revenue?

Mr. Mitchell: I am referring to my associated body of accountants. That sounds like a massive Oxford college. Two accountants, another Member of Parliament and I have worked this out on the basis of the existing liability. The figures are perfectly credible. I am not a tax expert but the accountants are, and that is their assessment.

The limited liability partnership in Jersey was pretty weak, but it required the llps to post a bond of 5 million quid if they were going to operate. There was that to fall back on. I see no similar safeguard in this Bill, which leaves the way open for people to fiddle.

If I laid a legal claim against a limited liability partnership, it would take years to resolve. The Maxwell case took nearly a decade. As for the Bank of Credit and Commerce International case—

Dr. Howells: It is still running.

Mr. Mitchell: My hon. Friend is quite right. Let us suppose that my claim against the limited liability partnership is for £50 million. However, the partnership has no assets—it does not exist. There is nothing that can be seized or given to me when I win my case. What is there to stop the partners siphoning off the dosh over the years—the case will take several years to reach the courts—and turning the llp into a shell company with no brass at all?

The Bill allows for the recouping of payments for the previous two years. That is too short a period, considering that law cases go on for years. All credit to the Government for providing for a two-year period, but why not make it five? Otherwise, anyone winning litigation against a limited liability partnership could end up with nothing because there is nothing to be had. The money could have been siphoned off by the partners, whose liability has been limited.

We are all in favour of greater openness from companies, plcs, business in general and the Government. We all want to see disclosure. Some—not enough—is provided for by law in relation to plcs but not for limited liability partnerships, which will operate in a fashion akin to plcs. How much the partners are paid should be public knowledge. We need to know what their interest is and what their incomes are. Surely there is nothing to hide. One of the partners in an accountancy firm declared in the House of Lords that he had nothing to hide. He was quite happy for his income to be published. We need to extend the obligation to publish. Indeed, there is much less of an obligation on llps to publish than there is on plcs.

I hope that there will be new legislation on companies soon. When we use it to extend the obligations on companies to publish in their accounts factors such as low pay or their environmental record, will the same proposals extend to limited liability partnerships? Why are we creating a third category of corporate entity to which the obligations imposed on plcs do not apply? There is not enough information.

My final point is about regulation. Companies are regulated by the market, competition, the takeover panel and the Competition Commission. There is regulation of plcs, but who will regulate the llps? In accountancy, regulation is provided by professional bodies such as the Institute of Chartered Accountants and the Association of Chartered Certified Accountants. They are small compared with the huge might of the big five. The big five provide most of the staff when it comes to regulation— *[Interruption.]* It is good to know that my speech is exciting such interest. I am delighted that so many supporters of restricting llp status are gathering, muttering, "My heavens, he's right. This is true—we must take action."

There is no effective regulation. We do not have the sort of independent regulation that the Securities and Exchange Commission provides in the United States. It is reasonable for llps to have a proper framework of regulation.

Those are my worries about the Bill. I know that my hon. Friend has listened to our criticisms and I am grateful to him. I hope to make more points in Committee. They have to be taken into account, because the Bill gives privileges to a very wealthy and powerful body, and in particular the big five accountancy institutions. We are disturbing the existing structure of corporate governance and partnership governance to do that, without giving any concessions to the consumers of accounts. I question whether, at this stage, we should be doing that in this way.

6.7 pm

Mr. John Burnett (Torridge and West Devon): I should disclose at the outset that I am a solicitor, although I do not practise as such at the moment.

The Bill creates an entirely new and separate business entity which will be a legal person itself, similar to a limited company, called a limited liability partnership. It is open to any business to become an llp, provided that more than one individual or company is conducting the business. I shall lead on to the position of overseas partners, corporate partners and other matters. In an llp—unlike like a partnership—the liability of members will be limited. However, each member will owe a duty of care to his or her clients or customers in tort. In the event that an individual member is negligent, that member will be liable to the full extent of his or her own personal assets.

Other members—innocent members, for want of a better expression—will have no such personal liability. Claims, however, can be made against the llp to the full extent of its, rather than its members', assets.

Mr. Mitchell: The partnership is selling itself on its reputation and its work as a partnership, as a team of people. It might be 600-strong. It is the collective body and it is its reputation that is being sold. Why should not the other partners, whom the hon. Gentleman described as innocent, have a liability too?

Mr. Burnett: Because a limited liability partnership is a new entity and reflects the facts of life today. Joint and several liability is very unfair in certain circumstances.

The Bill requires the initials llp or the words "limited liability partnership" to follow the name of the business. That will advertise its status. The llp will be obliged to be registered at Companies House, along with a list of its members, and records must be kept up to date. I shall come back to that point later in my speech, although I understand that there will be a further tier of creditor protection in the requirement for financial disclosure, similar to that required in respect of limited companies. I believe that the Government will in due course publish regulations to deal with insolvency and the winding up of llps, and to deter avoidance of liability by members, which would jeopardise the position of creditors. I believe that the Government intend to apply to llps the same offences that apply to companies under the Companies and Insolvency Acts. I shall refer later to tax treatment of llps.

There has been much pressure on the Government from large, international legal and accounting firms for the introduction of this new business entity. I understand the reasons for that. One must question whether it is fair for a partner in London to be liable for all his or her assets as a result of the negligence of a partner in some far-off

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country whom he or she has probably never met—indeed, given the size of some firms, some UK partners have probably not met some others.

The Bill requires the most careful scrutiny in order to protect the public and the position of creditors of llps. I shall concentrate on the pool of cash and assets available to creditors and the general provisions for protection. The Minister will be aware that if llps make rapid or premature distributions to members, they can run on a deficit basis to ensure that there will be few or no assets to which creditors may have recourse. Professional firms, such as firms of accountants or solicitors, will have professional rules that impose obligations to have what one hopes will be adequate indemnity insurance cover, but the public should realise that that covers clients, not other creditors. It does not cover employees, except in so far as they are clients of the firm.

The position of creditors could be somewhat shaky under the arrangements. I emphasise the need for full and adequate disclosure at Companies House of the assets and liabilities of the llp. I should welcome the Minister's comments on vicarious liability. In large professional firms, many partners—members, as they will be called in llps—do little fee-earning work. A great deal of such work is done by employees, who will not be members. Is that a means by which members may shield their personal assets from liability? In other words, do direct contact and direct instruction to employees mean that there will be no recourse to any member's private assets? Members, particularly of large firms, can perfectly legitimately argue that their involvement in a practice or firm is managerial only. In cases of direct instruction to employees, what will be the member's personal position, and will employees be personally liable?

I appreciate that the llp will be liable in such cases, but there are compelling reasons for concern that some llps may legitimately run on a deficit basis, to the detriment of clients, customers or creditors. My advice to professional clients in practice was always to avoid being a salaried partner: there are none of the advantages, and all the liabilities.

We all know what partnership liability is about. I was an equity partner in a law firm for many years. Such liability is joint and several, and it embraces all the assets of all equity partners and all salaried partners of the firm. That is certainly the case so far as outside creditors are concerned. A client of a major firm who is successful in an action against that firm may therefore have recourse to all the assets of all the partners, whether or not they are equity or salaried partners.

I should be grateful if the Minister would say whether consideration has been given to the consequences in the case of an individual who became a salaried member of an llp. Presumably, that individual would have no share in the profits of the firm and no say in its management. If the salaried member does the work for the client, will he or she be responsible to the extent of all his or her assets? If so, presumably the same may be said for employees. Those points emphasise the importance of creditor, client and customer protection.

The Bill envisages disclosure provisions similar to those applying to limited companies. Will the Minister elaborate on that form of disclosure? Will full accounts have to be rendered annually of the financial affairs of the llp, including details of all shares of profits and salaries, especially those of the higher-earning members or the higher-earning employees? Will details of assets of the llp have to be included? I hope that details of all mortgages and charges, and of the amounts thereof, will be included in the information available to the public.

Dr. Howells: I may be able to help the hon. Gentleman. Only those firms in which the amount of profit before member remuneration and profit share exceeds £200,000 will have to state the amount of profit attributable to the member with the largest share.

Mr. Burnett: I am grateful to the Minister, but he mentions the member with the largest share when he surely means all the members. I shall leave it to the hon. Gentleman to return to that when he winds up the debate.

Presumably, on disclosure, all changes in membership of the firm will have to be notified to Companies House within a short period. I realise that, for tax purposes, all firms are going on to a full earnings basis. Nevertheless, the valuations for Inland Revenue purposes of work in progress or good will are pretty fluid and do not reflect the true value of such items. It may be that disclosure should be made of those items to show them as a true and fair valuation. That would make further assets of the firm or llp more apparent.

From a tax and administrative point of view, it will be easier to make distributions or allocations to members of an llp in their personal capacities than it is to make them to shareholders or directors of companies. Will there be rules on a sufficiency of distributable assets before distribution can be made to members? Will the company law offence of trading while insolvent be imported into the affairs of an llp? The last thing that the House will want to create is a business entity that opens up easy opportunities for fleecing the public.

It will be possible to start an llp by oral agreement, and I join the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) in saying that it is a shame that the provisions of the Partnership Act 1890—an excellent piece of legislation—will not apply. Heaven knows what chaos there will be in the circumstances in which an oral agreement forms the basis of an llp. The courts will be asked time and again to interpret the intentions of members where they have not been recorded in writing. Sometimes, I admit, written records may be even more misleading, but I hope that the Government will think again. The matter has been raised in the other place, and those of us who have worked for a long time with the 1890 Act know that it is excellent.

Significant tranches of the Bill have yet to see the light of day, and will be introduced by regulation. I noted what the Minister said about that, but I hope that important regulations will be subject to full scrutiny by both Houses. I have already mentioned legislation on insolvency and administration, but other regulations are to come. I understand that discussions are still proceeding with the Minister's Department in relation to clause 7(2) and the position of former members of an llp.

The main question is whether the DTI will relent on that clause and allow members to agree alternative arrangements to the fixed statutory arrangements. I remind the House of my earlier comments as to the flexibility of the 1890 Act.

Members of the public and, indeed, professional individuals would be most unwise to enter an llp without full and comprehensive advice from an expert. Presumably, the DTI has considered the foreign law implications of setting up an llp. At first sight, the matter would seem reasonably straightforward—individuals from any jurisdiction can form a UK-based llp. There will obviously be tax considerations, but such an arrangement would not seem inimical to the law of any overseas country, although I should welcome the Minister's comments on that point. Similarly, it would seem to be possible for a person to be a member of an llp that was a limited company that could be registered in any jurisdiction in the world.

I want to address the impact of revenue law on limited liability partnerships. The Minister has confirmed my understanding that the setting up of an llp is intended to be genuinely tax neutral—for all taxes, including stamp duty. Ministers have made statements to that effect, although they are not wholly correct. The matter depends on the medium in which the trade or profession is carried on immediately before the entity becomes an llp; if two individuals, who are conducting separate trades, decide to combine to form an llp or if an existing partnership or partnerships do so, the arrangement will probably be tax neutral.

I hope that the converse will apply—that, if an llp decides to dissolve itself into a series of businesses carried on by sole proprietors, a series of partnerships or a partnership, that process, too, will be tax neutral. As I pointed out, since the Finance Act 1998, transitional provisions have brought all firms on to a full earnings basis, rather than their staying on a cash basis. Presumably, such arrangements could be carried over one way or another—I should welcome the Minister's confirmation of that point.

As I pointed out in interventions on the Minister, a problem will arise when shareholders of a limited company want to form an llp. For about 20 years, Ministers and Inland Revenue officials have been pressed to ease the tax problems—especially those on capital gains—associated with disincorporation. Will the Minister hold consultations with his Treasury colleagues, dust off the disincorporation material and re-examine it? That would add to the flexibility of the UK economy, especially with the formation of this new business entity. There should be few problems in going from sole trader, partnership or llp into a limited company, but to go the other way would pose severe problems.

Subject to the caveats I have entered, the Bill should put the UK on an equal footing with many of our competitors—most notably the United States and areas of continental Europe where similar provisions already apply. Nevertheless, it is vital to secure proper protection for customers, clients and creditors. The Bill should contain nothing that would relieve individuals of personal responsibility for their actions and for the full extent of their assets.

Finally, a fundamental principle of the Bill should be that the price for the limitation of liability is full disclosure of the financial affairs of a business and that such information should be readily available to the public.

6.24 pm

Mr. Stephen O'Brien (Eddisbury): I apologise to the House for arriving slightly late. For the first time, I discovered the perils of having an office at 7 Millbank—when I read the annunciator screen and had to run to the Chamber.

I declare an interest as recorded in the Register of Members' Interests. Since last month, I have been parliamentary adviser to the Institute of Chartered Secretaries and Administrators—I have been a member of the institute since 1988 and a fellow since 1997. Before I became a Member, among various roles in management and manufacturing industry, I was assistant company secretary from 1988, and group company secretary from 1991 to 1998, of Redland plc, then a multinational UK FTSE 100 building materials company. Furthermore, between 1983 and 1988, I practised as a solicitor in a City of London firm. Although I remain on the roll of solicitors, I have no declarable interest, as I am non-practising. That qualification enabled me to hold the post of company secretary of a public limited company under the Companies Acts.

I welcome the Bill and congratulate my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) on a positive and supportive speech and on his identification of issues that remain to be addressed by the Government. That will ensure that the House improves the Bill so that it is of the quality that our professional and business community has a right to expect from us.

I pay tribute to the calibre of debate on the Bill in another place. I studied the proceedings in detail in *Hansard*. Their lordships dealt responsibly and forensically with a range of issues. I am happy to offer my support from the Opposition Benches. As has been mentioned, the previous Conservative Government proposed such a measure.

From my business experience in this country and abroad, I see the Bill as an important step in acknowledging the reality of the professional and commercial world—in the context of today's multinational companies and partnerships. The Bill is necessary not only to retain competitiveness, but to maintain and increase confidence in the corporate and legal structures for professional and commercial enterprises in the UK—whether large, medium or small—so that they can continue to take on all comers.

In response to the hon. Member for Great Grimsby (Mr. Mitchell), plc status is not the answer. Llp status best enables the retention and enhancement of the special culture of partnerships which is not a hallmark of plcs. It is important to understand the essential business ingredient that such a culture represents.

Mr. Mitchell: In that case, there will be a rush to give us maximum disclosure—as would be appropriate for a plc. If llps want to retain a special culture, the Government are allowing them to do so. There would thus be no objection to further disclosure on, for example, remuneration or internal company accounts—all the information that plcs have to provide.

Mr. O'Brien: I know that the hon. Gentleman has a long track record in favour of that argument. However, it is based on the false premise that disclosure goes hand in hand with the genuine interest of those who need the

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information. The whole point about partnerships and about llps is that they are a collection of members—they will hold that information among themselves. A plc has many shareholders who have a right to the information. The analogy is not a proper one.

Mr. Burnett: Does the hon. Gentleman agree that it is in the interests of the public, creditors and clients that, when they deal with a firm with limited liability—because there will be some limited liability—full disclosure should be made?

Mr. O'Brien: Of course. The hon. Gentleman makes a valid point. However, that matter is covered by general rules, regulations and laws that will apply as well as the specific provisions of the Bill.

I shall focus my remarks on one aspect of the Bill, for the very good reason that all the other points have been fully covered in our debate and in the debate in another place, and I do not want to take up the time of the House by rehearsing those arguments. First, however, I offer a mild, general warning. As has been said, the drive for the Bill came mainly from firms or partnerships of accountants, solicitors and other professional services firms—especially larger, often international, firms. This country can rightly boast of our track record of global, competitive success in those fields. However, in our increasingly litigious and insurance-focused society, the pressures and inappropriateness of partners being responsible—down to the shirt on their backs—for liabilities, acts and omissions of other parties are neither competitive nor sensible. It is increasingly unrealistic and unreasonable for partners to have sufficient knowledge to be held personally responsible. I understand that and thus support the Bill.

However, I draw the House's attention to experience in the United States, where llps have existed for some time. The equivalent corporate structures apply under Californian legislation, as well as under Texas and Delaware law—a point not lost on the hon. Member for Great Grimsby. In large part, they are similar to the structure promulgated under the Bill.

I have personal knowledge and experience of how rapidly the llp structure came to be widely used for joint ventures,such as those between manufacturing companies. There were many advantages, especially when non-US international companies came together in a joint enterprise for no premium. The structure offered relatively favourable tax advantages, as compared with the traditional company.

The Government should take advice on the matter from their specialist advisers, to ensure that the Bill has been reviewed in the light of the American experience. There must be no unexpected consequences flowing from the Bill if the llp structure is applied beyond the professional partnerships that the Government appear to have had in mind throughout their approach to its drafting and introduction.

I shall restrict my remaining remarks to matters of which I have experience and know a little about. Clause 8 deals with designated members. On Second Reading in another place, my noble Friend Baroness Buscombe questioned

> the provisions for service as a designated member of the partnership given, we believe, that the provisions, as drafted, could be open to abuse; for example, as we understand it, an llp could assume as partners one or more offshore companies and register them as designated members, thus making it difficult for the regulatory authorities to ensure compliance or impose penalties.

I do not agree with my noble Friend's suggestion that

> the concept of designated members be removed from the Bill, making all the partners equally responsible for the llp's conduct, including compliance with the registers.—[*Official Report, House of Lords*, 9 December 1999; Vol. 607, c. 1424.]

Lord McIntosh of Haringey replied that

> the noble Baroness was afraid of the role of the designated member. That is very specific and similar to the role of the company secretary. It includes a number of the powers placed on the company secretary under the 1985 Act such as the signing and filing of the annual return . . . It is desirable to keep the concept of a designated member for those purposes so that the authorities know who to approach.—[*Official Report, House of Lords*, 9 December 199; Vol. 607, c. 1443.]

He added that it was equivalent to the provisions in the Companies Act 1985.

I understand my noble Friend's concern. I agree with Lord McIntosh's response in terms of the desirability of keeping the requirement, but the matter was developed in Committee in another place, when my noble Friend Baroness Buscombe tabled an amendment to clarify the role of the designated member. She said that the Bill did not appear to explain what a designated member was. Lord McIntosh answered that he understood the difficulty with clause 8:

> It sets up all the conditions under which designated members are to be appointed and changed and how notification is to be given, but it does not state what they will do. I apologise for that . . . but it would be wrong to limit his role in that way.—[*Official Report, House of Lords*, 24 January 1999; Vol. 608, c. 1387-88.]

I believe that that problem has not been overcome. The House must ensure that all the terms of good corporate governance that have been learned and applied over the past 15 years are imported into the Bill. One solution, given the broad scale of business most likely to take advantage of llp status, would be to look at the role of secretary for limited companies, as defined under the Companies Acts, and to consider whether those provisions could be imported helpfully and efficiently into the Bill.

The role of the company secretary is under consideration as part of the Department of Trade and Industry's company law review, and is a matter for consultation. I acknowledge that parallel thinking is going on about the matter.

I suggest that a designated secretary need not be a member of an llp, just as the Cadbury reforms of corporate governance mean that a company secretary need not be a director of a company. That designated secretary could be appointed—and removed—by all the members.

I hope that the Minister will consider providing that every llp and its members should have recourse to the advice and support of a named, UK-resident llp secretary. That might meet the concerns expressed by Baroness Buscombe in another place. That llp secretary should be suitably qualified to assist members in safeguarding the llp's rights, advancing its interests and meeting its obligations. The secretary should be able to provide the

necessary advice and guidance to members about their obligations and responsibilities under relevant laws and regulations.

The company secretary is often said to act as the conscience of a limited liability company. Under current company law, company secretaries do not have to be chartered secretaries or members of the Institute of Chartered Secretaries and Administrators. The secretary of a small company can be any person. The secretary of a plc can be a qualified lawyer or accountant, as well as a chartered secretary, so I am not making an exclusive or special plea for chartered secretaries—and in any case the rules of the House would prevent me from doing so, given the interests that I listed at the beginning of my remarks.

I hope that the Government will consider the proposal that an llp must have a secretary. That would help meet the concerns expressed by the hon. Member for Great Grimsby. More important, it would enable the members of the llp to give proper regard to the interests of the company as a whole. They would be able to monitor the internal activities of the llp, safeguard the interests of all members and ensure that the interests of employees, creditors and other stakeholders were properly taken into account.

Llp members, in addition, could be confident that the members were being properly informed, advised and supported, individually and collectively. They would be able to help avoid some of the potential for factionalism that can develop in such firms, and be satisfied that there was someone available to take responsibility for internal disclosure in the llp.

The proposal could also ensure that the llp's decisions were properly made, recorded and implemented throughout the organisation, and that the decisions of the llp executive were properly interpreted and disseminated. Above all, it would ensure proper compliance with all statutory requirements.

I have listed my caveat, request and recommendation with regard to the Bill, but I am very happy to support what is a very welcome measure.

6.37 pm

Dr. Howells: With the leave of the House, I shall respond to the debate.

We have had a good and valuable debate. I am pleased that the Bill has aroused so much interest, after an inauspicious start when the hon. Member for Torridge and West Devon (Mr. Burnett) seemed to be on his way out of the Chamber. I was glad that he did a U-turn and came back in. The debates in Committee should be interesting, and I shall try to deal with some of the many questions that have been raised this evening.

First, however, I want to thank the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb). His criticisms were constructive and he made some kind remarks about the way in which the Government have taken the Bill forward.

The hon. Member for Bognor Regis and Littlehampton asked about the imposition of fines and the power to imprison people for offences. The treatment applied to llps in that regard will be the same as that which applies to companies. The offences in the Companies Act 1985 were agreed to be appropriate for corporate entities such as companies. The Government intend only to apply the same offences and penalties to llps.

There is no reason why a member of an llp should suffer a lesser penalty than the director of a company for the same offence. I hope that that answer goes some way to satisfying some of the criticisms raised by my hon. Friend the Member for Great Grimsby (Mr. Mitchell), to which I shall turn in more detail in a moment.

The hon. Member for Bognor Regis and Littlehampton also said that the Law Society wanted the Administration of Justice Act 1960 to be amended to enable solicitors to become llps. Departmental officials have been discussing the matter with the Law Society and the Lord Chancellor's Department, but the hon. Gentleman will know that the legislation governing solicitors is very complex. Further consideration is being given to the necessary changes and to how they could be given legislative effect.

The hon. Member for Bognor Regis and Littlehampton asked about default provisions, which will be set out in regulation, as clause 5(1)(b) makes clear. I see no strong reason to put the regulations on the face of the Bill. They will apply in default, where there is no agreement, or where an agreement is inadequate. It is not usual for default provisions to appear in primary legislation.

My hon. Friend the Member for Great Grimsby made some vehement criticisms. I very much welcome his contribution, which was infused with the crusading spirit that he deployed on behalf of the victims of a number of prominent and disgraceful scams in which, I am afraid, accountancy firms played a shoddy and collusive role. In a sense, he asked a question: why should businesses have to organise themselves as a company to gain limited liability, provided that appropriate safeguards are in place to protect clients and third parties? I wonder what harm there is in that choice if the safeguards are there.

Creation of limited liability partnerships will allow our businesses to compete internationally with those already organised as llps overseas. That is an important issue. It is no good having companies if they cannot compete with similar companies overseas. We shall lose jobs, services and expertise in the long run. That point must be made, as it is a very important one for businesses that operate globally.

Many firms wish to maintain a partnership ethos, with every member having a stake in the business and a role in management as well as operating in good faith towards fellow members. It is difficult, particularly for a large firm, to sustain such an ethos in a company structure. Several hon. Members have made that point and it is important.

My hon. Friend asked with great energy whether the Bill was not just a sop to the accountancy profession. Indeed, much sniping has suggested that the Bill is a concession to the profession. That is not the case. As I have said, there is no reason why businesses should have to organise themselves as a company to obtain limited liability, provided that appropriate safeguards are in place to protect clients and third parties. The Bill, along with the intended regulations, will achieve an appropriate level of protection.

In addition, the llp will not be restricted to accountants nor even to professionals. We took the decision some time ago that the llp will be available to any firm of two or more people. We expect that it will prove attractive to start-up businesses that may or may not be comprised of professionals. Although the internal organisation of the llp

[Dr. Howells]

will be for its members to agree—that agreement will remain confidential to them—the intention is to make regulations that will apply appropriately modified provisions from company law. Clauses 14 and 15 provide powers to do that. That means that members and/or the llp itself can be pursued, for example, for wrongful or fraudulent trading—a point that was at the heart of my hon. Friend's criticisms. The llp can also be investigated and members can be disqualified from being a member of an llp and from being a director of a company. Specific provision will be made to ensure that members cannot siphon off funds in the event of insolvency. Regulations will also require llps to file financial information equivalent to that required of a company.

My hon. Friend's underlying criticism related to the regulation of professionals. I want to be clear; it is not the Bill's function to regulate professional activity. Where regulation for a particular activity is thought necessary, the activity—not the entity through which it operates—will be regulated. Regulation will be achieved through a mixture of statutory and non-statutory regulation. That means that it does not matter whether a professional chooses to operate as a partnership, a company, a sole trader or, in future, as an llp. If the activity is regulated, it will continue to be regulated regardless of what status the professional chooses for his business.

That does not mean that I am unsympathetic to my hon. Friend's arguments about the regulation of professions. I am glad that the Office of Fair Trading has decided, at long last, to take a good look at the way in which some professions operate. However, that is not what the Bill is about.

My hon. Friend raised the question of company law review and auditor liability. The consultation document published by the company law review steering group in March invited comments on a number of issues relating to the audit and the auditor. In particular, the document expressed the view that there was a need both to extend the range of the auditor's duty of care and to ensure that that extension is not abused. It was suggested that that should be done by introducing effective constraints on the circumstances in which claims can be made. I see no need at this time to take any more of the House's time on the issue of auditor liability, but it is under discussion by the company law review steering group, which has yet to reach any conclusions.

My hon. Friend and the hon. Member for Torridge and West Devon asked about the disclosure of members' earnings. Regulations will require that the earnings of the highest paid members will have to be disclosed, and total earnings will also be disclosed, as will the total number of members. It will therefore be possible for someone to work out the average earnings.

My hon. Friend asked whether it would not be wise to require some form of capital maintenance or a guarantee from members to ensure financial provision in the event of difficulties. We have considered carefully the concerns expressed about the lack of minimum capital requirements, which would be similar to those made of companies, or the lack of some kind of financial guarantee from members in the event of failure. In practice, private companies are able to hold capital worth as little as £1 and public companies are required to hold at least £50,000. However, as my hon. Friend pointed out, those sums seem irrelevant when creditors may be owed tens of millions of pounds or, as in the case of the Bank of Credit and Commerce International, billions of pounds.

A minimum capital requirement does not necessarily translate into the availability of funds in the event of insolvency. Even so, some have argued that there is a public interest in protecting less well informed consumers—who do not expect to become a creditor when purchasing goods or services from an llp—to a greater degree than the level to which they are protected when they deal with partnerships or companies. However, as I am sure my hon. Friend will acknowledge, the difficulty is devising a regime that, while allowing for a reasonable level of funding to protect creditors, is not so burdensome as to prevent firms from setting up in business or to discourage them from trading through difficulties.

The hon. Member for Torridge and West Devon asked about the overseas members of partnerships. Some firms—for example, a professional firm with branches in the United States—may have members who operate overseas. For a partnership, if the partner in London is negligent, the partner in America is jointly and severally liable to the full extent of his assets. In an llp, the American partner would not run such a risk even if it were possible for a claim to be made successfully against the London partner.

Mr. Burnett: Will the Minister give way?

Dr. Howells: I may give way in a moment, but I would like to move on.

The hon. Gentleman asked about accounting requirements. Traditionally, in United Kingdom legislation, the quid pro quo for limited liability is seen to be financial disclosure. It is right that those dealing with a business that has limited liability should be able to discover basic information about its financial status. I agree with him entirely on that. Our intention is thus to require equivalent financial disclosure as between an llp and a company. Using the power in clause 15, it is intended to make regulations applying to llps under the accounts and audit provisions of the Companies Act 1985, but with appropriate modifications. They will achieve financial disclosure equivalent to that required of a company.

The hon. Gentleman asked about the ability to have salaried partners in an llp.

Mr. Burnett: Salaried members.

Dr. Howells: Salaried members, I am sorry. Anyone who wishes to become a member of an llp must be registered as such at Companies House and clause 6 will make that person an agent of the llp. As such, the llp will be liable for his actions. If a client can prove that a member owed him a duty of care and was liable for it, the member would be liable.

Mr. Burnett: What about an employee?

Dr. Howells: The partner would be liable: the employee would not be liable.

I shall move on, as the hon. Gentleman asked many questions, some of which I shall try to answer. He asked about clause 7 and queried the need to reconsider the

position of a former member. The Law Society raised concerns about the Bill's drafting and we are considering whether we agree that there is a potential problem. I assure the hon. Gentleman that that is receiving due attention.

The hon. Gentleman and other hon. Members asked wide, but vital, questions about accounting requirements. As I said, in UK legislation, the quid pro quo for limited liability has traditionally been seen to be financial disclosure. The hon. Gentleman and my hon. Friend the Member for Great Grimsby asked whether accounting requirements on llps will be different from what is currently in place for companies. Broadly speaking, the answer is no. The accounting requirements on llps will be comparable to those for companies. The detail to be provided in llps' accounts will be comparable to that provided by companies, but the information given will reflect their different structure. For example, llps will not have share capital and will not pay dividends.

It is intended that all llps will provide information in the notes to the accounts about the aggregate amounts withdrawn or applied on behalf of members during the financial year. That, along with the requirement to disclose the earnings of the highest-paid member in cases in which profit exceeds £200,000, will help creditors to make an informed decision about whether it is in their interest to trade with a particular llp.

I believe that the hon. Member for Eddisbury (Mr. O'Brien) asked whether the Bill should clarify the role of a designated member by including a specific definition of a designated member; or at least he reflected concerns that were voiced in another place about the matter. We do not believe that a definition would make the role of a designated member any clearer than current provisions in the Bill and regulations. We followed the format adopted in the Companies Act, which imposes duties and powers on an officer of the company. There is no single definition of an officer's role in that Act. As an llp would be a legal entity separate from a limited company, it was felt that it would be more appropriate to have a different title to avoid confusion.

Several powers placed on a company secretary under the Companies Act, such as the signing of the annual return, will be transferred to a designated member. However, the designated member's responsibilities, such as appointing auditors, will go beyond those of a company secretary.

The hon. Gentleman asked about designated members and offshore members. An llp must have two designated members and a registered office in England, Wales or Scotland. We do not believe, therefore, that we need to prevent an offshore member being a designated member. Indeed, an officer of a company can be based offshore. If there is a breach, the llp can be pursued, regardless of whether the designated member is based overseas or in this country.

I hope that I have attempted to answer all the questions that were raised and I am pleased to commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

LIMITED LIABILITY PARTNERSHIPS BILL
[*LORDS*] [*WAYS AND MEANS*]

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Limited Liability Partnerships Bill *[Lords]*, it is expedient to authorise—

(a) the making of provision about the taxation of limited liability partnerships and their members, and

(b) the imposition by regulations under the Act of fees payable into the Consolidated Fund.—*[Mr. Pope.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DEFENCE

That the draft Army, Air Force and Navy Discipline Acts (Continuation) Order 2000, which was laid before this House on 4th May, be approved.

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage (Increase in Development Rate for Young Workers) Regulations 2000, which were laid before this House on 4th May, be approved.—*[Mr. Pope.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation) and Order of 11 May,

TRADE UNION AND LABOUR RELATIONS

That the draft Code of Practice: Access to Workers During Recognition and Derecognition Ballots, which was laid before this House on 8th May, be approved.—*[Mr. Pope.]*

Question agreed to.

Insurance for Members

6.54 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I beg to move,

That, in the opinion of this House,—

(1) provision should be made for the insurance of Members of this House in relation to the performance of their duties as Members under arrangements (including financial limits to the cover provided) made from time to time with the approval of the Leader of this House and the Speaker;

(2) subject to the terms and conditions of any policy effected under the approved arrangements, the insurance for which provision is made under paragraph (1) of this Resolution may cover the following—

(a) travel;

(b) personal accident;

(c) personal accident in respect of employees of Members;

(d) employers' liability and public liability;

(e) the cost of defending a civil claim for defamation and of payment in respect of any award made by a court in such a claim, where the act complained of was not covered by parliamentary privilege but arose from a Member's duty as a Member; and

(3) arrangements made for insurance of the type mentioned under paragraph (2)(a) and (b) above may provide for the spouses of Members to be covered as well as Members themselves.

Mr. Deputy Speaker (Mr. Michael Lord): I understand that with this, it will be convenient to discuss the following motion:

That, in the opinion of this House, provision should be made to reimburse Mr. Peter Luff, honourable Member for Mid-Worcestershire, for legal costs incurred in respect of his duties as a Member of this House in defence of an action for libel in the High Court of Justice (Queen's Bench Division) which was dismissed and the Plaintiff's statement of claim struck out by Order dated 16th April 1999.

Mr. Tipping: Insurance schemes for Members of Parliament and the case of the hon. Member for Mid-Worcestershire (Mr. Luff) are a relatively small but significant issue for the House.

The motions arise from the need to protect hon. Members in an increasingly litigious age and are complex because we have taken the opportunity to do some administrative tidying, as I shall explain later.

Unfortunately, as society becomes more litigious, Members are increasingly faced with the threat of legal action. Parliamentary privilege provides absolute protection against legal action in respect of things said in the course of proceedings in Parliament. However, in an age of modern communication, Members do not carry out their function as Members only in the course of parliamentary proceedings. We all carry out a public role outside the House where, quite rightly, there is no legal protection.

As public figures, Members are open to the threat of defamation actions. They are not unique in that, but the lack of support available to them is unusual. Public officials, for example, are given public assistance to defend such actions and, in extreme cases, may also be given assistance to bring them. If Ministers are accused of defamation as a consequence of their ministerial duties, they will have their ministerial and legal costs met. However, Back-Bench Members of Parliament are not so protected.

The experience of the hon. Member for Mid-Worcestershire provides an illustration of the difficulties that Members of Parliament can face. A prisoner at Long Lartin had taken action against the local postmistress for failing to deliver his *Financial Times*. The hon. Gentleman was reported as saying that the action was ridiculous, and he was sued for defamation, together with the newspapers concerned. The action was eventually struck out, and the prisoner was declared a vexatious litigant. However, the hon. Gentleman was left with a personal liability for legal expenses of more than £2,000 which would have been far higher if *The Sun* newspaper had not joined in the action.

It could be argued that the hon. Gentleman's remarks were not strictly related to his business as an Member of Parliament. I reject that assertion, as we value the link to our constituents. Fair, not defamatory, comment on issues of concern or interest to them is crucial in maintaining that link. It would be a strange world indeed if the only person unable to comment on pressing issues was the local Member of Parliament, silenced through fear of aggressive or unfounded actions for defamation. I hope that the House agrees that the hon. Gentleman's action in responding to press queries falls within the wider definition of the duties of a Member of Parliament, and will reimburse him.

In principle, this case could be taken as a precedent. The House could be asked to judge any later cases on their merits, which would be profoundly unsatisfactory. Leaving aside the parliamentary time that might be taken on such business, we would have to judge the actions of our colleagues, and we are aware of the difficulties in doing that. Moreover, not all cases would be as clear-cut as the hon. Gentleman's and, if proceedings for defamation were brought against any one of us, we would have to incur costs without knowing how much financial support would be available or, indeed, whether financial support would be given at all.

We considered whether help could be given through the Treasury solicitors, but rejected that. If they were used, the House authorities would have had to refer cases to them and they would be in the invidious position of having to screen Members' requests for assistance. In addition, a Treasury solicitor might well be unable to provide support if a case came to court.

A legal insurance scheme, on the other hand, covers all those who might come forward. Premiums can be adjusted if demand is higher or lower than expected, and the level of cover can be adjusted in the light of experience, to ensure that it is realistic without being over-generous. The insurer, not the House authorities, will be responsible for deciding the admissibility of cases and an unsatisfactory insurer could be changed. We consider that the most practicable route to provide Members with some limited protection.

The first motion invites the House to give authority for expenditure on an insurance scheme for Members to meet limited legal expenses that may arise from defending defamation actions. If cover is fixed at, say, £10,000 per Member, the cost to cover all hon. Members is estimated to be around £18,000 a year. That can be met from the amount currently voted to the House.

I now come to the administrative tidying that I mentioned earlier. There is already a range of insurance policies in force on behalf of Members, as the motion

shows. These were originally borne on the Administration vote, and authority for them was properly given by the Commission. They have now been transferred to the Members' vote, which is not the Commission's responsibility.

The insurance for legal expenses will also fall to that vote, which is why the House as a whole, rather than the Commission, is being invited to approve it. It would be administratively odd to have two separate sources of authority for different sub-divisions of the same expenditure borne on the same vote, so the motion invites the House to put all sorts of expenditure on insurance on the same footing.

Finally, let us be clear about the legal expenses insurance that we propose. It is extremely limited. It is only to assist hon. Members defending themselves against defamation suits. It will not help them to bring defamation proceedings. In effect, it is a shield, not a sword. It will not be over-generous. It simply provides a minimal protection against misguided or vexatious litigants. It is a small but significant measure, but I hope that it will enable us to continue to do our jobs properly and confidently. I commend the motions to the House.

7.1 pm

Sir George Young (North-West Hampshire): I support the motions. This is a House of Commons matter, on which Conservative Members will have a free vote, if there is one. I support the proposals and have added my name to the motions, along with the hon. Member for North Cornwall (Mr. Tyler).

I begin by making three general points. First, as the Parliamentary Secretary said, we live in an increasingly litigious world in which more and more people sue each other. Whether the phenomenon has been imported from the United States, or whether it has come about because people are better educated and more assertive of their rights or because solicitors are more proactive is, in a sense, irrelevant. We are where we are.

Secondly, professional people are increasingly in the firing line: teachers, doctors, accountants—as we heard in the earlier debate—solicitors, social workers and Members of Parliament. The Parliamentary Secretary described how my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) was involved, and I am sure that other hon. Members have had their own experiences.

I had a case some 10 years ago, when a book was published by Canary Press entitled "Thatcherism goes to College", written by one Matthew Salusbury. Views allegedly held by one George K. Young were wrongly attributed to me, including holocaust denial. If one does not challenge such an assertion, it remains on the record; if one does challenge it, there is the risk of costs. Happily, in that case, the book was withdrawn, a handsome letter of apology was sent, and my costs were paid. That shows the risks that we all run of finding ourselves in the firing line through no fault of our own.

Mr. Andrew Tyrie (Chichester): Perhaps I misheard that example. Was there not a case in which my right hon. Friend was defamed, rather than allegedly defaming?

Sir George Young: My hon. Friend is right, but such a case would not have been covered.

My third general point is that, to my knowledge, no Member of Parliament has been sued for the advice that we give in our advice bureaux. Of course we all do our best, not least by directing people to the right answers if we do not have them ourselves. None the less, we dispense advice on which people act, and it may not always be right. I find it amazing that so far, none of us has been sued by any of our constituents for what happens in our advice bureaux.

Against that background, I find the proposals before the House justifiable, focused and cost effective. Defamation is damaging for anyone, but it is particularly damaging for a Member of Parliament who has to face re-election every four or five years, and our reputation is a major factor in the outcome.

The costs of defending defamation can be high. They are not eligible under the office cost allowances, and an hon. Member may not have the resources available to defend himself. As the Parliamentary Secretary said, assistance is available only when the case arises from an hon. Member's duty, and it is available only for the defence of a case, not for the initiation of one. The House should keep the matter under review.

Mr. John Bercow (Buckingham): I am grateful to my right hon. Friend for giving way, and warmly welcome the Parliamentary Secretary's remarks. Can my right hon. Friend tell the House about the sorts of protection that apply in other countries, and the extent of such protection?

Sir George Young: No, I cannot do that. One of the advantages of being in opposition is that one does not have to reply to a debate. There is someone who is very well briefed and in a far better position than I am. When he winds up the debate, I am sure that he will give my hon. Friend enormous detail of what happens in other cases.

It is entirely justifiable to reimburse my hon. Friend the Member for Mid-Worcestershire with the expenses that he incurred, and it is entirely right to extend to other hon. Members prospectively the protection that we have extended to him. We should keep the matter under review. I hope that the motion meets the approval of the House.

7.6 pm

Mr. Joe Ashton (Bassetlaw): I warmly welcome the measure, which is long overdue. When I first came into the House 32 years ago, there were a great many more whistleblowers who used the House to expose the wrongdoings of bad landlords, child abuse and other social issues. They knew that this place would protect them. People would say, "If you say that outside, I'll issue a writ."

All too often, people outside who were not acting in the public interest got away with all sorts of misdemeanours—not crimes, perhaps, but unfair sharp practices on the public—because although constituents went to their Member of Parliament about the matter, he could not find a peg to hang it on so that he could speak about it in the House, except perhaps through an early-day motion. In my opinion, that is one of the best means available in the House, providing a platform and a notice board on which to redress grievances.

As everyone knows, I was a whistleblower many times. I was the first guy ever to say that Members of Parliament were available for hire, back in 1974, when I wrote it in

[Mr. Joe Ashton]

"Labour Weekly" and repeated it on the "Jimmy Young" show. I was hauled up for contempt of the House and it looked as though I would be thrown out. I said that I would stand again as honest Joe and that I would win the by-election, and I would have done, because I could have proved what I had said.

That is a very unhappy experience to go through. As the hon. Member for Mid-Worcestershire (Mr. Luff) knows, the trauma and the effect on one's family and constituents is devastating. Those are deterrents and we must be careful, but the House and its Members should undertake scrutiny. We should not rely on consumer affairs watchdogs on television, with the time limits and possible libel actions that they face, always having to get things approved by the lawyers.

Members of Parliament should have the right to expose constituency rip-offs, consumers who are being abused and health service cases that should be brought to public attention, but everyone knows that a libel case would cost an hon. Member his house if he tried to defend it. Lawyers' costs can be £500,000 for a week in court. That is ridiculous. I am not saying that it is a deliberate gag on Members of Parliament, but any small business man who feels offended can slap a writ on a Member of Parliament, which will hang over him for two years. That is a severe deterrent to hon. Members doing their jobs.

I have been threatened many times about articles that I have written in trade union magazines. I once wrote that a Press Association report about me was garbled, and the editor of the Press Association claimed that that was libellous. A company as big as the Press Association wanted to sue one Member of Parliament for using one word, because I had said that one of its reports was garbled. Where will it end?

Over the years, hon. Members have backed off. There used to be many libel cases involving Members of Parliament, and hon. Members often sued newspapers. If the newspapers got it wrong and reported that one had abstained in a defence debate when, in fact, one had voted, they would pay up, because the report was defamatory to the hon. Member and his constituents. It was defamatory to suggest that a Member had never visited his constituency.

All sorts of rules and regulations were laid down. A very good friend of mine, Arthur Davidson QC, the former Member of Parliament for Accrington, was also the *Daily Express* libel lawyer. Members on both sides of the House used to go to him and say, "Arthur, isn't this libellous?". He would reply, "No, it is just abuse: you have got to live with that". He was well aware of the fine line between the two, and we have always had to tread such a tightrope.

The motion does not make it clear whether libel, in this context, would cover only what we have said outside the House, or what we have written as well. Obviously we should not defame our colleagues, even those on the opposite side; but if it is a matter of record and history, where do we stand?

I have just been asked to write a book. I had to go into the Library and find out whether certain Members of Parliament were dead. Indeed, I had to ask the Pensions Office whether they were dead. That was not because I was writing anything that I thought was libellous, but because of considerations relating to my publisher. In such circumstances, one dare not take risks with history. I am not saying that we should all go away and start scribbling all sorts of abusive nonsense and lies, but there must be an outlet for honest appraisals of history and descriptions of what happened behind the scenes.

I once wrote a book about what happened in the Whips Office when we had a majority of one. Indeed, at one stage we had a minority of 10, and were carrying Members in on stretchers. I was told that I could not do it because, as a Whip, I was covered by the Official Secrets Act: I had sworn an oath that it was not possible to break, even years later. Recently, just after losing his seat, Gyles Brandreth wrote a book. Good luck to him, but I had to make my book into a play, as if it were fiction. I only changed the names; everything in the play had really happened.

There must be some sort of control, but we are here to represent the public interest. Newspapers often plead—rightly, in my view—that if revealing something is in the public interest, and if it is revealed fairly, accurately and truthfully, it should be revealed. However, an investigative journalist of that kind, or someone who stands out as a maverick, may destroy his career, if he ever had one. Certainly, a politician will never be made a Minister if it is thought that he will reveal things: that is the last thing that is wanted. Such politicians remain Back Benchers, and I am very glad that that applies to some of my hon. Friends who have acted in this way many times. My hon. Friends the Members for Bolsover (Mr. Skinner) and for Workington (Mr. Campbell-Savours), among others, have rightly made a career out of exposing wrongdoings—perhaps not criminal wrongdoings, but certainly activities that were unfair, unjust and not in the public interest.

I congratulate the Government on the motion. I hope that it will restore to Parliament some of the characteristics that it had 25 or 30 years ago, when I arrived here. In those days, people spoke out because they felt strongly that things were not right and should be exposed. I do not know whether the motion requires a Bill or merely constitutes a statement, but I hope that the Government would vigorously defend any Member who they thought had said or written something that was fair, true, accurate and in the public interest against a gagging writ, or against threats or pressure in the courts.

7.13 pm

Mr. Paul Tyler (North Cornwall): On behalf of my Liberal Democrat colleagues, I support the motions. First, however, let me make a general point. We are here, rightly, to protect the interests of Members of Parliament, but I hope—I am looking at the Government Front Bench as I say this—that it will not be too long before we address the problem of protecting our staff in our constituency offices. That problem is urgent. Members on both sides of the House have expressed concern since my hon. Friend the Member for Cheltenham (Mr. Jones) was the victim of a tragic attack, and his colleague and friend was killed. There is a recognition that the security of staff in constituency offices is as important as the issue that we are debating now. As we are all receiving advice from the police about the measures that should be taken—and they are costly measures—I hope that the Government recognise that advice from them is required as well.

I am pleased that the motions have been kept relatively simple, because we are in danger of developing a whole new bureaucracy. I was glad to hear from the Minister that the provision would be as simple as possible, and that the criteria would be as straightforward as possible. The last thing we want is for lawyers to do well out of this; rather, we want to protect the rightful interests of Members of Parliament and their constituents.

Along with Members of the other place, I sat for some 18 months on the Joint Committee on Parliamentary Privilege. I learnt a huge amount about the privileges of Parliament. The first and most obvious point is that we are talking about the privilege not of a Member of Parliament, but of the institution of Parliament, enabling us to serve our constituents better. As the hon. Member for Bassetlaw (Mr. Ashton) said, our job in this place is not to protect our personal interests, but to ensure that, in representing our constituents' interests, we are free, fearless and able to represent those interests properly. We must ensure that, as parliamentarians, we are free from the external pressures that have already been described, so that we can do a proper job—as we would say in Cornwall—for our constituents, and for the wider public.

I noted from my experience in Committee that there are differing degrees of privilege. There is absolute privilege, and there is qualified privilege. If this evening we make suggestions about the merits and motives of an outside body or individual, we will be covered by absolute privilege in this place, as we are in Committee. If in a letter to a Minister we make an allegation that is in theory actionable, there is a question mark over that. If the correspondence between us, as Members of Parliament, and Ministers is published to a third party, it is not covered in the same way. We must therefore be very careful.

If we walk out of the Chamber and appear with Jeremy Paxman, making exactly the same point about an external person that is actionable outside this place, we will not be covered by privilege. What is recorded in this place, however—on paper, on tape or in a sound broadcast—is privileged: it is covered by the absolute privilege of Parliament.

I am sure all Members would agree that the last thing we want to do, by means of the limited cover that we are introducing, is to encourage Members to be irresponsible. That is not the purpose of the exercise; the purpose of the exercise is to ensure that we are able fully to undertake our responsibilities without fear or favour. It is also true—I am sure that the hon. Member for Bassetlaw was right about this—that one of our jobs here is occasionally to blow the whistle. I have done it myself in the past, and have suffered the slings and arrows from the organisations that I have questioned.

I do not think that we want to encourage Members themselves to be more litigious; that, too, is a trap that we must avoid. I was recently subject to what was, compared with the cases mentioned this evening, a relatively minor incident. In a column in *Punch*, I was said to have "cashed in" on outside interests, and to be "on the payroll" of an outside company. That is because I was a shareholder in a steam railway company—well, I was; I no longer am. Anyone who has ever had an interest in a steam railway will know that one can never make any money out of it. One puts in £50 to give a bit of encouragement. If every shareholder in any company was said to be "on the payroll", for goodness sake, it would change their status completely and dramatically—let alone the question of "cashing in".

In this case, I have consulted my legal friends, even distinguished members of my parliamentary party. I think that the charge could be much greater than anything I could get out of them. But, as *Punch* is owned by a certain gentleman who is famous for his brown envelopes, I am still waiting to see whether a brown envelope will arrive to pay me off for the way in which my reputation has been damaged by this slur. However, I do not think anyone reads *Punch* nowadays, so perhaps it is not so serious.

The issue tonight is important, because it goes to the heart of our responsibilities to our constituents and the nation. We must be protected to do our job properly. I am delighted to support the motion, but, as I said at the outset, I hope that before too long the Minister will come back and give advice also on the important issue of protecting our staff.

7.19 pm

Mr. Edward Garnier (Harborough): I declare an interest as a barrister who specialises in defamation law. I have an interest in the motions that we are considering that is perhaps greater than any other hon. Member's. First, I may benefit if I am sued for defamation as a Member of Parliament. Secondly, I may benefit as one of the few barristers in England and Wales whose practice specialises in defamation law. I also advised in the case of my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) on the instructions of his solicitors, before it was taken up by the national newspaper to which the Parliamentary Secretary referred. As one would expect, I was paid promptly by my hon. Friend. Despite the successful outcome for him, he has not been reimbursed by the unsuccessful claimant for my modest fees or for those of his solicitor.

When the Defamation Act 1996 was progressing through the House, I was invited, in the cosy way of Government Whips, not to contribute to debates on the Floor of the House. I was also kept off the Standing Committee because it was said that I knew too much about the subject. People who knew anything about a specialised area of public policy were apparently not required to assist in the formation of law.

I disagreed with some of the provisions of the 1996 Act and refused to support the amendment to the Bill of Rights to please Mr. Neil Hamilton. He wholly misunderstood the nature of the relationship between a Member of Parliament and the Bill of Rights. As the hon. Member for North Cornwall (Mr. Tyler) said, the Bill of Rights was passed to protect not individual Members of Parliament but our constituents, who rely on us to speak fearlessly for them in the House.

Mr. Hamilton would have done better to leave the law of defamation well alone. As a general rule, that is advice that most people—Members of Parliament or otherwise—should consider carefully, whether they are potential claimants or defendants. Perhaps it is surprising to many hon. Members that the aggrieved party will often accept a proper apology and, if appropriate, a public apology instead of demanding damages and an injunction. However, some cases are not capable of settlement. When Members of Parliament are not claimants, but defendants,

[Mr. Edward Garnier]

and thus involuntary parties to a defamation action that cannot be settled, they should have some financial protection.

The Minister said that such protection would be minimal. However, minimal protection is no protection. When the scheme's details are worked out, I hope that something more than minimal protection will be provided. Although we do not want to tie the Minister down to details this evening, we should be grateful if he could present some general figures.

As Members of Parliament, we should not be too proud to admit that we are wrong about something, whether in correspondence with a Minister, a local government official, or a chief constable, or in our speeches, press releases or letters to the national and local press. We are rightly protected by absolute privilege when we speak in the Chamber and elsewhere in the proceedings of the House. On other occasions, we may be protected by qualified privilege: if we are actuated by malice, we lose the protection. However, if we say something that we later discover to be untrue, we should not resort to that insurance fund too willingly, but reach a sensible solution outside litigation and without the assistance of lawyers and the public's money.

In the short time available to me since the motions were tabled by the Leader of the House, my right hon. Friend the Member for North-West Hampshire (Sir G. Young) and the hon. Member for North Cornwall, I have not been able to research the position in other countries in detail. Doubtless my hon. Friend the Member for Buckingham (Mr. Bercow) will be desperately sad about that. However, I can briefly describe the position in Canada and France.

Members of the Canadian House of Commons are entitled to participate in various insurance plans, which include the public service management insurance plan, health care plans, a dental care plan, group special risk insurance and flight insurance. In some cases, coverage is automatic; in others, it is optional. Extended coverage is available on application. The coverage of insurance plans in Canada is not as wide as the motions that we are considering.

If a Member of the Canadian House of Commons incurs liability or legal costs in relation to the matters that we are considering, he or she may apply to the Board of Internal Economy—a wonderful name—for reimbursement. Applications are decided on a case-by-case basis. Some types of liability, such as a constituent injuring himself or herself—that may have some resonance for the hon. Member for North Cornwall—would probably be covered by the Canadian House of Commons if it occurred within the parliamentary precincts. If the injury occurs in a constituency office outside Ottawa, the Member would apply for reimbursement if he or she had not purchased insurance.

In France, the National Assembly is covered by an insurance scheme for civil liability. It covers only the activities of the institution, not those of its members. The Assembly has signed a convention with a well-known insurance company to cover accidents that may occur to Deputies during an official trip. French Deputies are also covered by legislation on work accidents. By and large, there is a far wider definition of parliamentary privilege in other countries, and the activities of a Member of Parliament are more widely covered.

There was speculation that the Scottish parliamentary corporate body had agreed to pay some or all the legal costs of Lord Watson of Invergowrie to defend himself against a challenge in the Court of Session about his conduct on his proposed anti-hunting Bill. However, the Scottish Parliament or the Scottish parliamentary corporate body has made no official statement.

Mr. Dale Campbell-Savours (Workington): The hon. and learned Gentleman is a lawyer, and I am sure that he could give us excellent advice. I want to ask him a simple question. People have tried to sue me on three occasions in 20 years. On each occasion, I have refused to appoint a lawyer and nothing has happened; the attempts have fizzled out. I wonder whether hon. Members realise that we can do that; we can simply ignore such attempts. If the case is invalid, it seems to fall away.

Mr. Garnier: I congratulate the hon. Gentleman on his successful inactivity. I am not here to give general legal advice; that would be dangerous. However, it is not always safe for any defendant to do nothing, whether he is a Member of Parliament or not. One has to be extremely careful that the aggrieved complainant does not get judgment in default. In that case, damages may be assessed. If one does nothing about it, the plaintiff can execute judgment against the non-attending defendant. I shall leave the matter there before I am accused of advertising. That would never do.

Mr. Gerald Bermingham (St. Helens, South): It has occurred to me in the past 17 years here that if one writes letters carefully, one is fairly safe. For example, one can use the old phrases, "I'm given to understand;" "Could you please comment?" Perhaps we should teach Members of Parliament to write letters so that they do not get sued.

Mr. Garnier: Doubtless the hon. Gentleman will be putting up his placard along the Library Corridor so that Members of Parliament who need his advice will be able to find him.

Mr. Bermingham: I declare an interest.

Mr. Garnier: I do not want to take up too much time because those who spoke before me were commendably brief. However, provision exists for the protection of elected councillors. It is unclear where exactly the provision can be found. However, section 111(1) of the Local Government Act 1972 states:

> a local authority shall have power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

I know from personal experience that, under that section, local authorities have been able to fund the defence of libel actions brought by aggrieved members of the public against councillors.

Mr. Tipping: Another route that local authorities take is that which we propose—the use of an insurance fund.

Mr. Garnier: I am grateful to the Minister for his intervention because it enables me to ask him some

questions directly. Given paragraph (1) of motion 9, will the insurance be provided by one policy to cover all Members of Parliament or may Members negotiate their own private policies and pay for them from either their office costs allowance or other parliamentary funds? What is the annual estimated cost of the insurance? He said that £10,000 per Member of cover would cost about £18,000 a year for the entire House. I do not want to sound like a bleeding heart, but, with the greatest respect, £10,000 of legal costs does not go far in the defence of a legal action. I say in my own defence that the charge to my much afflicted, but highly respected hon. Friend the Member for Mid-Worcestershire was a good deal less than that. I shall not mention the figure, but I do not mind if he does. However, it was but a fraction of £10,000, although costs build up.

Miss Anne McIntosh (Vale of York): Will my hon. and learned Friend give way?

Mr. Garnier: I will, but I am embarrassed about the time that I am taking up.

Miss McIntosh: I do not wish to encroach on my hon. and learned Friend's time, but he refers to French and other jurisdictions in Europe where those Members of Parliament are covered whether they are in or outside the House of which they are Members. Is he convinced that the insurance will cover all situations?

Mr. Garnier: I am not convinced because I do not know the details of the insurance policy. When I do, I shall no doubt be able to answer that question with greater confidence.

Mrs. Teresa Gorman (Billericay): Will my hon. and learned Friend clarify something? I understood him to say that Members should contribute to the insurance policy from their office allowance, but did he mean to imply that Members should take out the insurance separately? He will know that insurance is not available for defamation or libel actions.

Mr. Garnier: On the last point, such insurance is available. On the first point, I neither said what my hon. Friend suggests I said, nor did I want anyone to draw such an inference. I asked the Minister to explain whether one insurance policy would cover the House and all its Members or whether we could negotiate our own private insurance policies and have the cost of the premium funded by the House in one way or another. He may be able to deal with that.

What will be the financial limits under paragraph (2)(a), (b), (c), (d) and (e)? We are not dealing only with defamation, so what financial limits are proposed? Who will administer the relationship between the Member of Parliament and the insurance cover?

When the Nolan committee first reported in 1996, it said in relation to board members of public bodies:

> The government should seek to ensure broad consistency and adequate protection in respect of the personal liability of all appointed or elected members, directors, trustees, or others responsible for bodies providing public services.

It suggested that the Government should make proper funding arrangements for the protection of appointed directors or members of public bodies so that they would not be left out of pocket if sued in carrying out their public duties.

Mr. Bercow: Will my hon. and learned Friend give way?

Mr. Garnier: I will, but I hope that my hon. Friend will notice that time is marching on.

Mr. Bercow: I am grateful to my hon. and learned Friend; giving way is a penance for his being an expert on the subject. Is it his understanding that the insurance proposal would cover a Back Bencher defending a defamation action brought against him or her by a Minister?

Mr. Garnier: I do not know that my hon. Friend, who is a highly intelligent Member, needs my explanation of the words of the motion; they are self-explanatory, but unclear in their detail. If he knows of such a case, no doubt he will have drawn it to the attention of someone outside the House so that he can be properly advised. I do not want to give him off-the-cuff advice at this juncture.

Other bodies, such as housing associations and the national health service, provide for their members—whether lay directors or lay trust members—to be indemnified, but the position is not uniform and we are unable to fit the scheme proposed by the Leader of the House, my right hon. Friend the Member for North-West Hampshire and the hon. Member for North Cornwall into any particular category or box. If we are to have our own scheme—which I would applaud, for all the reasons advanced by the Minister, my right hon. Friend and the hon. Gentleman—it must be of sufficient capacity genuinely to protect Members of Parliament. As I said at the outset in response to the Minister's remarks, minimal protection is no protection at all.

I urge the Minister, the Leader of the House and others to study the schemes made available by the national health service executive, the National Housing Federation and other public bodies, for example, to ensure that we provide a system that is just and not extravagant, but which none the less meets the obvious needs of Members. This is my final word: it is generally far better to say, "Sorry, I have got it wrong," than to involve lawyers.

7.37 pm

Mrs. Fiona Jones (Newark): Although I support the motion, I thought carefully about speaking in the debate because I seek to distance myself from action against Members taken by the press. Hon. Members will be aware of my difficulties in relation to my court case: a picture of my children was consistently used in the newspapers. This is not a political issue; all Members would have sympathy with that. I accept that, as a Member or an individual, I have the right to take action against newspapers for what they may have said against me during and after my court case. However, to this day I do not accept that they had a right to use a picture of my children, who have no connection with my actions as an individual.

[Mrs. Fiona Jones]

The Press Complaints Commission let me down significantly. It said that, because a picture of my children had been used with my permission, it was acceptable for the photograph to be used in the newspapers. I do not accept that. It has been suggested that the motion should include Members' staff, but infringements of Members' privacy should be carefully considered, especially if minors are involved. My children were extremely distressed because their photograph was widely published in the national newspapers. I was unable to take action against any body for using the picture because of involved circumstances in which a local newspaper, which apparently held the copyright of the photograph, passed that photograph informally to a press agency. I would never have allowed a press agency to photograph my children, but the costs involved effectively prevented me from taking the case to court.

I feel strongly—I hope that most Members on both sides of the House will agree—that there is no excuse for the media using photographs of children in relation to anything that we might do as Members of the House of Commons, regardless of whether we are right or wrong in what we say.

7.40 pm

Mr. Peter Bottomley (Worthing, West): I declare an interest in the Register of Members' Interests: various parts of the media have paid substantial legal costs in actions where I have been the plaintiff. On a number of occasions, they have paid substantial damages, too. May I say how much I agree with my hon. and learned Friend the Member for Harborough (Mr. Garnier)? If people have made a mistake, the best thing is to say so straight away in public, and to offer to say so to whomever the aggrieved person would like it to be said to.

As it happens, recently a non-national newspaper published material that was seriously defamatory about me. I rang the editor and he sent me a letter that day saying, "Sorry, we have made a mistake." We met two days later on the first available working day. The matter was resolved with no expense, lawyers or lasting damage to me as the victim. It was an honest mistake, openly acknowledged and dealt with. If, as a Member of Parliament, I find myself as the defendant in a legal action, I hope that I will have the perception to understand if that is the case, and to say so and dispose of the matter.

The motions are about different circumstances. I have two questions, which the Minister may or may not be able to answer now. First, I should like an assurance that similar cover is available to all Officers of the House. It may be those in the catering department, it may be the Parliamentary Commissioner for Standards, or it may be heaven knows who—if they find themselves saying something that is not protected by parliamentary privilege, will they have the same type of cover? Will they actually be told, "We will back you with reasonable legal expenses if it is not a case where you should admit that you got something wrong."?

If a Member of Parliament has said something that is defamatory and is not defensible, will the insurance policy provide damages or will the Member be on his own for the damages? That is not clear from the motion. It may not be clear until the insurance policy is negotiated, and that is another issue that matters.

I go beyond that and declare that I may have an interest in future. Suppose a constituent says to a Member of Parliament, "You, I claim, have discriminated against me on the ground of my disability", and tries to bring a case against that Member under the Disability Discrimination Act 1995, or any other provision, will the insurance policy cover that? That is a consideration to which I should like the House authorities and the leaders of the parties to pay some attention. There may be a range of issues that matter.

If the Minister or the House is interested in my view, I think that Members of Parliament should pay for the insurance cover on the libel element, which I calculate to be roughly 55p a week per Member. That compares with the roughly £55 a week that each Member contributes to the parliamentary pension scheme—so in case our old friends from the press start saying that we are putting our snouts into the trough again, we should spell out that we are talking about 55p a week, at least on the defamation cover. The next time that parliamentary allowances or pay are adjusted, we should see whether we can carry that cost ourselves. It is within the small change of the deductions from our pay at the moment.

The final point that seems worth making is not on item (e), which relates to a civil claim for defamation—

Mr. Bermingham: There is a danger in what the hon. Gentleman says. Most of us are very careful in what we say and we do not seek to libel or to defame anyone, but from time to time we do have one or two mavericks who will shout their mouths off left, right and centre, and who would thus incur damages time and again for which the rest of us would have to pay.

Mr. Bottomley: I do not want to be diverted too far, but my instant feeling in reacting to that is that we carry that type of penalty anyway with people who use absolute parliamentary privilege to defame people in the Chamber. Defamation, as I understand it, must have the element of saying something that is untrue and damaging. It becomes actionable only if it is not covered by privilege: either qualified or absolute privilege. The fact that there may be costs if people shoot their mouths off outside the Chamber is no greater a penalty on other Members than the consequences of people who come into the Chamber and do the same thing. The fact is that it is general pressure and understanding that limit what people do to excess. In my view, it does not eliminate it, but it limits it. The hon. Gentleman may have a different view.

The last point deals with paragraph (2)(a), (b), (c) and (d):

> travel . . . personal accident . . . personal accident in respect of employees of Members . . . employers' liability and public liability.

The Minister properly described that as switching from one budget head to another. I maintain that any cover, especially on travel or personal accident, should not in any sense be limited to parliamentary duties during someone's service in the House. It makes no difference to our dependants whether we fall out of the sky on a parliamentary flight or whether we fall over a stone on the road, hit our heads and are disabled by that. Therefore, I hope that the cover is related not to cause, but to the period of parliamentary service.

7.46 pm

Mrs. Teresa Gorman (Billericay): I, too, support the motion and express my sympathy for my hon. Friend the Member for Mid-Worcestershire (Mr. Luff). I am pleased that he has got assistance—or, hopefully, will get assistance.

I understand that a Member as defendant may have assistance, but I hope that the Minister will clarify the position of the Member as plaintiff. For example, a Member who wishes to take some action against someone who has defamed him can find himself the plaintiff. That might present different concepts and I should like the Minister to comment on that. It may be that the terms of the insurance that are proposed—it is a revolutionary step forward, so we may as well discuss the measures that it might cover—should be extended to a wider range of circumstances.

I bring to the House's attention the sixth report of the Select Committee on Standards and Privileges, which was chaired by Lord Neill and which reviewed, among other things, decision making and the actions that have taken place with regard to our standards and privileges in the House. The issues are related. If a Member is asked to appear before the Committee and must make a defence against some allegation that a member of the public has made, that Member has to defend himself, particularly where it is a contentious issue. That Member may wish to take legal advice in order to defend himself.

There have been a number of examples recently. I think that the hon. Member for Coventry, North-West (Mr. Robinson) was reported four or five times to that Committee and used the honourable Michael Beloff QC to produce a defence for him. Presumably, that cost him quite dearly. On a number of occasions, he was not censured by the Committee—he was the subject of two complaints, I believe—but the point remains that those legal expenses must be met.

The Neill report, which I hope we will debate in the House in the not-too-distant future—it was issued in January and it is extremely salient and relative to the points that have come up in the debate—says:

> Given the politically-charged environment within which MPs work, it is likely that ill-founded complaints will be made from time to time to discredit the accused MP.

We all know that. The report continues:

> It would be naive to think otherwise.

To some extent, the forum of the Standards and Privileges Committee invites that. It is possible not only for people with genuine complaints, but crackpots and even people who are perhaps being motivated by others and used as straw men—briefed, perhaps, by hon. Members or possibly trade unions—to put points to the commissioner in their own name, which opens up the issue to public debate.

Once a complaint has been made, a newspaper can report it. Once the commissioner decides to take up the complaint, it can be reported more widely. All that builds a certain amount of defamation of the Member's character and makes good copy. Although that may not be considered terribly important, it allows newspapers to air subjects that they may not have wanted to print for fear of being sued for libel. The process basically allows newspapers to report in great detail issues under privilege—those debated in the Chamber or in Committee.

We all know that even if, at the end of the day, the complaint is dismissed, mud sticks. The story can go around and around. Every one of us knows of such cases. I should of course declare two interests. One is that I have on two occasions successfully sued for libel—once against a newspaper and once against a constituent. The second is that I have of course recently been subject to an inquiry by the Standards and Privileges Committee, on which I do not intend to dwell.

Lord Neill's report states:

> If the Parliamentary Commissioner's recommendation is accepted but the Member wishes to contest that, which at the moment is not possible, they should receive "financial assistance".

A paragraph on the appeals procedure in contested cases states:

> "An accused MP who receives an adverse ruling . . . should be entitled to financial assistance to pursue an appeal

and that an

> MP should be able to appeal against the . . . decision—

and for that would require financial assistance. I repeat that point time and again because it crops up time and again in the report. It is important that Members realise that these matters—certainly the financial consequences—do not relate only to the kind of circumstances experienced by my hon. Friend the Member for Mid-Worcestershire. His is not the only example of when extensive legal expenses might be incurred.

It is very difficult for a Member to decide how to deal with such matters. It has been said in this House—I think by the hon. Member for Linlithgow (Mr. Dalyell) during the debate on the issue in which I was involved—that it is not just difficult to defend oneself in such circumstances, it is impossible. Members need legal advice because of the time involved, the fact that they may not be a lawyer and the danger of appearing to prevaricate in answering ad hoc questions and building up a case. While we have the opportunity, we should broaden the debate to include those circumstances.

The point is particularly significant because, at present, one cannot appeal against the decisions of the Committee on Standards and Privileges—even though Lord Neill's report advocates that we should have that opportunity. As a result, Members must present a well-argued, cogent defence; in lawyer's language, "You can lawyer yourself." For that reason, I very much hope that the Minister, who I am sure is sympathetic to all this, will do his best to ensure that the matter is dealt with straightforwardly.

Mr. Peter Bottomley: This is not the time to rehearse various arguments, but does my hon. Friend agree that one ought to try to distinguish between establishing and providing facts, and drawing conclusions from them?

Mrs. Gorman: I will give my hon. Friend the benefit of the doubt. I am suggesting that, given the pressures of the job and the amount of time that can be devoted to it, hon. Members need legal advice from the beginning of such a process. It is important that they should at least have the opportunity to discuss matters with some legal representative. As my hon. and learned Friend the Member for Harborough pointed out, because lawyers are subject to people importuning them for their services for nothing, they are inclined to say that they would have to charge a fee. He makes no bones about the fact that he was in such a position in advising my hon. Friend the Member for Mid-Worcestershire. I entirely accept that.

[Mrs. Gorman]

I should like to emphasise two things. There are many ways in which a member of the public can defame or bring charges against a Member. They can do so boldly, directly through a newspaper or an outside lawyer, but, as a result of the system that we have rightly implemented to review the conduct of Members, they have a third route. That system could be used not just by direct litigants, if I may put it that way, but through straw men. Individuals or newspapers can bring a case that they dare not make directly in the public domain, which is then reported under the protection of the privilege that this House and its Committees offer.

7.56 pm

Mr. Andrew Tyrie (Chichester): I strongly support the opening statement of the Parliamentary Secretary. The motions only provide a Member of Parliament with a measure of protection against being sued for libel: they would not protect him in the event of his being defamed. I was interested in the example given by my right hon. Friend the Member for North-West Hampshire (Sir G. Young), who described when he was defamed as an illustration of why the area generally needs to be considered—although my right hon. Friend's specific example would of course be excluded under the motions.

Sooner or later, we shall have to consider some protection for Members who are defamed. If the Parliamentary Secretary, as a Minister of the Crown, is defamed as a consequence of his duties, he will consult the Law Officers. After consultation, the Law Officers will pick up the bill for enabling him to pursue a case to protect him. However, if an MP is defamed, he has no such protection and must take action off his or own bat.

Mr. Peter Bottomley: What my hon. Friend says is true, but it is not the whole truth. The whole truth is that any Minister who is contemplating or even threatening legal action for defamation must seek the agreement of the Law Officers and the Prime Minister, long before there is any question of paying legal costs.

Mr. Tyrie: Clearly, there is a logical sequence of speaking to the Law Officers before any bill is picked up. As I said—I think it was clear enough—the first thing that a Minister should do is consult the Law Officers. If a Minister is defamed in the course of his duties, the Law Officers will so advise him. So I do not think that there is any difference between my hon. Friend and me on that point.

The logical course of action for Members of Parliament would be to take out some legal expenses insurance against the risk of being libelled. The cost of that could be quite high, and cannot at the moment be set against the office costs allowance. I suggest to Members present that we must consider facilitating that in the long run, although we would clearly want to ensure that such use of the office costs allowance was restricted to appropriate cases. The fact that such cover would be only through libel insurance would enable the Fees Office to examine the insurance contract and ensure that it related only to defamation of a Member in the course of his duties.

It would also be very important that such cover did not enable Members to bring frivolous cases every time anybody said anything they did not like. Limiting access to insurance will mean that that is addressed because before agreeing to go ahead with a case the insurer will want to examine whether it is frivolous and what are its chances of success. That will probably cut out silly cases, as it does for most other people who take out libel insurance. I notice that the Minister nods agreement at that point.

I do not think that the Minister will support my proposal at present, because it goes much further than the motion. But I ask all hon. Members to think about the matter seriously. It is quite possible that many of us will be libelled at some time in our parliamentary life. We have very little protection from that; we have much less protection than Ministers and much less than many people who work for other institutions, which would help with the costs.

Mr. Campbell-Savours *rose—*

Mr. Tyrie: I am about to conclude, because I do not want to detain the House further, so I hope the hon. Gentleman will excuse me if I do not give way.

Most Members are not in a financial position to risk a hugely expensive case. We have heard from a libel lawyer tonight that £10,000 does not go very far. The matter will have to be examined in the long run. In an increasingly litigious environment, such as my right hon. Friend the Member for North-West Hampshire described, something will have to be done to enable Members to bring reasonable actions.

8.1 pm

Mr. Tipping: With the leave of the House, I should like to respond to the debate.

First, I warmly welcome the broad support across the House tonight. Although we are dealing with a motion primarily brought by the Government, this is a House matter. I am delighted that the right hon. Member for North–West Hampshire (Sir G. Young) and the hon. Member for North Cornwall (Mr. Tyler) put their names to the motion, because this is a non-partisan issue and it is important that we behave appropriately.

A number of examples have been brought to our attention which clearly show the litigious nature of our society now.

Mr. John Burnett (Torridge and West Devon): I agree with the Minister that we are living in a very litigious society. For that reason, will he and other hon. Members in due course consider the possibility of having insurance cover for certain other tortious matters, such as negligence?

Mr. Tipping: I shall come to that in a moment. I do not want to comment on individual cases. The hon. and learned Member for Harborough (Mr. Garnier) was tempted to be drawn into discussions of individual cases, which would not be appropriate tonight. If I do not cover every point raised in the debate, I shall write to hon. Members individually.

I should like to reinforce one broad point made by my hon. Friend and neighbour the Member for Newark (Mrs. Jones). I refer to the difficulty that we all have in protecting our children and our families. This is a real issue for us all.

The hon. Member for Torridge and West Devon (Mr. Burnett) and others, including the hon. Members for Billericay (Mrs. Gorman) and for Chichester (Mr. Tyrie), made points that would broaden the motion, in a sense to have it provide insurance not to protect Members but to bring proceedings. The hon. Member for Torridge and West Devon extended it by asking about cases of negligence. These are House matters, and we shall carefully examine the points made. There is a particular matter in relation to negligence. I am always very conscious at my own surgery about some of the advice I give. I think that we shall have to return to this in due course.

Mr. Campbell-Savours: I counsel very strongly against extending the motion to negligence. Hundreds, if not thousands, of cases would be brought against Members of Parliament if the public thought there was a bottomless pit of the public purse to save them.

Mr. Tipping: Some hon. Members, including my hon. Friend the Member for Workington (Mr. Campbell-Savours), give good advice and pursue matters extremely rigorously in the Chamber, and use all the techniques available to them, including the use of privilege on occasion. If my hon. Friend listened to my words carefully he would know that I said that we shall have to explore the matter. I gave no commitment; I said that it was an issue that we would have to look at.

The hon. Member for Buckingham (Mr. Bercow) asked what the position was in other countries. There are many schemes. In broad terms, European Parliaments tend to give better protection than Commonwealth Parliaments, but I think that things will change over a period.

I thought for a moment that my hon. Friend the Member for Bassetlaw (Mr. Ashton) was going to advertise his book, which is due out this autumn. I do not think that it is under the title "Honest Joe", although perhaps that is the subtext. My hon. Friend tempted me to say whether he would be protected. There is a good deal of case law around libel, and my hon. Friend's publishers will want to speak to him carefully. But I do not want to talk about individual cases.

The hon. Member for North Cornwall made a very fair point, reminding us that we should revisit the office costs allowance, and in particular the arrangements for our staff. Discussions are going on through the usual channels about that. I hope that, over time, we shall be able to do better through the office costs allowance. The hon. Gentleman's comments have been noted.

The hon. and learned Member for Harborough asked me four straight questions that fit in very much with the questions raised by the hon. Member for Worthing, West (Mr. Bottomley). First, the hon. and learned Gentleman asked whether there would be one policy or whether Members would be entitled to opt out of the scheme. We shall consider his point, but our intention at this stage is for there to be one policy. We feel that we shall obtain better value for money out of one policy covering all hon. Members.

The hon. and learned Gentleman asked me not to take a restricted approach, but to be more generous. He rightly reminded me that for a premium of £18,000, hon. Members will receive cover of perhaps only £10,000. I am very mindful of the advice that he gave the House. We want not to be excessive but to ensure that we have a scheme that meets needs. Clearly, the hon. and learned Gentleman has a better knowledge than I have of legal costs, but I think that £10,000 would not take us very far in giving colleagues protection. What we seek from the House tonight is approval in principle so that we can get out into the market and negotiate these matters.

The hon. and learned Gentleman also raised with me the broader issue of the other insurance policies, an issue which his hon. Friend the Member for Worthing, West picked up. The policies around travel and personal liability already exist. We are simply transferring them into a different boat. I do not know the details of the scheme; I do not know how far the policies are attached to duties as an MP and how far they are attached to wider activities. It is a very important point. The two are sometimes very difficult to distinguish. I shall write to colleagues about this, and it may be an issue about which the Fees Office will want to write to hon. Members.

The hon. and learned Gentleman raised the Neill report, as did the hon. Member for Billericay. The hon. and learned Gentleman asked what protection Members would receive if as part of their parliamentary duties they acted on a quango or as directors. This is an important point. As the motion stands, the biggest part of their parliamentary duties would be covered, but there is some fuzziness about this, and we shall have to look at it. In a broader context, the issue of local councillors acting in quangos is being explored by the Department of the Environment, Transport and the Regions.

The hon. Member for Worthing, West asked about the position of Officers of the House. Official civil servants working for a Department are covered, but I cannot confidently assure him that officials of the House are covered. There should be equity and, if that is not the case, we will take steps to ensure that Officers of the House are also covered. The hon. Gentleman also made the point that perhaps we should contribute to the costs ourselves and he was quick in his sums to come up with a figure of 55p a week. I have some experience of such matters and feel that collecting 55p a week might cost more than it would raise. However, the hon. Gentleman was right to say that Members should bear some responsibility. The hon. Gentleman also made the point that the cover should not be so excessive that no risk attached to the Member involved.

Mr. Tyrie: Is not a better way to ensure that the Member feels some sense of responsibility to have the cost of the policy as a charge against individual office costs allowances, and not to have one general scheme? Different people will leave themselves vulnerable in different degrees to being sued. Those who are prudent and cautious will get cheaper insurance and those who are incautious will leave themselves vulnerable.

Mr. Tipping: That is one way forward, and the hon. and learned Member for Harborough explored a similar issue. My view is that we would make efficiency savings from having one policy, and that is the intention. If we agree the motion, it will give us the opportunity to revisit the issue. In any case, we will have to revisit the issue of the office costs allowance. What Members personally are responsible for and what could be bought collectively is a live issue across a range of subjects. For example,

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we could make big savings if everybody would sign up to the same computer systems, but that will probably not be possible.

It is my advice to colleagues and public authorities that if they have got it wrong they should say sorry. The expression of regret and an apology can save much pain and litigation and we should be bolder and braver in that regard.

The hon. Member for Billericay reminded me that it is some time since I read the Neill report. She also reminded me to check on the progress of that report through the House. It is right that we should have an opportunity to respond to the report and to discuss it. I am grateful to the hon. Lady for raising the issue tonight so that we can spur it on. The hon. Lady also made an important point about how our privilege rules are used as stalking horses to enable privileged information to reach the wider press. When we have a chance to respond to the Neill report, we will have to work on that point.

We have had a useful debate. I am conscious that everybody wishes to proceed in generally the same direction. There are differences of emphasis, but we agree in principle that the Speaker and the Leader of the House can follow our discussions through and do the deal. I assure the House, as it says in the motion, that we will keep the issue under review. I hope that we will not have to use the provision frequently.

Question put and agreed to.

Resolved,

That, in the opinion of this House,—

(1) provision should be made for the insurance of Members of this House in relation to the performance of their duties as Members under arrangements (including financial limits to the cover provided) made from time to time with the approval of the Leader of this House and the Speaker;

(2) subject to the terms and conditions of any policy effected under the approved arrangements, the insurance for which provision is made under paragraph (1) of this Resolution may cover the following—

(a) travel;

(b) personal accident;

(c) personal accident in respect of employees of Members;

(d) employers' liability and public liability;

(e) the cost of defending a civil claim for defamation and of payment in respect of any award made by a court in such a claim, where the act complained of was not covered by parliamentary privilege but arose from a Member's duty as a Member; and

(3) arrangements made for insurance of the type mentioned under paragraph (2)(a) and (b) above may provide for the spouses of Members to be covered as well as Members themselves.

LEGAL COSTS INCURRED BY THE HON. MEMBER FOR MID WORCESTERSHIRE

Resolved,

That, in the opinion of this House, provision should be made to reimburse Mr. Peter Luff, honourable Member for Mid Worcestershire, for legal costs incurred in respect of his duties as a Member of this House in defence of an action for libel in the High Court of Justice (Queen's Bench Division) which was dismissed and the Plaintiff's statement of claim struck out by Order dated 16th April 1999.—*[Mr. Tipping.]*

Post Offices (Lewes)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

8.15 pm

Mr. Norman Baker (Lewes): We have started this debate rather early and I hope that that will allow me to make my points in full. However, I shall try not to detain the Minister longer than is absolutely necessary. I confess that I thought that we might be here until 3 am, but one can never tell what will happen with parliamentary business.

I am pleased to have the opportunity to raise what is an important issue for my constituents. We have had several debates on post offices in the past 12 months, most of which have concentrated on the Government's plans for automated credit transfer and the consequences they might have. I wish to concentrate on other threats to post offices in my constituency which, I am sorry to say, come from the Post Office itself rather than from any Government plans or technological advances. I have given the Minister some notice of the issues that I wish to raise and I hope that has helped him in preparing a response. I wish to look after my constituents in raising the issue, not to make any party political points, and I hope that the Minister will take the debate in that spirit.

I shall deal first with the issue of the Cliffe post office, although some constituents would claim that, as it is in the high street, it is not technically in the Cliffe area. However, most people know it as the Cliffe office. It used to be part of Menzies and then W.H. Smith. It was a busy office. Post Office figures confirm that that small office—it was a tiny unit within the W.H. Smith store—took the equivalent of 50 per cent. of the business of the main Crown office, which is further up the road. It was in the most important shopping centre in Lewes, whereas the main Crown office is some distance away from the shopping centre and somewhat inaccessible.

The survival of the Cliffe office was important, but it has now closed—in my view, because of the failure of the Post Office to deal with problems that arose and to take proper steps to find a replacement office. I have gone through the train of events with the Post Office and W.H. Smith and I believe that my version of events is accurate, although the Minister may correct me later. W.H. Smith told me that when it took over from Menzies, it inherited only three or four units with a sub-post office on the premises. W.H. Smith does not want to have sub-post offices on its premises, so the company told the Post Office at an early stage that it did not wish to renew the arrangement.

The company finally gave formal notice of its intentions to the Post Office late last year. I am reliably informed by the Post Office that the notification was not received. It had been sent to the London Post Office, which did not bother to tell the south-east region about it. As a consequence, vital days or even weeks were lost in the attempt to find an alternative arrangement for the Cliffe post office. Notice having been given, my constituents were concerned by the prospective loss of a vital post office. I wrote on 13 December to Richard Handover, the chief executive of W.H. Smith, to ask him for a stay of execution on the decision to have the post office removed from the premises. It was due to be removed by closing time on 20 February.

I had a telephone conversation and some correspondence with Mr. Handover. I am pleased to say that, as a consequence, W.H. Smith agreed to delay the removal of the post office until 30 April. From my point of view, I had bought the Post Office more than two months longer to find alternative premises. Given the period of notice and the two months-plus that I had negotiated, I thought that that would be time enough for the Post Office to find alternative premises. As I have said, those premises have not been found. The Cliffe post office has closed and people are being seriously inconvenienced.

My first question, on a general issue, is whether the Minister believes that the notice period that franchisees have to give the Post Office is adequate. Given all the commercial pressures that the Post Office must be under in finding alternative premises and finding people to run them, is a three-month period of notice adequate?

I am not pretending that the matter was necessarily easy for the Post Office, but the sad fact is—this was confirmed by speaking to Kevin Ray from the south-east region only yesterday—we are no nearer finding premises in Lewes than we were when W.H. Smith first gave notice at the end of last year. That is a great pity.

It seems that there are two prerequisites for rectifying an unfortunate situation. The first is the location of premises and the second is the identification of those who may wish to run them. In my view, neither of the two presents insuperable obstacles to the Post Office. In a letter to me of 6 January—that is going back some way—the Post Office, through Kevin Ray, said that it had five applicants. Apparently they were ready and willing to run a post office in the area of Lewes to which I am referring.

Nor is there a shortage of properties. Indeed, the local community has been supportive in trying to help the Post Office find properties. It happens that my surgery is close to the post office. Through my window I can see "To Let" signs all the way down the street. There is no shortage of empty premises in the area. That is unusual, because Lewes is a vibrant centre. Yet we are told by the Post Office that it cannot find people or premises. That is unfortunate. It seems that both are in ample supply.

I suggest that the hurdles have been set too high. I understand that the Post Office is demanding a relocation fee of £48,000 from whoever takes on the responsibility. It is demanding a licence fee of £12,000. It is estimated that it will take up to £10,000, once someone is in the new premises, to get the business up and running. The Post Office concedes that someone will have to put £70,000 up front to get hold of premises. In addition, there are the regional fees that are payable to the Post Office. If those are the moneys being demanded, it does not seem that many people will be prepared to take on the responsibility. Perhaps that is why, even though there are so many people interested in running a post office and there are empty premises, we are no further forward.

My second question is whether the hurdles are too high. I believe that they are. I believe also that the Government are trying to avoid post office closures throughout the country, but do they accept that they will take place if we have difficulty replacing units which have been closed or which people had given up? There is the danger that we shall see a slow death of post offices that will be outside the Government's control. The Government should deal with the hurdles and explain why there is still no post office in what is known as the Cliffe area.

The word Lewes comes from the Anglo-Saxon for hill, and the alternative premises are at the top of a steep hill. That is the situation of the Crown office. It has always been a busy office, as was the Cliffe office. However, it is now heaving at the doors. Queues extend beyond the door and it is clearly unable to cope, despite the best wishes and endeavours of the staff who work there. I pay tribute to them and to those who worked at the Cliffe office. Nothing that I say this evening should be taken as criticism of those at the front line of post office counters. However, my remarks are critical of Post Office management.

People in Lewes have been told that they can go to two alternative offices. They can go up a steep hill to a place that is heaving at the door, with people queuing into the street, or they can go to a sub-post office a long way away, in Southover high street. Many of my constituents, like those of other hon. Members, are elderly or disabled. It is not a sensible proposition that they should access the Crown office, when all the other facilities that they want—supermarkets, chemists and bakers, for example—are where the Cliffe post office was. They would have to make a special trip to the Crown office, which for many would mean getting a taxi.

Many of my constituents who are living on pensions and little else—they have no money to spare—would be forced into taking a taxi up the hill to the Crown office to get their pension. That is money that they could ill afford to spend. Effectively, that is a tax on being old or disabled. That is the result of a post office no longer being in the centre of the town, where people want it to be. It is a serious problem.

I suggest that the way forward is for the Post Office to reduce the hurdles of entry for those who wish to take up premises. The Government and the Post Office must accept that there must be premises at the Cliffe end of town, and that they must facilitate them. If no one is interested because the asking price is far too high, the price must come down.

I know that the Post Office is considering, controversially, relocating the Crown office to the bottom of the high street. Some might think that that would provide a solution. It might be, if the premises were large enough. However, the present premises are not big enough. We have to think not only about the population of Lewes. It is the county town and the headquarters of the county council, Sussex police, the health authority and the ambulance service. It is a main rail junction in the area. The white-collar work for the county is in East Sussex, which means that Lewes post offices are heavily used by the local population and by those who work in Lewes and who come into it every working day.

We need two post offices. It may be argued that the Crown office should be at the bottom of the town and the sub-post office at the top, but we cannot continue with only one Crown office in the wrong place. I ask the Minister to accept that and to give me an undertaking that he will do what he can to rectify this serious problem.

I shall move on to deal with another post office. Unfortunately, the incompetence of the Post Office is not linked only to Lewes. In some respects, the situation in Newhaven is even more slapstick than that in Lewes. Under the previous Government, it was suggested that Crown offices were not necessarily a good thing. Many were shutting and franchisees were being encouraged to

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take over Post Office facilities. That left Newhaven without a proper Crown office. I cannot blame the present Government for that. However, the Newhaven Crown office shut, to be transferred to a franchise operation in a different part of the town centre. That left an empty space in front of the sorting office, which had before been a shared building.

I question whether that is a sensible arrangement. Presumably, taxpayers are still paying for the empty space—it has been empty for years—while they are paying also for the post office to be, in someone else's premises. It is a rather odd arrangement.

The main office was moved to the franchisee, but the business went bust at the end of the year—an inconvenient time—over the Christmas holidays. Within two or three days it was shut. My third question for the Minister concerns the financial checks that are made on the suitability of franchisees to ensure that such closures do not happen. Surely we should be able to prevent that happening, or we should put something in place to ensure that, if nothing else happens, at least the post office can continue to operate from the premises, pending another arrangement. However, there was no other arrangement.

Newhaven now has its post office in a portakabin. I pay tribute to the Post Office, because that facility was put in place quite quickly. However, the only post office in Newhaven—the main port on the south coast in the area which I represent, the gateway to Europe as it used to be called, the main access to Dieppe, with a large population and thousands of people working there at Parker Pens, Cash Bases, Concord Lighting and other major employers—is a portakabin in a car park. That has been the position for months.

It is ironic—it would be funny if it were not true—that the sorting office in which the post office had been located is sitting empty. Therefore, a building that was designed to be a post office is empty, while people are using a car-park portakabin as a post office.

In winter, a portakabin is not without its problems. The generator regularly breaks down, so that, without notice, the post office has to be closed. Pensioners and other people struggle to get to the post office, only to find on the door a notice saying, "Closed until further notice because of generator failure". What are they supposed to do? They do not have private transport. They struggle to get to the sub-post office, but then they are told to go to a sub-post office that is located far away, at Denton Corner. We cannot expect people to do that. But that is what they are told to do.

There is no proper disabled access to the portakabin. Many people in my constituency want to use the Newhaven post office, but they have trouble accessing the portakabin in which it is located.

Additionally, conditions in the portakabin are terrible for post office staff. The temperature inside the portakabin alternates between hot and cold. The conditions are quite unsuitable for Post Office operations.

I agree that a portakabin is better than nothing and that, in the very short term, it might be necessary to use one as a post office. However, it does not say much of us that we have got ourselves in such a situation. The problem is that the move to the portakabin happened last year, and that—as I have now been told by the Post Office—it will be used at least until August. In total, the portakabin will be used for nine or 10 months.

The Post Office has said that it will get back in the sorting office as soon as possible, and it has promised units in the high street. On 8 March, Ian Frampton, the Post Office's assistant press officer for the south-east, faxed a message to Tom Pugh at *The Leader* newspaper in Sussex. It said:

> Post Office Counters is delighted to say that we are in the final stages of finalising a new site, in the central high street, for our Newhaven post office. However, in addition to finalising the deal, it will also take some three to four months to install counter facilities. We can assure your readers that our application to the district council—

on temporary permission for the portakabin—

> is purely a safeguard while we make our final arrangements to move to the permanent site.

Does not all that sound fine and dandy? The final arrangements are being made, and it will not be long before the situation is sorted out. However, I spoke to Kevin Ray, from the Post Office, and he told me that the plans are all off, and that the portakabin will be used for a while yet. On 4 March, he went to see Newhaven town council, reiterated that statement about the high street, and said that the situation would be sorted out by August at the very latest. He said that, after eight months of the portakabin business, we would have a new post office.

Kevin Ray also promised to keep the town council up to date with developments, but he has not done so. On 19 May, Newhaven town council had to write again to him. The council said, "You haven't told us what is happening. You haven't kept us up to date. What's the position?" Yesterday, I rang Kevin Ray. He told me that there is now a problem with the roof of the building that they had hoped to used, and that the moving date has now been put back to 9 October, at the very earliest. Meanwhile, there is doubt about planning permission for the temporary building.

Does the Post Office intend to attempt to renew temporary permission for the portakabin, which has already been in the carpark for six months? The permission to keep it there expires in June, and I should like to know whether it will be renewed. Lewes district councillors are not very happy at the thought of renewing permission to keep a portakabin in a carpark. They think not only that the portakabin is unsightly, but that that is not how the Post Office should be run. There is no guarantee that the application will be approved.

In January, when the problem first arose, I said to the Post Office, "Let us put the post office back into the sorting office. It is sitting empty, and people are used to going there. It is purpose-built as a post office. Why don't you go back in there?" The Post Office said that it would consider it. Subsequently, I was given a ludicrous estimate of the costs of returning to the sorting office. I was told that it would cost almost £250,000, although it had been sitting empty since it was vacated. I do not know why it should cost so much. All the security and other arrangements have already been installed and, presumably, could be reactivated.

Yesterday, the Post Office told me that perhaps it could go back into the sorting office, and that it may cost only £20,000. That is a miracle! The cost of the move has been transformed from £250,000 to £20,000.

What about the waste of public money? If it is now possible to return to the sorting office for £20,000, why could not that money have been spent before the post office was closed, in December? Why has the Post Office wasted public money on getting a portakabin, only to plan on spending more money either on continuing to use the portakabin or on returning to the sorting office? It does not make financial sense.

What is the cost to the taxpayer of having a sorting office that was designed as a post office sitting empty while the Post Office pays for a portakabin in a carpark? It is absolute madness. The Post Office did not need to pay for the portakabin, because a Post Office building was waiting to be used.

There is only one alternative post office, at Denton Corner, which is a long way from Newhaven. The distance between them is not walkable, and the Denton Corner post office is accessible only by private car. The situation is hopeless. It is also ludicrous to suggest that, should the Newhaven portakabin have to close—because of generator failure, for example—people will be able to go to Denton Corner. People have been inconvenienced. I have had very many letters telling me that people have turned up at the portakabin to get their pension, but it has been closed. The situation really is most unsatisfactory.

I am not sure that the financial and contract arrangements at Newhaven were satisfactory. If they had been, the problem would not have arisen. Subsequently, the Post Office has certainly not handled the situation very well. It is unacceptable that, according to the Post Office, in October 2000—10 months after the situation arose—people will still be using a portakabin. Does the Minister think that that is fair or right? What is he going to do about getting a proper post office for Newhaven before 9 October—assuming that the date does not slip again?

I would not want unfairly to attribute blame in relation to the third issue that I should like to raise—the closure, on 31 May 2000, of a key sub-post office in my constituency. Although I do not think that the closure is the Post Office's fault, it is an important issue for my constituents.

The sub-post office serves the Studd Farm estate, in Polegate, which is a long way from other post offices. The first we knew of the matter was communicated in a letter to me, dated 5 May, from the Post Office. I find that a little odd, because no one else was told about the closure. Neither the town councillors, district councillors nor county councillors were told about the closure. I am glad that I was told about the closure, but it is unfortunate that no one else was. It is also a little odd that we were given three weeks' notice of the closure, whereas my understanding of the contract is that it specifies that three months' notice of withdrawal should be given. In fact, it has already shut. The sub-postmistress has pulled down the shutters and closed the place. That is far less than three months' notice—it is not even three weeks' notice.

I am aware of the difficulty for the postmistress and it would not be proper to dwell on that. I intend no criticism of her. The Minister will be aware of what I am talking about. However, a key part of Polegate is without a post office at no notice—although, in this case, it is through unforeseeable circumstances. That is causing immense difficulties for many people.

The principal alternative is the main post office in Polegate high street. It has the capacity to handle the demand, but it is quite a way from the Studd Farm estate and, more to the point, to reach it people need to cross the A22, which is a busy trunk road. Many of the people who need the post office are frail pensioners who do not have access to private transport. Many of them are frightened of crossing that road, but they now have to do so to access a post office. Polegate also comes in the top 10 in the country for percentage of the population above retirement age. I hope that the Minister understands that there is a genuine issue of access to the post office for retired people.

The problem has not been helped by the town council's decision to withdraw the community bus, although it was not aware of the post office closure at the time. That is a regrettable decision, but it has now been taken, which means that people cannot even get to the post office by public transport. The Post Office tells me that it intends to advertise the vacancy at Studd Farm and try to find somebody to run it, but if the financial requirements and entry fees are the same as for Lewes, nobody will be found and the post office will remain closed. I believe that the Government are committed to post offices. If they want to maintain post offices on estates, which are vital to many people, they must find a way round the Post Office's entry terms. The system does not work. That post office will not open if those entry terms are applied.

Given the difficult circumstances, I have asked the Post Office for some breathing space and a temporary arrangement under which somebody from the Post Office came to run the post office element for two or three months—with the consent of the sub-postmistress and leaving the rest of the shop unaffected—while alternative arrangements were made. I understand that that has been done elsewhere. It would be helpful to my constituents in Polegate if the Minister leaned on the Post Office and asked it to look at that solution.

Those are the three post offices that I wanted to mention—two closed and one functioning in a portakabin. I hope that the Minister will have sufficient information from the Post Office to give my constituents some good news. However, I would not be doing my duty if I did not also mention the more general problems of sub-post offices in my constituency.

The Minister will be aware that earlier this year I delivered to 10 Downing street a petition of 6,500 signatures of constituents who were concerned about possible closures of local sub-post offices. I have looked at all the sub-post offices in my constituency and I cannot think of one whose closure would not cause significant inconvenience to those who depend on it. We have already lost a number from villages, which has caused massive inconvenience. The Minister will also be aware of the multi-million signature petition that was delivered to 10 Downing street. I continue to receive petition signatures from the Women's Institute in Ringmer, Newhaven and elsewhere.

I shall not rehearse all the arguments, which have been dealt with at length in the House. I am conscious that I have already taken half an hour and I do not want to go on indefinitely. However, I wish to make one or two quick points. The Minister has said that automated credit transfer is inevitable. I agree that it probably is. Technology has its own pace. However, I am concerned that the Government have given themselves a short window of two or three years in which to bring in alternative measures to protect our post offices. My great fear is not that the Government do not have a heartfelt

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commitment—I believe that they do—but whether they can deliver alternative business to the post offices before ACT kicks in. That has not been answered.

I am grateful to the Minister's office for letting me have a copy of the useful speech that he delivered in Eastbourne. The Government are clearly thinking of a number of useful ideas on how to take post offices forward, including universal banking, the establishment of sub-postmasters and mistresses as Government practitioners and the full exploitation of e-commerce opportunities. I particularly welcome the fact that the Government have said that they are prepared, under certain circumstances—I do not know what they are yet; perhaps the Minister will tell us—to pay a subsidy to keep post offices going. Those are all welcome steps and we should give credit where it is due. However, it is important to understand what the powers to pay subsidies are. I hope that the Minister will explain them.

Are any of those powers available now to ensure that we can restore a post office service to Cliffe at Lewes and to Studd Farm at Polegate, and to ensure a permanent arrangement for Newhaven in place of the joke post office that we currently have? If the Minister can do that, as I hope, I shall be the first to congratulate him and to tell my constituents that the Government have helped me.

8.44 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alan Johnson): I congratulate the hon. Member for Lewes (Mr. Baker) on securing this debate on the future and provision of post offices in his constituency. I have listened carefully to what he has said and shall come on to his specific cases later.

The future of the post office network has been debated many times in the House in recent weeks and months, most recently on 12 April, when two debates took place, coinciding with the lobby of Parliament on the same day and the presentation of a record-breaking petition to 10 Downing street containing more than 3 million signatures, a few thousand of which came from the hon. Gentleman's constituency. It expressed the concern of communities all over the country, whether rural or urban, about the future of the network.

As the hon. Gentleman said, the focus of that concern is the migration to ACT. However, as we all know, the network has been in slow decline for many years. The impact has been disproportionately hard on the rural part of the network, which has shrunk by 25 per cent. in 20 years, despite commendable efforts by the Post Office to prevent it.

I will say a word about the inferences made about Post Office management. I have dealt with Post Office management for many years. I am the first to offer criticism and say that they do not always get it right. However, the House should acknowledge the tremendous work that goes into maintaining a huge and ubiquitous network, sometimes in difficult circumstances. The Post Office's efforts, generally, are to be commended.

I was pleased that the hon. Gentleman said that the move to ACT was inevitable. We announced the decision to move to ACT over a two-year period from 2003. The hon. Gentleman asked about the timetable. As I said to the National Federation of Sub-Postmasters' conference, in my 32 years' association with the Post Office, during which I have complained on many occasions that it is under-promoted and under-utilised, I have never known such a focus and such a searchlight on the business. There would be problems if that slackened; I do not think that moving the dates from 2003 would help the network at all. In fact, I think that the situation has had a positive effect in galvanising everybody—the Government, the Post Office and sub-postmasters and sub-postmistresses—into looking at how the network can be protected in future.

Given that the previous Government's well-intentioned computerisation benefit payment card project went belly up and that the Select Committee on Trade and Industry said that the project was blighted from the start, the Government decided on a conventional procurement to complete that computerisation. That project is going well—post offices are being converted at a rate of 300 per week, and the programme of computerisation will be completed by spring 2001.

It was a difficult decision to salvage Horizon and plan for the change to ACT. The soft option was to abandon the failed private finance initiative, do nothing, and see the decline of the network turn to crisis and crisis turn to collapse. It has been suggested that we are forcing the change through, but it is an inescapable fact that people are already voting with their feet. ACT take-up is increasing by 500,000 customers a year. The move to ACT will accelerate as a whole new generation used to cashless pay comes up to pensionable age.

It cannot be sensible for the Government, nor can it be of any lasting benefit to the Post Office network, to ignore those trends. The solution that we have to reach now must concentrate on how we allow people to access their cash at post offices, as we are committed to doing, once it is transmitted to them via ACT.

We must also focus on finding new areas of work for this under-utilised and under-promoted network. That is why the Prime Minister asked the performance and innovation unit to do a project on the future of the network. That project is nearing completion. From the work that has already been done, the Government have identified an emerging vision for a modernised network. That vision includes concentrating on areas such as financial services, in which the good work already done with banks such as the Co-operative, Lloyds TSB and, most recently, Barclays, can be extended so that people can access their bank account, whatever their bank account is, across a post office counter. I hope that other banks, with the incentive of the Horizon automation platform, will soon be attracted down that route.

In the same vein, we welcome the Post Office's work in developing a universal bank. In his Budget speech, the Chancellor invited the banks to work with the Post Office to offer a basic banking service to all. A universal bank could help to address the problems of financial exclusion in partnership with the banks. It would greatly reduce the number of people who do not have bank accounts. It could also provide a post office-based solution for benefit recipients who continue to want to collect their pensions in cash, across a post office counter, weekly—if it is paid weekly at the moment—without any dilution by bank charges.

The Post Office is well placed to play an expanded role in financial services and to take advantage of increased use of e-commerce. It needs to think creatively about how

to take advantage of those opportunities. It could become the place in which many customers order and pay for goods over the internet or collect products. Those are important parts of the Government's emerging vision for the future of the Post Office.

We also believe that the reach of post offices makes the network a major national asset. Millions of people already see post offices as places where they can do government business. There is potential for sub-postmasters and sub-postmistresses to become practitioners providing a range of services, particularly given that the Government are pledged to provide all services online by 2005. The network could be the ideal access point.

We will have to work with sub-postmasters and sub-postmistresses to make that vision a reality. We want rapid movement, and I hope that, when the performance and innovation unit report is published—hopefully within the next couple of weeks—we can unite behind that vision and work to make it reality.

The hon. Gentleman raised specific concerns about three post offices, at Cliffe in Lewes, at Newhaven and at Studd Farm. He has maintained close contact with post office network managers about his concerns, and he is plainly more au fait with the situation than I am. However, I shall try to address some of his important points.

At Cliffe, the post office formerly operated in the W. H. Smith store closed at the end of April following the company's decision to resign from its sub-postmaster contract. Although the vacancy has been advertised since December and several firms in the area have been approached about it, Post Office Counters has been unsuccessful in finding a new partner to take over or re-establish a post office service in Cliffe. POC is continuing its efforts to restore the service. In the meantime, additional staff have been employed at Lewes Crown office, which is 700 m from the former Cliffe post office, and at Southover, which is 900 m away, to handle the business of customers who previously used Cliffe.

The hon. Gentleman asked whether the three-month notice period was adequate, and I shall return to that point later. He said that there was no shortage of premises, and I shall take that point up with the Post Office, which, I am sure, will read the *Hansard* report of this debate. The hon. Gentleman also mentioned the £48,000 requirement. In my time both as a Minister and with the Post Office, I have never heard of that being a particular problem. In this case, in order to attract a client, the Post Office has offered to stage the payment over three years instead of demanding it up front.

Once the Postal Services Bill is enacted, these issues will be important to the new regulator and the revamped and reinvigorated consumer body, which may be able to advise us on issues and procedures that have been with us for many years and which may need to be revisited. I do not say that the £48,000 requirement is either a negative or positive aspect of the problem, but it ought to be considered. The Post Office in the hon. Gentleman's area has offered to stage the payment.

I was pleased to hear the hon. Gentleman make his point about not criticising front-line post office staff. In the cases that he raised, including the two offices near Cliffe, the staff are doing their jobs in difficult circumstances.

At Newhaven, the Crown office was converted into an agency office in early 1997, and was relocated to the Mayfair Cards store. Unfortunately, the Mayfair Cards group went bankrupt in late 1997, when Post Office Counters took over the running of the post office. Until termination of the lease in December, it continued to operate on the same site. As a temporary measure until new premises could be secured, the post office operation has since been maintained in a mobile facility, and there have been problems. The generator broke down for three days, denying the service to the public, albeit only for three days.

I understand that a new site has now been secured but that, because of the necessary structural and fitting-out work mentioned by the hon. Gentleman, it will not be ready until the autumn. Consequently, from August, the post office will temporarily move back to its original site—in the old Crown office, as the hon. Gentleman pointed out—until the new premises are ready. A permanent return to the original site has been ruled out because it is not large enough to accommodate an associated retail business with which the costs can be shared.

Mr. Baker: If the Post Office has decided that it is possible to move the office back temporarily to the previous site, why could not that have been done when it left Mayfair Cards at the end of the year?

Mr. Johnson: I cannot answer that question, but I will ensure that the Post Office advises me on the matter; the hon. Gentleman's point is reasonable.

At Studd Farm, the post office closed last week, following the resignation of the sub-postmistress on health grounds. It was hoped that the closure would take place at the end of May, but for reasons that I agree we cannot go into, it happened earlier than expected, due to circumstances beyond the postmistress's control.

Although the vacancy has been advertised, as the sub-postmistress gave three months' notice of her resignation, unfortunately, no applicants have yet expressed an interest in buying the business. In the meantime, the two nearest alternative offices at Polegate, which is a little more than half a mile away, and at Wannock, which is about three quarters of a mile away, have the capacity to handle the business previously transacted at Studd Farm.

The specific issues relating to the three offices that were raised in tonight's debate highlight the range of problems and circumstances that can arise in managing and maintaining a retail network of more than 18,000 post offices. The points raised by the hon. Gentleman are related to those matters.

The hon. Gentleman questioned whether the period of three months' notice was adequate. If he thinks that three months is too low, what would have been the effect on the sub-postmistress at Studd Farm? She has been working out her three months' notice while waiting to retire on health grounds. The Post Office faces a huge range of circumstances. If three months is considered to be too short a period for companies such as W. H. Smith, how would one deal with the problem of a postmaster or postmistress who wants to retire through ill health or for some other reason? A longer period would be unreasonable for them.

[Mr. Johnson]

The hon. Gentleman made the point that the hurdles set for taking over a new business were too high. He also referred to the financial checks made on sub-postmasters. If there were more rigorous checks—as perhaps there should be—that would create another hurdle and delay the introduction of a new post office service.

Those are complicated matters. The spotlight that the debate has directed at the network gives us all an opportunity to consider them. The hon. Gentleman has done his constituents a service by raising those points; I shall take them up further and in detail with Post Office management.

In many ways, the problems highlighted by the hon. Gentleman epitomise the challenges faced by the network. The Government are committed to finding solutions that preserve an essential detail of our social fabric and that have our support, that of the sub-postmasters and sub-postmistresses and, most importantly, that of the communities that they serve. All hon. Members appreciate that, despite the problems described tonight, which are highlighted in many of our constituencies, the Post Office does a tremendous job. We want to keep a ubiquitous network and to ensure that a continuous service is provided to the public. We need to ensure that the review of the service solves as many problems as possible—including those raised in tonight's debate—without creating a new set of problems, as might occur if we take a shortsighted approach.

Question put and agreed to.

Adjourned accordingly at one minute to Nine o'clock.

House of Commons

Wednesday 24 May 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 7 June.

RAILTRACK (WAVERLEY STATION) ORDER CONFIRMATION BILL

Read a Second time, and committed.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Small Businesses

1. **Dr. Julian Lewis** (New Forest, East): What recent representations he has received with regard to small businesses in Wales. [122174]

The Secretary of State for Wales (Mr. Paul Murphy): I receive a number of representations about issues relating to business in general and small businesses in particular. Recently I opened the business exhibition Wales in Cardiff and met many representatives of businesses. Last week I also met Welsh representatives of the British Retail Consortium. The Under-Secretary of State for Wales, my hon. Friend the Member for Delyn (Mr. Hanson), has also recently met the Institute of Chartered Accountants.

Dr. Lewis: I thank the Secretary of State for that highly informative answer. Undoubtedly, a considerable proportion of the many representations that he has received will have highlighted the hostility of small businesses in Wales towards the Government's crazy policy of scrapping the pound and joining the single European currency. Does the level of opposition to that potentially disastrous policy among those representations stand at the national average of two thirds, or at the same level as for small businesses nationally of about 90 per cent. or more?

Mr. Murphy: In all the meetings to which I referred earlier, not one mention was made of the points to which the hon. Gentleman has just referred. I heard the shadow Chancellor on the radio this morning ranting against Europe. The Government and the National Assembly for Wales are working to ensure that small businesses flourish. The Budget helped 29,000 small and medium-sized businesses in Wales. Those are the important issues that people are talking about, not what the hon. Gentleman just said.

Mr. Chris Ruane (Vale of Clwyd): What discussions has my right hon. Friend had with the First Secretary to promote links with the 300 Welsh celtic societies around the world to bolster small businesses in Wales, particularly our craftspeople and the tourism industry?

Mr. Murphy: As my hon. Friend knows, the First Secretary and I speak and meet almost daily. We have discussed how best we can help small businesses, including the points that my hon. Friend has raised today in the House and last week in the Welsh Grand Committee. The National Assembly for Wales discussed the matters to which he referred a few days ago.

Mr. Richard Livsey (Brecon and Radnorshire): Will the Secretary of State take note of the situation among rural small businesses? There are 10 representatives here today of Wales Young Farmers, who would be happy to meet him and other hon. Members attending Welsh Office questions at 3.30 to explain their problems. Their small businesses are in a great crisis. The problem affects more than just agriculture in the rural areas. Tourism accounts for 100,000 jobs in Wales. Is the Secretary of State in discussion with Treasury Ministers to alleviate some of the problems by varying the rate of VAT on tourism businesses in Wales to create more work and more profit in tourism?

Mr. Murphy: I understand the hon. Gentleman's points about the rural economy. It is important that agriculture in Wales should flourish, together with small businesses, small shops and small factories. In my discussions in the past fortnight I have been particularly interested in how new technology, such as shopping on the internet, can be used effectively in rural areas. I am also conscious that the Assembly has taken a special interest in how to encourage small businesses in rural areas through the rural development plan. We are all pleased to hear that young farmers from Wales are in London today.

Mr. Dafydd Wigley (Caernarfon): The Secretary of State will be aware of the importance of training to business in Wales. Has he studied the words of the First Secretary in the National Assembly yesterday? He spoke about the importance of transferring from the Department for Education and Employment to the National Assembly the responsibility and resources for training under the social funds. Given that there are some differences of opinion and discussions are still going on, will the Secretary of State assure the House that he will take the side of the National Assembly, not the Department for Education and Employment?

Mr. Murphy: The right hon. Gentleman is right to raise that issue. I am of course aware of it. I always take the words of the First Secretary seriously. Last night, I heard his words on the telephone at 10.30. Among other things, we discussed the transfer of the social fund that

the right hon. Gentleman has raised. It is clearly important that we get the transfer right. I am fully involved in those on-going discussions.

Mr. Alan Williams (Swansea, West): Does my right hon. Friend agree that the allegation that the Government are scrapping the pound and wrecking much of small businesses comes badly from a party which wrecked the pound and scrapped most of our heavy manufacturing business?

Mr. Murphy: My right hon. Friend puts it very well. He will recall that between 1979 and 1997, approximately 140,000 manufacturing jobs per year were lost as a result of the policies of the previous Government.

Mr. Nigel Evans (Ribble Valley): The Secretary of State will know that the amount of burdens, red tape and regulations on small businesses has grown dramatically over the past three years—by £10 billion nationally. With Europe, Westminster, county councils and now the Welsh Assembly all telling small businesses what to do, will he state that all those levels of government will start to listen a bit more to what small businesses are saying? Will he give an indication to small businesses that the demands for primary legislative powers to be given to the Welsh Assembly—which are now being made by his own party in the Assembly—will be resisted and that the people of Wales will have another referendum before any primary legislative powers are given to the Assembly?

Mr. Murphy: Those two points are not necessarily connected. We are all aware of the concerns of small businesses about regulation, and the Government and the Assembly are taking those concerns seriously. These points were made to me last week by the British Retail Consortium. The Government have a new ministerial committee on regulation that is looking carefully at the matter, and a Bill on regulatory reform is being published for scrutiny. The Government and the Assembly are working together to ensure that burdens on business in Wales can be tackled, and procedures in the Assembly now take into account consultation with business with regard to the Assembly's own legislation.

Energy Policy

2. **Mr. Jon Owen Jones** (Cardiff, Central): What discussions he has had with industry in Wales about energy policy. [122177]

The Secretary of State for Wales (Mr. Paul Murphy): I regularly meet Welsh companies and industry representatives and have discussed Government energy policy. The recent announcement by my right hon. Friend the Secretary of State for Trade and Industry on the future lifting of the stricter consents policy on gas-fired power stations and the pursuit of interim support to United Kingdom coal producers has been well received by Welsh industry.

Mr. Jones: My right hon. Friend will agree that no form of power generation is completely benign, but that renewable energy is the least likely to affect human health or the environment and is the only form of power generation that can be described as sustainable. In spite of that, only 3 per cent. of the energy produced in this country is renewable, while the Government have a target of 10 per cent. by 2010. How will we reach that target? What contribution is Wales expected to make? Will Wales make a contribution that is proportional to its population or land mass, or one that is greater or lesser than the proportion that the rest of the UK would bear?

Mr. Murphy: My hon. Friend knows that the Assembly has responsibility in this matter as well as the Government. We have made protecting the environment a central feature of our economic policies. Wales has excellent opportunities for large-scale offshore wind farms, which could generate more than 100 MW. Such projects could bring jobs, and job retention, to rural areas, but we must be sensitive to the wishes of local people. The Assembly and the DTI will consult widely on that point, and those to which my hon. Friend referred.

Mr. Nigel Evans (Ribble Valley): The Secretary of State will know that the percentage of people in Wales employed in manufacturing industry is higher than in the UK generally. They have been hit over the past three years, with more than 6,000 manufacturing jobs lost—and that is before the threat of the climate change levy coming in and hitting manufacturing jobs in Wales. Will he give an assurance to the House that he will make representations to the Chancellor to protect manufacturing jobs in Wales? The Secretary of State has said that the Welsh Assembly and this House have responsibility for energy policy. Can I therefore give him another opportunity to state clearly that primary legislative powers will remain here?

Mr. Murphy: The hon. Gentleman will be aware that the people of Wales decided what they wanted in a referendum some years ago. The points made in the referendum campaign, the White Paper and the Government's proposals led to people voting for the situation that now exists in Cardiff.

On the climate change levy, the National Assembly has consulted the 20 major energy users in Wales, and the companies were generally supportive of our aims. Business was pleased that energy efficiencies made over recent years would count in the negotiated agreements. That has meant that several sectors are now close to signing an agreement that will give them an 80 per cent. discount. There are continuing discussions between the Assembly and businesses in Wales because of the very important change that is to take place.

New Trains (North Wales Economy)

3. **Mrs. Betty Williams** (Conwy): What recent discussions he has had with the First Secretary on the economic impact on north Wales of the introduction of new trains. [122178]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): Transport issues are covered in the weekly meeting between my right hon. Friend the Secretary of State for Wales and the First Secretary. I also discuss transport in my quarterly meetings with the Assembly Secretary responsible for

transport issues. I am convinced that the provision of new trains, coupled with line speed improvements, will have a positive effect on the local economy.

Mrs. Williams: Is my hon. Friend aware that there are many rumours—not denied by First North Western Trains—that there are problems with platforms and tunnels along the north Wales coast that the new trains will use? Will he use his good offices with the First Secretary to seek to ensure that the new trains are introduced without delay, as they are due to start with the new summer timetable on 28 May? Does he agree that it is about time that we had some good news about railway services in north Wales, which have been appalling in the past?

Mr. Hanson: There are works that need to be undertaken to improve the line services in north Wales and ensure that the targets are met. Those works will be undertaken shortly and will ensure, for example, that the number of trains from Holyhead to Euston will double in 2002, from three a day to six, and potentially seven. There will be additional stops in several constituencies along the north Wales coast, including one at Flint in my constituency.

Mr. Eifyn Llwyd (Meirionnydd Nant Conwy): I was very disappointed in the Government's response to the recent paper produced by the Welsh Affairs Committee, in effect rejecting all its proposals.

To return to the question put by the hon. Member for Conwy (Mrs. Williams), there is a big problem with Penmaenmawr tunnel: incredibly, the new train will not go through it. Will the Minister look into that and ensure that we have a decent train service in north Wales?

Mr. Hanson: I am grateful to the hon. Gentleman for bringing that tunnel to the attention of the House. Steps are being taken to improve the service. Railtrack, Virgin Trains and First North Western are all committed to improving the service. There will be additional trains, making additional stops. The work needs to be done, and the companies have set themselves a target of 2002-03. I am convinced that there will be improvements, thanks in no small part to the efforts of the Government and the Assembly in helping and supporting them.

Economy

4. **Mr. Alun Michael** (Cardiff, South and Penarth): What discussions he has had with businesses in Wales about the prospects for the Welsh economy. [122180]

The Secretary of State for Wales (Mr. Paul Murphy): Both my hon. Friend the Under-Secretary and I have held many meetings with businesses and representatives of business in Wales, ranging from the chief executive of Corus and people at the opening of Dow Corning's new factory in Barry, to representatives of small and medium enterprises. We are both acutely aware of the issues faced by business and continue to relay their concerns to Cabinet colleagues and to the First Secretary as appropriate.

Mr. Michael: Clearly, the current weakness of the euro poses a problem for exporters in Wales, as elsewhere. Will my right hon. Friend reflect on the need for investment in business in Wales? There are examples such as Dow Corning, to which he referred, and Matsui, which has taken its European manufacturing headquarters to Ammanford. Does he agree that the strength and stability of the economy leads to such long-term and important investments and that the policies of the Conservative party would pose a significant threat to their continuation?

Mr. Murphy: I could not agree more. Today, in Middleton in Carmarthenshire, another example of a job creation scheme is the first botanical garden to be opened in this country for 200 years. It will bring more than 200 jobs and boost our tourist industry, as well as being a major centre for plant research. I visited it with my right hon. Friend the Secretary of State for Culture, Media and Sport recently, and it was evident to both of us that this flagship project is another excellent example of our new Wales.

Mr. Robert Walter (North Dorset): I do not think that the House will have been impressed by the mutual self-congratulations of the Secretary of State and his predecessor in answering this question. As they will both know, under the stewardship of my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) and his predecessors, great advances were made in restructuring the Welsh economy. However, problems remain that this Government and the Assembly have not dealt with. The Welsh Development Agency, for example, in its recent analysis of the Welsh economy, identified a serious "enterprise deficit" in small and medium-sized businesses which, it said, were underperforming in

new business formation, innovation, research and development and investment.

What discussions has the Secretary of State had with the First Secretary to solve those weaknesses that are preventing small businesses in Wales from prospering in an ever more competitive world?

Mr. Murphy: If the hon. Gentleman went to Carmarthenshire and visited the botanical garden to which I referred, he would see that it is not a matter of self-congratulation but the result of many years of hard work by the people who undertook the task. On his general point, the latest inward investment figures for Wales show a total investment of £547 million for 1998-99, which is even higher than the figure of £334 million in the previous year.

If the hon. Gentleman talked to the more than 13,000 young people in Wales who have benefited from the new deal, he would find that that is not a matter of self-congratulation either. If he visited all those places in Wales that are now benefiting from this Government's strong economy, and learned about the thousands of jobs that are being created, in manufacturing and elsewhere, he would realise that it will be a long time before there are any Conservative MPs in Wales.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I am sure that my right hon. Friend is aware of the importance to business and the Welsh economy of higher education standards. In that respect, is he aware that the National Assembly has not yet introduced a single pilot project to introduce education maintenance allowances to

support the poorest students in our communities to stay on at school and college? Will my right hon. Friend seek an explanation for that obvious and glaring omission?

Mr. Murphy: I shall, of course, give that assurance to my hon. Friend. He has spent many years in the House championing the needs of those who need better training. I shall raise the issue he has just mentioned when I next meet the First Secretary.

Waiting Lists

5. **Mr. David Amess** (Southend, West): What discussions he has had with the First Secretary about the number of patients waiting over six months for an out-patient appointment. [122181]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend the Secretary of State and I regularly meet the First Secretary and the Assembly Health and Social Services Secretary to discuss health issues in Wales. The subject of waiting lists and waiting times has, of course, been included in our discussions.

Mr. Amess: Is the Minister aware that many of my constituents in Southend, West complain about the problems that their Welsh relatives encounter in obtaining out-patient appointments? Will he explain to the House how it is that out-patient appointments have trebled since that dreadful day in May 1997? Will he take this opportunity to apologise to the Welsh people for the incompetence of this Government in mismanaging the health service?

Mr. Hanson: I will happily tell the hon. Gentleman's relatives in Southend, West—and in Basildon, if he has any left there—about the situation in Wales. More than 1,000 more people are treated by the national health service in Wales than when his Government left office. If he had taken an interest—when he represented Basildon in the previous Parliament—in the performance of the right hon. Member for Richmond, Yorks (Mr. Hague), he would have known that Wales lost 1,200 beds, waiting lists went up and GP numbers went down in that time. This Government have committed £1.3 billion over the next four years to help the very health service that his party would destroy.

Mr. Win Griffiths (Bridgend): In the discussions that my hon. Friend has held with the Secretary of State for Health, were the problems arising from the legacy in Wales of the Leader of the Opposition mentioned? When the right hon. Gentleman was Secretary of State for Wales, 1,200 beds were cut, there were 300 fewer nurses and midwives, and in-patient waiting lists grew by 5,800. Will not the extra £51 million being made available to tackle waiting-list problems help us in Wales to overcome that legacy? Will my hon. Friend publish further information on activity rates, which show that the health service in Wales is on the mend and getting better?

Mr. Hanson: I shall certainly consider publishing information on activity rates in the national health service in Wales. The record of the right hon. Member for Richmond, Yorks (Mr. Hague) is there for all to see. When he ran the health service in Wales, he did what he will do if he ever runs the health service in the United Kingdom. He reduced the number of beds and nurses and cut investment in the health service.

The £1.3 billion that my right hon. Friend the Chancellor has given to the national health service in Wales will lead to real improvements in that service this year, next year and in forthcoming years.

Agriculture

6. **Mr. James Clappison** (Hertsmere): What recent discussions he has had with the Agriculture Secretary of the National Assembly about agriculture in Wales. [122182]

The Secretary of State for Wales (Mr. Paul Murphy): My hon. Friend the Under-Secretary of State and I meet our colleagues in the Assembly on a regular basis to discuss a wide range of issues, including the agriculture sector. My hon. Friend also holds regular quarterly liaison meetings with the Agriculture Secretary of the Assembly.

Mr. Clappison: Does the Secretary of State agree that Welsh agricultural produce enjoys a well-deserved reputation for being of excellent quality and wholesomeness? Many people in Wales want the country's produce to remain GM-free. Can the Secretary of State throw any light on how a GM maize test site that was supposed to be in England has turned out to be over the border in Wales? Can anything be done about that?

Mr. Murphy: The hon. Gentleman is right to identify the problem. The farm at which the trial was being carried out has a postal address in England, but the field to which the hon. Gentleman refers lies 100 yd on the other side of the Welsh border. Legally, neither the Government nor the Assembly can prevent the trials being held. When it was realised that there was a GM site in Wales, officials at the Department of the Environment, Transport and the Regions spoke to the company involved to try to get it to grow the crop in one of the fields on the English side of the border, or to remove that farm from the project altogether. However, as a result of various pressures, the number of fields available has shrunk. That meant that pressure to use this particular field grew, and the farmer involved pressed ahead with the tests.

Mr. Huw Edwards (Monmouth): Welsh farmers have shared in the £0.5 billion agrimonetary compensation that has been secured by the Government. Is not that £0.5 billion more such compensation than the previous Conservative Government ever drew down?

Mr. Murphy: I am delighted to agree with my hon. Friend, and to tell the House that the package is worth £28 million to Wales. That works out to about £100 per farm holding in Wales—the equivalent of every citizen contributing just over £9 to that package. That is good news for Wales.

Mr. Lembit Öpik (Montgomeryshire): What can the Secretary of State do to help stop young farmers leaving the Welsh farming industry because of the lack of profitability in farming?

Mr. Murphy: The package to which I just referred is a good example of how we can help farmers in Wales. In addition, the Assembly is taking a special look at our rural economy to ensure that farmers, and small businesses too, are helped.

Areas of Outstanding Natural Beauty

7. **Mr. Martin Caton** (Gower): What recent representations he has received about the protection of areas of outstanding natural beauty in Wales. [122183]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): I have received no recent representations about the protection of areas of outstanding natural beauty in Wales.

Mr. Caton: I thank my hon. Friend for that reply. I am sure that he knows that Gower was the first designated AONB in the whole country. The message that I get from people concerned with defending Gower's high-quality landscape and habitat is that current legislation is inadequate when it comes to protection and management. The Countryside and Rights of Way Bill currently before Parliament provides an opportunity to rectify that. Will my hon. Friend press his colleagues in Government to take the opportunity that the Bill presents?

Mr. Hanson: I am grateful to my hon. Friend for drawing to the House's attention the question of areas of outstanding natural beauty in Gower. Such areas are important, and Wales has many of them. I am pleased to be able to tell my hon. Friend that the Government have carefully considered issues that have been brought forward in the Committee considering the Countryside and Rights of Way Bill. The Government will consider tabling amendments to the Bill to achieve better conservation and management of areas of outstanding natural beauty. That will certainly help areas of outstanding natural beauty in Wales, such as those in Gower and in my constituency.

Miss Anne McIntosh (Vale of York): I have served on the Committee considering the Countryside and Rights of Way Bill with the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), and I think that we have all learned something about areas of outstanding natural beauty in Wales.

I am disappointed by the Minister's reply. Can he not give the House an assurance that areas of outstanding natural beauty in Wales, as in other parts of the United Kingdom, will be strengthened under the Bill?

Mr. Hanson: As I said to my hon. Friend, and I will repeat it to the hon. Lady, the Government are giving careful consideration to the discussions that took place during the course of the Bill's proceedings. The Government are looking at the possibility of introducing amendments to help support and strengthen areas of outstanding natural beauty.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [122204] **Mr. Ben Bradshaw** (Exeter): If he will list his official engagements for Wednesday 24 May.

The Deputy Prime Minister (Mr. John Prescott): I have been asked to reply. My right hon. Friend the Prime Minister has been working throughout the night on exhausting domestic matters, and there are no official engagements today. I am sure that the country and the House will wish to join me in expressing warm congratulations to my right hon. Friend, his wife and family on the birth of baby Leo, 6lb 12oz—now that is a killer fact.

Mr. Bradshaw: I warn my right hon. Friend that thousands of pensioners in Exeter still expect the Government to do a great deal more for them. They welcome much of what has already been done and would be horrified at the prospect of the Tories taking it all away again. Will my right hon. Friend tell the House exactly how much more the Government have spent on pensioners compared with the previous Government, and why any pensioner should trust a party that condemned 3 million of them to live in poverty?

The Deputy Prime Minister: I very much agree with my hon. Friend. He can be assured that we will do well by the pensioners—make no mistake about it.

Let us get the facts right. We are spending £6.5 billion extra this Parliament over and above what the Tories planned to spend on pensioners. Now they say they will scrap the £150 tax free help with winter fuel bills and free television licences for the over-75s, which is worth £102 tax free. That much is clear from their proposals, but what they are offering is totally confused. On Sunday, the shadow Chancellor said that the Tories would raise pensions only in line with prices; today, there are different stories in different newspapers. This lunchtime, the shadow Chancellor said that the statement is a limited announcement and there will be no new money. I should say it is a limited announcement! If we listen to the Leader of the Opposition and we listen to the shadow Chancellor, it becomes clear that Hugh Grant and Liz Hurley are not the only ones going through a separation.

Sir George Young (North-West Hampshire): We warmly welcome the Deputy Prime Minister to the Dispatch Box. We understand that the Prime Minister wants to spend time with the newest member of his family, and I am sure that the whole House will join me in sending him and all members of his family our warmest wishes.

Has the Deputy Prime Minister actually read the speech made by my right hon. Friend the Leader of the Opposition, which will be warmly welcomed by

pensioners up and down the country? Does he agree with the view of his right hon. Friend the Member for Birkenhead (Mr. Field)? He welcomed our policy and said:

> Pensioners will be pleased with the news that one of our major parties is saying that we should give money in the form of pensions and not in one-off payments.

Does the Deputy Prime Minister agree?

The Deputy Prime Minister: I am grateful for the right hon. Gentleman's warm remarks about my right hon. Friend the Prime Minister—the House will certainly accept them.

Although the right hon. Gentleman says that pensioners will welcome the Conservatives' proposals, it is clear that the shadow Chancellor does not. That is a start. As for the comments made by my right hon. Friend the Member for Birkenhead (Mr. Field), if he is happy with proposals that abolish the winter fuel allowance, free television licences and free eye tests—all considered to be gimmicks—I wholly disagree with him. That is the kind of unthinkable thought that I do not accept.

Sir George Young: The Deputy Prime Minister should know what Downing street said when his right hon. Friend the Member for Birkenhead was appointed:

> Tony has enormous regard for his abilities.

All pensioners will be better-off under our proposals. If the Deputy Prime Minister cannot endorse the views of his right hon. Friend the Member for Birkenhead, does he agree with his hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle)? *[Interruption.]* He said:

> Pensioners believe the winter fuel payments and concessionary TV licences are a diversionary measure . . . What pensioners want is an increase, week on week, in the basic pension. That is not just a matter of economics; it is a question too of pensioners dignity.

Does the Deputy Prime Minister agree?

The Deputy Prime Minister: The right hon. Gentleman may be promising to do things for pensioners, but it is fair for us to point to the record of the previous Government: 18 years—*[Interruption.]*

Madam Speaker: Order. The House must now come to order. I have heard enough from both sides. I want to hear the questions and answers.

The Deputy Prime Minister: I want to deal with some of the killer facts, Madam Speaker.

During 18 years of Tory Administration, 1.5 million pensioners were living in poverty. The Tories scrapped the earnings link with pensions, which is one of the major complaints. They scrapped free eye tests and check-ups. They also presided over the pensions mis-selling scandal, at a cost of £3 billion. The pensioners and the country will measure the record of performance of this Government against the Tories phoney promises built on phoney money.

Sir George Young: I am sure the Deputy Prime Minister did not mean to commit his party to restoring the link with earnings.

I am slightly surprised that the right hon. Gentleman does not agree either with his right hon. Friend the Member for Birkenhead or with his hon. Friend the Member for Walton. When the Deputy Prime Minister appeared on "On the Record" with John Humphrys on 7 May, he expressed some sympathy with the policies that are being put forward today.

Instead of the paternalistic gimmicks of the Government, we will give all pensioners an increase in the basic pension of at least £5.50 a week. All pensioners will be better-off under our proposals. Is it not time that the Government learned the lesson of their local election defeat and started to give pensioners the dignity, choice, independence and respect that they deserve?

The Deputy Prime Minister: I do not know how the right hon. Gentleman can come to the Dispatch Box and still make those promises when they were rejected by the shadow Chancellor within two hours of their announcement.

On the question of the minimum income guarantee, we were the party that guaranteed that for pensioners. The right hon. Gentleman asked about the earnings link. We are providing more than £6.5 billion, which is more than would be given under the earnings guarantee, and we have already linked the minimum income guarantee to earnings. We have produced for the pensioners. It is absolutely clear that a minimum guaranteed income for 1.5 million pensioners was produced by Labour; free television licences for those aged over-75 were produced by Labour; free eye tests for the over-60s were produced by Labour; and a winter fuel allowance of £150 was produced by Labour. The Tories believe in conning pensioners; we believe in helping them.

Miss Geraldine Smith (Morecambe and Lunesdale): Will my right hon. Friend join me in welcoming the fact that Lancashire county council has placed the completion of the M6 Heysham port link road as number one on its list of transport priorities? Will he join me in reaffirming the Government's commitment to allocating funding to strategically important roads such as the M6 link road to Heysham port, so that it can be completed at the earliest possible time?

The Deputy Prime Minister: That issue is very much part of the integrated transport planning that is now going on in my hon. Friend's area. I am very sympathetic towards it. However, the matter is subject to a planning inquiry at the moment and the House will understand that I cannot comment on it.

Mr. A. J. Beith (Berwick-upon-Tweed): Will the right hon. Gentleman pass on the congratulations of the Liberal Democrats on the delightful arrival in the Blair family? It has the added benefit of bringing the right hon. Gentleman to the Dispatch Box on an occasion that is unlikely to be repeated this side of the general election. Will he take this opportunity to tell us why the Government support the giving of another £29 million to the company running the millennium dome, which has already received massive loans that it is unlikely to repay?

The Deputy Prime Minister: Nine months is a long time in politics and the right hon. Gentleman should not assume that I will not be back at the Dispatch Box—not that I am bidding for that pleasurable duty, I am bound to say. I am sure that the House will understand that.

An awful lot of the gripes about the dome are not properly targeted in the right direction. The facility has been attractive to many people and something like 6 million to 7 million people will visit it, which is almost as many as voted for the Tory party at the general election.

We produced a facility for a millennium celebration that will be seen to be successful. It was provided not for a one day party, but as a facility that all can enjoy for 12 months. On the financial requirements, it is true that the request for further money was granted, but it is hoped that that will be paid back over a period of time.

Mr. Beith: Does the right hon. Gentleman think that many pensioners will be impressed by the way in which money is being lavished on the project? Has he not now recognised that pensioners were insulted by the 75p pension increase, and that they would be equally insulted by anybody offering money with one hand and taking it away with the other, which is what the Conservatives' proposals amount to? Does he realise that unless pensioners are given significant real rises this side of a general election, the whole Government will be spending more time with their families?

The Deputy Prime Minister: If the right hon. Gentleman reads the Liberal Democrats' manifesto, he will know that all his party promised was pensions related to prices. That is precisely to what he referred. We have done that and more in giving pensioners the winter fuel allowance and the other measures to which I referred. We have given up to £6.5 billion more in pensions, so it is a bit much for him to berate us for simply giving what he calls the 78p on the pension—[HON. MEMBERS: "75p."] We gave a lot more; all he promised was 75p.

Mr. Martin Salter (Reading, West): Will my right hon. Friend join me in sending condolences to the family of Katie Kazmi, one of my constituents who was recently brutally murdered in a frenzied knife attack by a former Broadmoor psychiatric patient? Yesterday, it came to light that Mr. Williams, the assailant, was released into the community in 1995 and was supposed to be subject to regular supervision and random drug testing. Does my right hon. Friend agree that there should be an urgent inquiry to examine the failure of systems designed to protect the public from the violent behaviour of such individuals?

The Deputy Prime Minister: I am sure that the House would want me to express on its behalf our condolences to those affected by the serious matter raised by my hon. Friend. I believe that my right hon. Friend the Home Secretary is to conduct an inquiry into the matter and is to have a meeting with my hon. Friend to discuss those facts.

Q2. [122205] **Mr. Tim Boswell** (Daventry): What is the Deputy Prime Minister's view on individual learning accounts?

The Deputy Prime Minister: I must say that I was somewhat sceptical of individual learning accounts when they were announced. However, I have met several people in industry who have developed those accounts, which are welcomed by the workers because they get the kind of education and training that they want. Birds Eye, a company in my area, wants more resources for the accounts as they do the job that the Tories failed to do, which is to train our work force.

Mr. David Chaytor (Bury, North): Will my right hon. Friend pass on warmest wishes from all my constituents to my right hon. Friend the Prime Minister and his wife on the birth of their latest child? Will he tell them that our only regret is that, unlike his mother, Leo has not enjoyed the privilege of being born in Fairfield hospital in my constituency? Will he remind them of our long-standing invitation to the Prime Minister's wife to visit Fairfield hospital and open the new maternity unit that is being built as a result of the hospital's multi-million pound redevelopment, and for which we waited 18 years?

The Deputy Prime Minister: I shall certainly pass on the good wishes mentioned by my hon. Friend.

There are an awful lot of hospital openings, and nearly 30 new hospitals are on the stocks, which is the highest recorded level of new hospital building in this country.

Q3. [122206] **Mr. Lembit Öpik** (Montgomeryshire): Given that the Government have effectively sponsored a genetically modified crop trial in Wales against the word of an Environment Minister, without consulting a Welsh Agriculture Minister and against the express wish of the Welsh Assembly, will the Deputy Prime Minister confirm that the Government chose a field in Flintshire only because they thought it was in England? If that is the case, which will he shift—the crops or the border?

The Deputy Prime Minister: As I have spent a great deal of time in Flintshire—and was born in Prestatyn—I certainly would not make that mistake. We acted as quickly as possible on the GM seed mix-up. We had to take proper advice and then my right hon. Friend the Minister for Agriculture, Fisheries and Food made a statement to the House. That should reassure the House and put the statement in its setting. The experts have said that these crops pose no risk to human health or the environment.

Q4. [122207] **Ms Bridget Prentice** (Lewisham, East): Could I share with my right hon. Friend some satisfaction that waiting lists in the health service have dropped? Much has been done, but there is still much to do. I remind my right hon. Friend that in my constituency during the last winter period we experienced considerable problems in the health service. I wonder whether he will make a small wager with me—if I predict that there will be another winter this year, what will he predict for the health service?

The Deputy Prime Minister: A continuing improvement, as there has been under Labour during its three years in office. We said that we would reduce waiting lists and we have done so by more than 100,000, and we are only three years into the life of this Government. We have increased the number of nurses, which was reduced under the previous Administration. The £150 million for critical care beds, which will provide more than 250 of them, will certainly help us with the difficult periods that are associated with winter. People can trust a Labour Government. We created the NHS and

we have put more resources into it than any other Government. It is our creation, we are proud of it and we will build on it.

Sir George Young (North–West Hampshire): Can I take the Deputy Prime Minister back to the dome? Is he aware that 50 of his hon. Friends have signed an early-day motion expressing "deep concern and alarm" that the decision to give an extra £29 million to the millennium dome

will deprive the New Opportunities Fund of moneys that would otherwise go to education, health and the environment?

Does he share those concerns?

The Deputy Prime Minister: I am sure that the right hon. Member for Henley (Mr. Heseltine) did not sign the motion. The dome idea was established by the previous Administration, endorsed by this Administration and, as I understand it, by the Cabinet of the Government of whom the right hon. Gentleman was a member. We have to be clear that money from the Millennium Commission does not compete with that for hospitals and schools. It is not able to give resources to hospitals and schools. So far, none of the resources provided has denied funds to either hospitals or schools. That is the challenge for us; we think that we have achieved it in the dome.

Sir George Young: Does the right hon. Gentleman recall the Labour Minister who said that the dome would be

the first big test of competence

for the Labour Government? He should recognise that because it was him. He also said:

If we can't make this work, we're not much of a Government.

As he is in charge for the next two weeks, will he overrule the decision of the Culture, Media and Sport Secretary to give £29 million more public money to the dome?

The Deputy Prime Minister: No, I will not. On the right hon. Gentleman's point about my comments on whether the dome would be a success and that that should be a measure of the Government's competence, I happen to believe that it has been a success. It is the second most attractive facility to visitors. Almost 6 million people have visited the facility. That is a huge amount of people. More than 80 per cent. of those asked whether they had enjoyed the facility said that they had, and many of them intend to return to it. For a facility that celebrated the millennium, it has been successful in attracting visitors. I might say that it enjoys—apparently—the full support of the Leader of the Opposition who, on the first day of this year, made it clear that we should all get behind it and support it.

Sir George Young: If the dome has been such a success, why are so many people being sacked? The contents of the dome stand as a monument to the vanity and emptiness of new Labour. First, the Government blamed the chief executive, and sacked her. Then, they blamed the chairman, and sacked him. Is it not time that someone in this Government had the courage to stand up, take responsibility and resign?

The Deputy Prime Minister: We inherited a business plan that had been prepared by the previous Administration—we endorsed it. That plan estimated that 12 million people would visit the facility. The latest estimate is between 6 million and 7 million people, which shows that such a facility is highly successful in attracting people. In those circumstances, hon. Members on both sides of the House should recognise the large measure of agreement in setting up the project. Seven million people is nearly as many as the number who voted for the Tory party at the election, something which must be taken into account. If the right hon. Gentleman feels that the dome is a monument to what he calls new Labour, what sort of monument to the previous Administration is rail privatisation, which he introduced?

Q5. [122208] **Mr. Jim Cousins** (Newcastle upon Tyne, Central): In line with the wishes of Labour's national policy forum, do the Government have proposals to increase the say of people in the English regions over their regional affairs? May I remind my right hon. Friend that more than 20 years ago, the then Labour Government rightly assessed the spending needs of people of Scotland and Wales, which has been protected ever since, rightly, by the Barnett formula? When will the Government do the same for the English regions, particularly the less-well-off ones such as the north-east?

The Deputy Prime Minister: I agree with a great deal of what my hon. Friend says because we have both been advocates of decentralisation in central and regional government. There is a point of difference between the two sides of the House on the matter, but I firmly believe in regional government. It is our manifesto position and we are presently looking at what we will put in our next manifesto. *[Interruption.]* Let us be clear: I will argue for regional government. That is how parties make their decisions. There are different views, there are democratic debates and we come to decisions. With the Labour party and a Labour Government, they are delivered. We have delivered in the House not only by having a Committee to deal with regional affairs, but by bringing in regional development agencies, one of which played its part in the west midlands recently by creating 35,000 jobs and increasing investment—but the Opposition say they will abolish those agencies. I disagree with them and we shall put it to the electorate. I have no doubt that we will have development agencies, further steps towards decentralisation and a proper allocation of resources between the areas.

Q6. [122209] **Mrs. Ray Michie** (Argyll and Bute): Will the Deputy Prime Minister reconsider his decision to close the Oban coastguard station in the light of recent evidence to the Transport Sub-Committee that it will cost more to close down than to keep open? Will he look again at the overwhelming evidence and expert advice that he has received on the importance of the station to that area and also the dangerous maritime area that it covers, rather than listening to one man—Lord Donaldson? He should consider the fact that we are deeply disturbed that it will be closed.

The Deputy Prime Minister: The hon. Lady will be aware of many of the decisions that have been taken in the past couple of years. I inherited a proposal for the closure of a certain number of coastguard stations. I had an independent assessment made by Lord Donaldson and it was looked at by the Select Committee as well. Lord

Donaldson reached a compromise on the matter and proposed that the station and another one or two should be closed. That will not affect the level of safety. It was an independent assessment by a judge who has considerable experience in maritime matters, and I accepted his conclusion.

Q7. [122210] **Mr. Eddie McGrady** (South Down): Will the Deputy Prime Minister convey to the Prime Minister and Mrs. Blair the sincere congratulations of my party on the birth of their son? I hope that his labours in other directions in Northern Ireland bear equal fruit this weekend.

Is the Deputy Prime Minister aware that the purpose of the Good Friday agreement and the Patten commission was to create a police force in Northern Ireland that would be acceptable to both communities? Is he aware that the Police (Northern Ireland) Bill, which is now before the House, fails miserably to achieve that by commission and omission and that all those endeavours, which are the kernel of peace in Northern Ireland, could be frustrated by the terms of the Bill? Will he use his best endeavours to rescue that Bill so that it will receive support right across the community, because nationalists cannot support it as it stands?

The Deputy Prime Minister: I really understand what my hon. Friend is saying on that matter. There is a great deal of concern in the House about those issues, and that was reflected in the debate on the police. There will be a Second Reading as soon as we come back after the recess and many of those matters will be discussed and thrashed out in the debate, as they were a few days ago. His point about everyone having to come to an agreement to get understanding is absolutely important. I cannot prejudge the outcome of the Ulster Unionist council meeting on Saturday, but we call on its members to consider whether they can obtain a better offer than this. They have to give serious consideration to that. Everyone on both sides of the House would like to see agreement and continuing efforts towards peace in Northern Ireland.

Q8. [122211] **Mr. Robert Syms** (Poole): Given the debacle of the genetically modified oilseed crops, can the Deputy Prime Minister assure the House that the Government know of no other cases of similar contamination of other crop varieties—for example, maize?

The Deputy Prime Minister: I am sorry; I must apologise to the House. I missed the hon. Gentleman's question because there was some talking.

Madam Speaker: Will the hon. Gentleman repeat the question? If Members would be quiet, we would hear the questions. Raise your voice, Mr. Syms, too.

Mr. Syms: Given the debacle involving genetically modified oilseed crops, can the Deputy Prime Minister assure the House that the Government know of no cases of similar contamination of other crop varieties—for example, maize?

The Deputy Prime Minister: We have no evidence and no information on that, but the hon. Gentleman can be assured that if we receive information we shall certainly tell the House about it.

Strategic Export Controls (Breach of Embargo)

3.30 pm

Mr. Harry Cohen (Leyton and Wanstead): I beg to move,

That leave be given to bring in a Bill to prohibit the involvement of British subjects and companies and other persons under United Kingdom jurisdiction in the supply of armaments and associated items to countries to which arms embargoes apply.

The Bill's aim is simply to prevent British subjects anywhere in the world from supplying weapons and related equipment whose export would be prohibited if it took place directly from the United Kingdom.

I originally thought of tabling a ten-minute Bill on corporate responsibility in cases in which companies' actions had caused death, but because other Members—including my hon. Friend the Member for Thurrock (Mr. Mackinlay), who is sitting next to me—have raised that in Bills recently, and because the Government are taking notice, I decided to raise the subject of arms trading, which could be described as corporate killing at its most extreme.

The existing British law on arms exports contains three major loopholes, relating to brokering, licensing and direct sales from British people based overseas. Brokering is a difficult concept, but is basically the transfer of arms from one country to another that is organised from a third. For example, the company Sandline organised from Britain the transfer of weapons from Bulgaria to Sierra Leone, and before that Mil Tec organised from the Isle of Man the transfer of arms from Albania and Israel to Rwanda. As the arms never enter the United Kingdom, they are not under the control of our law. The law relating to brokering needs to be clarified and tightened, and, when such brokering is used to get around embargoes, it needs to be criminalised.

Licensing is the arrangement for production in another country, outside UK jurisdiction. Arms can then be used in that country, or exported, without any reference to British law. When it breaches embargoes, that too needs to be stopped. My Bill would prohibit brokering and licensing by both individuals and companies based in the United Kingdom and dependent territories. Direct sales take place when British citizens are involved in the supply of arms while operating outside the United Kingdom.

The proposal for such a widening of UK jurisdiction is not new. In the main, British law covers breaches of embargoes mandated by United Nations Security Council resolutions. My Bill would expand that cover to other embargoes, such as those called for by the Organisation for Security and Co-operation in Europe and the European Union, as well as those declared on a unilateral basis by Her Majesty's Government—for example, the current embargo on arms and arms-related sales to Zimbabwe.

The Government's White Paper on strategic export controls, published in July 1998, said that

it would be right in principle to control the involvement of persons in the UK or UK persons abroad in trafficking and brokering . . . to countries subject to other types of embargo.

Unfortunately, we have seen no progress on that.

In February 1999, in its report on the Sandline affair and Sierra Leone, the Select Committee on Foreign Affairs recommended that legislation to control brokering be introduced no later than the next parliamentary Session—that is, the current Session. Obviously, that has not happened. There has been plenty of discussion, but more than four years after the publication of the Scott report, we still have no legislation.

The strategic export controls sub-committee has said:

We support a more stringent policy on brokering and trafficking, which could act as a spur to international action. We look to the 1999 Annual Report to make some specific reference to the Government's view of the way forward on this issue.

I accept that legislation to cover all aspects of brokering and licensing will be complicated and that that has contributed to the delay in introducing legislation. However, the simple proposals in my Bill are a minimum requirement to control brokering and licensing of arms, and could be implemented quickly and easily. That would not remove the requirement for more detailed legislation later, but it would close some of the worst loopholes that facilitate arms trafficking.

There is another reason for looking at that particular part of the arms trade. It resonates with one of the key themes of the Government: rights and responsibilities. One of the reasons why so many people are wandering the globe seeking asylum is that the arms trade makes some parts of the world extremely dangerous. In countries where dispute turns to violence, that violence is made significantly worse by the influx of arms from outside: Sierra Leone is an example. On CNN last night, the Reverend Jesse Jackson, the United States envoy, put the troubles down to diamond smuggling, the drug trade and gun running. The same was the case in Rwanda with Mil Tec, which, as I have said, was based in the Isle of Man.

British subjects overseas rightly expect the protection that a British passport can offer. We can be rightly proud that British Governments of all political persuasions have come to the assistance of British passport holders overseas. However, carrying a British passport must carry obligations as well as benefits. It is wrong for a British passport holder to be involved in activities that displace and weaken the vulnerable—so that they are forced to become refugees and seek asylum in another country—without being subject to British law.

Some may say that the British Government should not have control of British citizens overseas, but precedents have already been set. Examples include legislation on sex tourism and the controls on land mines. Yesterday *The Guardian* reported that, following our ratification of the Organisation for Economic Co-operation and Development anti-bribery convention, the Government are considering extra-territorial laws to make it an offence for British citizens to offer bribes for business contracts anywhere in the world, so there is that precedent for extra-territorial law. It needs to apply to arms trafficking.

My Bill is just one small step in pushing forward the debate on how strategic export controls are to be implemented in this country following the Scott report and the activities of the Joint Select Committee on Strategic Export Controls, of which I am a member, but my Bill has a wider purpose. One of the major political issues of today is refugees, yet almost all the public debate is focused on what to do with refugees when they have fled from their home countries. Very little attention has been paid to why people become refugees and what could be done to reduce the numbers at source.

Armed conflicts are fuelled by arms. It remains a scandal that there are such lax controls. For example, several hundred arms brokers in London are not required to register activity and are subject to no regulation whatever. We need to make them subject to United Kingdom laws—especially in the case of agreed embargoes—whether they are operating in this country or abroad. That is what the Bill seeks to do. If enacted, it would contribute to making the world a safer place.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harry Cohen, Mr. Harry Barnes, Ann Clwyd, Mr. Jeremy Corbyn, Mr. Jim Cousins, Mr. Jimmy Hood, Ms Jenny Jones, Laura Moffatt, Mr. Brian Sedgemore, Mr. Alan Simpson and Dr. Phyllis Starkey.

STRATEGIC EXPORT CONTROLS (BREACH OF EMBARGO)

Mr. Harry Cohen accordingly presented a Bill to prohibit the involvement of British subjects and companies and other persons under United Kingdom jurisdiction in the supply of armaments and associated items to countries to which arms embargoes apply: And the same was read the First time; and ordered to be read a Second time on Friday 9 June, and to be printed [Bill 135].

Opposition Day

[11TH ALLOTTED DAY]

Crime

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.39 pm

Miss Ann Widdecombe (Maidstone and The Weald): I beg to move,

That this House regrets that police strength in England and Wales has fallen by more than 2,300 since the Government came to power, that crime is now rising, and that the Government has released early from prison thousands of drug dealers, sex offenders, burglars and violent criminals; notes the criticism of the Government's crime reduction targets, and further that police officers are unable to devote much of their time to fighting crime because of unnecessary bureaucracy; notes with surprise that none of the Government's local child curfews have been issued and that anti-social behaviour orders have been issued at the rate of less than one per week since they became available; further notes that, in contrast to the Government's failure to tackle crime, the Opposition propose to reverse the decline in police numbers that has occurred since the Government came to power, to provide effective and appropriate punishment and rehabilitation for offenders and to put the interests of victims at the heart of the criminal justice system; calls on the Home Secretary to reconsider his proposed changes to Immigration Rule 320(18) that would remove the prohibition on foreign sex offenders and drug traffickers entering the United Kingdom; and calls on the Government to work to restore public confidence in the criminal justice system and the police, to restore police morale, and to implement effective policies to tackle rising crime.

In short, the Government have betrayed the electorate. They have betrayed the general public and they have broken one of the major promises made by the Labour party, which said that it would be

"tough on crime, tough on the causes of crime".

Championed by the Prime Minister, that slogan was the rallying cry of new Labour long before the general election. However, in government, the Home Secretary has been all talk and no delivery. Far from being tough on crime, he has been tough on crime fighters. After six years of falling crime rates, beginning in 1993, crime is now rising once again.

The first sustained fall in crime since the second world war has been turned round, and we are now faced with a rising crime rate. The latest figures are even more alarming than those for last year. In London, the crime rate increased by 12.6 per cent. in the year ending 31 March. The Metropolitan police have said that that gives "cause for concern". Nevertheless, last week the Prime Minister told the House that he did not believe that policing was in crisis. Yet on that very day the Home Secretary stood up at the Police Federation conference, and there, quite unmistakeably set out in 2 ft high letters behind him, was the conference's theme, "Policing in Crisis".

The chairman of the Police Federation told the Home Secretary that there was

a crisis of no confidence, a crisis of no cash and a crisis of no colleagues

in the police service. This week, in *THE HOUSE magazine*, he wrote:

The new century finds the service at its lowest ebb in recent memory.

[Miss Ann Widdecombe]

If that is the opinion of the police, let not the Home Secretary try to take refuge in blaming the previous Government.

A recent survey of more than 6,000 serving police officers found that three quarters believed that morale was low and that 71 per cent. would have taken another job with the same rate of pay if it had been offered to them.

Hon. Members and the public can draw their own conclusions as to who is telling the truth about what is happening in the police service, or perhaps I should say, what is happening to the police service. Police numbers have fallen by more than 2,300 since Labour came to power. That includes a significant fall in the number of front-line constables. The thin blue line is getting ever thinner.

The Home Secretary always likes to bleat that numbers fell under the Tories between 1993 and 1997. However, he knows as well as I do that the number of constables increased year on year over that period, and that the reductions in total numbers were due to cuts in middle management. Under the Labour Government, both the overall number of police officers and the number of constables have fallen. That is despite the Home Secretary's words to the Police Federation within days of coming to office, when he said:

> The police constable is central to the success of our police service. In difficult, demanding and often dangerous circumstances, the constable is the physical presence of the law on our streets."

Yet under his Administration and under his stewardship of the Home Office, the number of constables—

> the physical presence of the law on our streets—

has steadily fallen.

We all know about the way the Home Secretary and his spin doctors fiddled Labour's conference pledge on police numbers. By contrast, we are pledged to restore the number of police officers to the levels inherited by the Government. We say that with no smoke and no mirrors. Is the right hon. Gentleman able to confirm that the figures on police numbers given in written answers hide the real picture? Is it not the case that the figures that he and his Ministers regularly provide relate not to actual strength but to budgeted strength, and that the amount of manpower available on our streets is substantially less than the Government have said? Will he tell the House how many police officers there actually are in England and Wales? Is it the estimated 124,800 provided in parliamentary answers, or is the figure substantially lower?

Fewer police officers are having to cope with more and more bureaucracy, such as the new crime reduction targets. According to the president of the Association of Chief Police Officers, Sir John Evans, on the day those targets were announced they were already in some difficulties. The Police Federation has said that the targets will mean shifting resources away from serious crimes, including crimes of violence, and from street patrolling.

We have seen that happen before, in the Government's approach to the health service. By setting politically inspired targets, they have distorted priorities. According to the police, there seems to be a real danger that the Home Secretary is now doing the same in the war against crime.

As if that were not enough, in the White Paper on licensing the Home Secretary wants to make police officers—not local councils, local magistrates or local bureaucrats, but police officers—responsible for approving requests to sell alcohol on a temporary basis. With just five days' notice, the local police officer would have to carry out the necessary checks, receive objections, issue a formal letter granting or refusing permission and, if there were objections, defend his decision before the licensing committee of the local authority.

I do not know about the Home Secretary, but surely that proposal would be regarded by most sensible people as an unnecessary bureaucratic burden. It does not contribute to fighting or preventing crime, and it would be perfectly possible, under the Government's plans, for the local authority to shoulder much of that burden. The police would have to be consulted, but why do they have to do all the bureaucratic donkey work? Joined up Government? We do not even have joined up thinking in the Home Office.

We need a comprehensive review of all police functions to ensure that they are allowed to get on with the job of fighting crime. The right hon. Gentleman told the 1997 Police Federation conference that

> the police have my wholehearted support and the wholehearted support of this new Government. We will do all that we can to ensure our police service is strong and effective. We will also support you by providing the protection and the resources you require.

Surely the Home Secretary has not forgotten that speech of three years ago. What is the reality today? Yesterday, we found out that, far from giving front-line police officers the full support and protection that he pledged, under his early release scheme the Home Secretary has let more than 100 criminals convicted of assaulting police officers out of prison before the minimum point of their sentence. People who, having assaulted the police and been given, on average, four and a half months in jail, have served just six weeks. What message does that send out to the men and women of our police service?

It is another kick in the teeth for the police when the criminals that they have caught and seen locked up for a range of other serious crimes are let out of jail early. *[Interruption.]* I hope that Labour Members are listening, because this is where the Home Secretary's policy has got them. Between January last year and the end of last month, the Home Secretary's early release scheme let out more than 20,000 convicted criminals before the minimum point of their sentences.

What sort of convicted criminals? Trivial ones? Nope. There were 53 convicted of manslaughter; six convicted of attempted murder; 34 of making threats to kill; 2,562 of wounding, actual bodily harm or grievous bodily harm; 128 of assaulting police, obstructing a constable or resisting arrest; 23 of cruelty to children; two of causing an explosion; 20 sex offenders with convictions for buggery, indecent assault or unlawful sex with an under-aged girl; 1,887 convicted burglars; 811 robbers; 125 arsonists; 60 blackmailers; 30 kidnappers and 772 convicted of affray and violent disorder. I am not surprised that the Government are getting embarrassed.

Despite the Government's promise of a war on drugs, 2,767 people convicted of drug dealing and trafficking have been released. This week, the Minister of State admitted that he had not even given us the true picture in

his previous answers. His excuse was that there had been under-reporting of the further offences committed by the criminals when they should have been in prison. Now we know that almost 400, rather than fewer than 200, which was the Home Secretary's previous claim, have committed more than 700 further crimes when they would, but for the Home Secretary's kindly early release scheme, have still been in prison. Those crimes include two rapes, nine assaults on police officers, 18 other serious assaults, 21 burglaries, 14 offences of affray and violent disorder and 13 offences of drug dealing. Labour Members should take note of that because they are the Home Secretary's own statistics given in his own written answers, and they are beyond dispute.

Mr. Nigel Beard (Bexleyheath and Crayford): Will the right hon. Lady confirm that she has the agreement of the shadow Chancellor to spend the extra £1.5 billion that would be involved if such an early release programme were abandoned?

Miss Widdecombe: While I do not recognise the hon. Gentleman's figure, I do indeed have the agreement of my right hon. Friends the Leader of the Opposition and the shadow Chancellor and of the entire shadow Cabinet that we will scrap completely the early release on tagging scheme. Under Labour, the message is clear that, "If you get six months, you will get out in six weeks."

Mr. Dale Campbell-Savours (Workington): The right hon. Lady has just given an undertaking to the House. Can she put a price on it? How much?

Miss Widdecombe: We have estimated that the total cost of all our provisions involving imprisonment is £260 million.

Mr. Bob Blizzard (Waveney): The right hon. Lady has just told the House that she will scrap the early release scheme. Does that mean that she would require Tony Martin to serve his full sentence and not allow him to be released early?

Madam Speaker: Order. I think that the right hon. Lady is aware that that case is under appeal and is sub judice.

Miss Widdecombe: I was, indeed, aware that the case was sub judice. I shall take the underlying question as opposed to the specific case. We have said that we will scrap early release on tagging. That is the scheme that was introduced by the Home Secretary, by which prisoners do not even serve up to the minimum point of their sentence at which they would get automatic release, but are released before that. We have also said that we would restore the proposals that we introduced and which the Government threw out when they came to power—for honesty in sentencing, so that the sentence handed down would be the sentence served and everything would be transparent.

The Secretary of State for the Home Department (Mr. Jack Straw): What the right hon. Lady has said is that a Conservative Government would abolish early release on licence, and make criminals serve the full term ordered by the judge in open court. Is she saying that someone currently sentenced to four years would have to serve that four-year sentence?

Miss Widdecombe: The right hon. Gentleman heard me—

Mr. Straw: Answer.

Miss Widdecombe: I am going to answer, if the right hon. Gentleman will have some patience. I have just got back to the Dispatch Box and he yells "Answer." A bit of courtesy would be appreciated. He heard me say clearly just now that I would reintroduce the proposals that we almost put on the statute book for honesty in sentencing—proposals which Labour abandoned. He will know that we proposed that judges should take account of what people would actually serve and what they expected and wanted people to serve, and that that would be the sentence handed down. It would be transparent and everyone would know where they were.

Mr. Straw *rose—*

Miss Widdecombe: As the right hon. Gentleman spent a lot of time opposing those very sensible measures, he knows precisely how the calculations were done. He knows exactly what was involved, and he knows that we have said that that is what we will reintroduce.

Mr. Straw *rose—*

Miss Widdecombe: I know that the right hon. Gentleman is keen to prevent me from moving on to his immigration rules, but I shall give him one more chance.

Mr. Straw: I shall come on to deal with why we opposed those rules, which would have had the effect—among many other adverse consequences—of prisoners serving less time than they do under the current regime.

Miss Widdecombe: No.

Mr. Straw: Oh yes. The right hon. Lady may also have forgotten that so chaotic were those provisions that they had to be withdrawn and subsequently reintroduced, and that they were still chaotic. Given what she has said, will she confirm that, in practice, her proposals—for all the badging that she gives them—would make not a scrap of difference? Currently, in principle, someone who is sentenced to four years serves two, whereas, under her proposals, if the judge intended that person to serve a minimum sentence of two years, that person would be given a minimum sentence of two years.

Miss Widdecombe: The right hon. Gentleman is releasing those people even before two years—that is the point of the tagging scheme. He should not be allowed to dodge that fact. We have said that we expect the judge to give the sentence that he expects the prisoner to serve.

I shall now deal with the immigration rules.

Mr. Simon Hughes (Southwark, North and Bermondsey): Will the right hon. Lady give way?

Miss Widdecombe: In a moment.

Mr. Hughes: On this point; before she moves on.

Miss Widdecombe: All right; I am very generous.

Mr. Hughes: Can the right hon. Lady confirm that the implication of the policy that she has just outlined is that there would be longer sentences and more people in prison? If so, how does she explain the fact that, when she and other Conservative Members were in government, we had rising prison numbers, falling conviction rates—[HON. MEMBERS: "Falling crime."] No, not falling crime—*[Interruption.]* No. How does she explain those facts, and the fact that, in 1992, after 13 years of the Tories, we had the highest crime rates in the history of this country? How does she explain that?

Miss Widdecombe: The very fact that the hon. Gentleman finds it necessary to rewrite history proves just how completely he misunderstands it. Yes, we did have rising prison numbers and we had record prison numbers, but during that time we also had the first sustained fall in crime. The lesson was that, if we take repeat offenders off the street, we have an impact on crime and protect the public. If the hon. Gentlemen were interested in protecting the public, he would welcome putting people in prison who would otherwise be menaces on the streets.

I shall now deal with the immigration rules, whether Labour Members want me to or not. The Home Secretary proposes to change the immigration rules for convicted criminals. Previously, the British public were—or so they thought—protected by those rules against all foreign criminals convicted of offences that would carry a maximum sentence of 12 months or more in the United Kingdom. Under the Home Secretary's proposals, that rule will apply only to the most serious offences—those with a maximum sentence of 10 years or more—such as murder, rape, armed robbery, offences of violence against the person, violent sex crimes and firearms offences. However, his plans throw up a couple of very interesting loopholes.

First, the exclusion will not apply to paedophiles convicted of dealing in child pornography, for which the maximum sentence is a paltry three years. Perhaps the right hon. Gentleman will now, therefore, consider extending his proposal either to cover paedophiles or—if he will accept our amendment to the Criminal Justice and Court Services Bill—increasing the sentence for that offence to 10 years.

Mr. Straw: As the right hon. Lady makes a serious point, I tell her that the consultative document that I published last week was just that—a consultative document. I welcome the comments that she has made on the matter, and understand entirely the case that she makes for special protection in respect of paedophiles. I shall take full account of her proposal and get back to her.

Miss Widdecombe: I am very grateful to the right hon. Gentleman for seeing good Conservative sense after we have drawn it to his attention. Now, let me try him again.

The right hon. Gentleman's proposed change in the rules will also not cover those who are convicted of dealing or trafficking in class C drugs, for which the maximum sentence is five years. Although we do not hear as much about class C drugs as we hear about heroin or cocaine, they are not harmless substances. They include the so-called date rape drug, rohypnol, and banned steroids used by athletes such as nandrolone, which got many headlines last year. Perhaps the Home Secretary will also consider extending the prohibition to people who deal in those drugs. I shall give way if he wants to jump up and agree.

I hope that the loopholes were a mistake. I am grateful to the Home Secretary for his promise today to look at proposals and consider afresh the changes that he is seeking to make. It would send out a wrong and dangerous message if he did not do so.

We saw on Monday the utter embarrassment of the Home Secretary and his colleagues when my hon. Friend the Member for New Forest, West (Mr. Swayne) highlighted the failure of child curfew orders, which appear to be a source of great hilarity to the Home Secretary. More than once, he has described them as

> new powers to protect children under 10 from being drawn into crime.

However, they have not been used by a single local authority. In the 20 months that they have been available, there has not been a single application for one. He has been forced to admit that he will have to amend the Crime and Disorder Act 1998, because the great flagship measure that he trumpeted is not working.

Then we have the anti-social behaviour orders. The Minister of State, the right hon. Member for Brent, South (Mr. Boateng), told the House on Monday that 40 had been issued—less than one a week. Just half of those have been against juveniles, despite the Home Secretary's view, expressed last year, that they should be routinely used against the middle and older age groups of juveniles and young people—the 12 to 17-year-olds. Another Minister of State, the hon. Member for Norwich, South (Mr. Clarke), said in Westminster Hall on 1 March that the charge that the anti-social behaviour order was too complex and bureaucratic was well made.

The orders are certainly complex and not even their creator, the Home Secretary, understands them properly. On 12 July last year, he twice told the House that using the orders was "a last resort". Just three months later in October, he wrote an open letter to all local authorities urging them to use the orders, saying that they were not a measure of last resort. No wonder local authorities and the police are confused. The Home Secretary is even more confused and has passed that on to them.

The Government have consistently promoted those measures as a panacea for youth crime, but they have turned out to be nothing of the kind. Our proposals would take persistent young menaces out of an environment that is failing them and give them a real incentive to change.

The Government promised the electorate that they would do a great deal on law and order, but after three years we have falling police numbers, rising crime, thousands of convicted criminals being let out of jail early and a crisis of no confidence in the police. It is a crisis of the Home Secretary's making. Victims have been let down. The police have been let down. The public have

been let down. Those who voted Labour have been comprehensively betrayed. The only person with anything to thank the Home Secretary for is the criminal.

4.4 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the fact that recorded crime has fallen by 7 per cent. since March 1997, with domestic burglary down by 20 per cent. and vehicle crime down by 14 per cent.; applauds the Government's investment to boost police recruitment; supports the Government's strategy for tackling crime and the causes of crime through better prevention, improving the performance of crime and disorder partnerships, the police and the criminal justice system, more effective punishment of offenders and securing greater support and protection for victims and witnesses; backs the radical reforms of the youth justice system, including swifter punishment for persistent offenders; and notes that all this is in sharp contrast to the record of the previous administration when crime doubled and the number of offenders convicted fell by a third."

The best that one can say about the speech of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) is that at least it was brief. Her problem is that while the Leader of the Opposition has taken over her job, she has been spending too much time signing copies of her book.

Miss Widdecombe *rose—*

Mr. Straw: I shall give way to the right hon. Lady in a moment, but I have only just begun.

I am always glad when right hon. and hon. Members do not become completely obsessed by politics but find other things to do with their spare time, so it is in the spirit of great affection in which I hold the right hon. Member for Maidstone and The Weald that I congratulate her on the production of "The Clematis Tree", her first novel. *[Interruption.]* With her customary modesty, the right hon. Lady has described it as a very good book. I am still waiting for a signed copy. However, as any gift must be declared in the register these days, I should declare that I would be happy to pay for it.

I have not yet read the book, but I have read the reviews, which were like an allegory for her speech today. Some reviews you agree with and some you don't, Madam Speaker. One with which I entirely agree—and one which showed that her writing skills have fed through to her speeches—said of the book that it was completely devoid of plausible contemporary reference. One with which I wholly disagree is that the right hon. Lady is lacking a knack for fiction. She has shown today that she can produce fiction not only in novels, but in speeches.

Mr. Patrick McLoughlin (West Derbyshire): I am somewhat confused by what the Home Secretary has just said. Is it his practice only ever to read reviews before making his mind up, rather than reading the book itself?

Mr. Straw: If the hon. Gentleman wants a serious answer, the best books page that I read is to be found in the *Financial Times*. Rather than wasting my money, I see what is recommended by its expert reviewers and then buy it.

I welcome this opportunity to debate the Government's record on crime, not least because it already compares well with the appalling record of the Conservative party when it was in government. In the first two and a half years following the 1997 general election, overall recorded crime fell by 7 per cent., with domestic burglaries down 20 per cent. and vehicle crime down 14 per cent. In the first two and a half years of Margaret Thatcher's Government, crime went up by 15 per cent. In the same period of the Government led by the right hon. Member for Huntingdon (Mr. Major), crime rose by 31 per cent.

The right hon. Lady can tinker with start dates and nit-pick over footnotes—we will no doubt hear more of that—but the incontrovertible truth is that over the 18 years of Conservative Government, crime doubled while the number of offenders punished fell by a third. Crime did come down towards the end of the Conservatives' period in office, but only back to the appallingly high levels of 1990.

The Tory record was clear—much more crime and many more criminals getting away with it. It is little wonder that the former Tory Home Office Minister David Mellor was moved to admit at the last election that the Conservative Party had

lost the plot on law and order.

In contrast, we have already put in place policies fundamentally to reform the way in which the criminal justice system works to ensure that it is tough on crime and tough on its causes. The programme includes tougher sentences for repeat and serious offenders; radical reform of the way we deal with young offenders; greater support and protection for victims and witnesses; effective action on preventing crime in the first place, and better detection when it does occur in rural and urban areas; and an overhaul of our system of criminal justice to cut delays and put an end to revolving-door justice.

Miss Widdecombe: The Home Secretary talks about being tough on the causes of crime. Presumably that is exactly what his child curfew orders and anti-social behaviour orders were meant to tackle. There has not been a single instance of the first and, for juveniles, there has been less than one every two weeks of the second. Does the right hon. Gentleman accept that his efforts have been the most abject failure?

Mr. Straw: Not for one second. I will refer to anti-social behaviour orders in a second, and we will want to know whether the right hon. Lady supports them or not. Residents, police and victims all support them.

On the issue of child safety orders—

Miss Widdecombe: Where are they?

Mr. Straw: I would like them to be used, but it is for local authorities to use them.

In the Criminal Justice and Public Order Act 1994, introduced by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), a number of offences were laid down that have not resulted in a single conviction. I do not complain about that. I thought it sensible to have such offences. The act has broadly worked well. The parenting orders in the Crime and Disorder Act 1998, which were derided, have been used

[Mr. Straw]

by the score in the pilot areas alone. People said that they would not work, but they are working extremely well. The reparation order, the action plan order and all the other orders that we have introduced to reform the youth justice system, left in such disarray by the Conservatives, are working and ensuring that fewer young offenders reoffend.

We are taking action to tackle the social conditions in which crime and criminality breed. We developed our policies by listening to those at the sharp end of the fight against crime: victims of crime, the police, councils, and Members of Parliament whose surgeries were full of constituents angry at the levels of crime and disorder in their communities. We also drew on the experience of the previous 18 years and on the reasons for the previous Government's failure to tackle the problems.

The fundamental reason for that failure on crime was the fact that the Conservatives did not have an overall strategy. Yes, during the 1980s they put money into the police, and numbers rose, but they coupled that with changes that disrupted the ability of the police to do an effective job, such as the flawed introduction in 1985 of the provisions in the Police and Criminal Evidence Act 1984 and the disastrous way in which they established the Crown Prosecution Service a year later.

There was also the absence of any means or method of helping local communities to fight back against disorder and anti-social behaviour. There was even—I ask my hon. Friends to comprehend this—a sentencing regime that gave the green light to criminals to offend again and again, with the Criminal Justice Act 1991, under which the courts were to be prevented by law from taking previous convictions into account in determining whether and for how long an offender should go to jail. That incoherence and incompetence led the British people to lose faith in the Conservatives' ability to keep our communities safe.

Mr. John Bercow (Buckingham): Was it not an alarming admission on 8 May that no fewer than 11 prisoners have been illegally let out of jail early, before serving the minimum tariff required, including people convicted of drug trafficking, assault, burglary and sex with a minor? Why did the Home Secretary not consider that serious enough to justify a full statement to the House?

Mr. Straw: As the House knows, I am never slow in offering to make oral statements. Of course it is a serious matter, and no one denies it, but if the hon. Gentleman wants to start trading statistics about people who are let out of prison illegally and early, I might remind him, although I do not want to cause embarrassment to the right hon. and learned Member for Folkestone and Hythe or the right hon. Member for Maidstone and The Weald, that 500 prisoners, not 11—the figure mounted day by day—were let out early owing to the incompetence of the service over which they were presiding in the summer of 1996.

The Conservative Government not only had no strategy: they did not understand that they needed one. As crime soared to its highest ever level, they did not have a clue what to do, so they cast around for scapegoats, for someone—anyone—to blame, provided that it was not themselves. Who did they choose? They did not choose the criminals, nor even the "liberal establishment". Instead, they alighted on the police.

As former Home Secretary Kenneth Baker remarked in his autobiography:

> I found that while several of my ministerial colleagues and Tory MPs supported the police in public, they were highly critical of them in private.

The then Government's revenge against the police was the Sheehy report, which the then chairman of the Police Federation, Alan Eastwood, described as a "monumental blunder" that had

> thrust this Service to the edge of a cliff.

It is fair to say that it was the right hon. and learned Member for Rushcliffe (Mr. Clarke), who has now been adorned as a member of the liberal establishment and who is a former Home Secretary and Chancellor, who nearly brought the police service to the edge of that cliff. However, it was the right hon. and learned Member for Folkestone and Hythe who failed utterly to rescue the situation—indeed, he did the reverse. He implemented the biggest ever cut in the housing allowance, which has been a major factor in the recruitment problems now affecting the London police. He also forced a real-terms cut in spending on the police in 1995-96 and promised thousands more officers while securing many fewer.

Mr. Michael Howard (Folkestone and Hythe): The Home Secretary frequently refers to the fall in police numbers in the last four years of the previous Government and he has just referred to a fall in real-terms funding for the police in one of those years. What he never points out—and I would be grateful if he would confirm my figures, which come from the Library—is that during my time in office as Home Secretary, spending on the police increased in real terms by 4.2 per cent, whereas under his stewardship, spending on the police in real terms has fallen. In other words, while I was Home Secretary, chief constables had the money they needed to maintain police numbers had they chosen to do so, whereas the right hon. Gentleman simply has not given them the money. Is not that the difference?

Mr. Straw: I have great respect for the staff of the Library, but my figures—which are on the record and I am happy to exchange them with my old friends the Library statisticians—show a real-terms increase in spending of 4 per cent. between 1997 and 2000. For this year, budgets will rise by 4 per cent. while the GDP deflator will increase by only 2 per cent. I notice that the right hon. and learned Gentleman turned to the Tories' usual alibi of blaming someone other than themselves for the fact that police numbers fell. Of course, they do not give this Administration that concession. In the small print of his question, the right hon. and learned Gentleman said that he had provided the money—which, by the way, he had not—to the police service to spend on increased police numbers, if chief constables chose to do so. It turns out that the fall in numbers was not the right hon. and learned Gentleman's fault for cutting real-terms spending on the police in 1995-96 by 0.4 per cent., but the fault of the chief constables for not spending the money properly.

Mr. Howard: The Home Secretary has challenged my figures, but they show that in 1993-94 spending on the

police in real terms—at 1998-99 prices—was £7,001 million. In 1997-98, the last year for which I was responsible, it was £7,294 million. For 2000-01, it is only £7,369 million. If the Home Secretary compares the figures year by year, he will find a 4.2 per cent. increase in real terms in my period in office and a fall in his.

Mr. Straw: I am sorry to disagree with the right hon. and learned Gentleman. Such matters of arithmetic are not easy to resolve.

Mr. Howard *rose—*

Mr. Straw: With great respect, I have already given way to the right hon. and learned Gentleman twice. My figures, which are produced by Government statisticians and based on Chartered Institute of Public Finance and Accountancy police statistics—on which his statistics will also be based, because they are the only source of those figures—tell a different story. The right hon. and learned Gentleman will have an opportunity later to explain away how he promised 5,000 additional officers in 1997 on budgets that could not conceivably deliver them.

How little has changed! In recent weeks, we have heard senior Tories sniping at our police service over the May day riots and over rural policing. They pay lip service to the police in one breath and constantly second-guess their professional competence in another. When the Tories are not making excuses and searching for scapegoats, they are holding up the war on crime. They waffle tough words—such as we heard today—but act to the contrary.

The Conservatives' motion talks about putting victims at the heart of the system, but the right hon. Member for Maidstone and The Weald and the Tory party have vehemently opposed our Bill to stop the misery caused to victims by persistent offenders stringing out less serious cases by choosing jury trial when there are no good reasons for doing so.

Our Bill will help victims and speed up justice. I have long accepted that there are times when the so-called establishment mobilises against common-sense policies to tackle crime. This is one such occasion, but who do we find standing full square with the lawyers and the liberal establishment, and against the views of all the police associations, of the Lord Chief Justice, of the senior judiciary and all the magistrates? It is none other than the Leader of the Opposition, with the right hon. Lady in his wake.

Miss Widdecombe: The Home Secretary says that his proposals to reduce the automatic right to trial by jury will benefit victims. Does he agree that he has said that two thirds of the savings under the measure will be achieved as a result of fewer people being given prison sentences? That will happen because magistrates give fewer and shorter custodial sentences. How will it comfort and reassure victims to know that under his proposals more people who should be in prison will instead be on the streets?

Mr. Straw: The right hon. Lady knows very well that if magistrates believe that their sentencing powers are not adequate when someone is convicted in a magistrates court of an either-way offence, they can transfer that person to the Crown court for sentencing. She cannot wriggle out of it and pretend that she does not know that. She also knows that our proposals will speed up justice and stop criminals spinning cases out to the point where victims are so fed up or intimidated that they will not go to the court—which, almost invariably, is further away from where they live than the magistrates court. She knows, too, that our proposal will save time wasted unnecessarily by prisoners on remand.

I turn now to the issue of anti-social behaviour orders. In government, the Conservative party refused to implement those orders. In opposition, it sought to water them down, and it now describes them as a gimmick in need of repeal.

As the House has heard, more than 40 ASBOs have been granted in the past year. I want many more such orders to be granted, in the same way as I want there to be many more convictions for theft, burglary, violence and other crimes. The Opposition, however, do not want there to be any anti-social behaviour orders at all. They want the protection that the orders offer removed altogether.

The Opposition want the three young thugs in Preston who were making the lives of the residents on the Callon estate a misery to be free to carry on their criminality. They want the same licence for thugs and criminals in areas across the country—both rural and urban—where anti-social behaviour orders are in force.

Anti-social behaviour orders are in force in 25 areas, which include Weston-super-Mare, Camden, Liverpool, Yeovil, Middlesbrough and parts of Sussex and Suffolk. They are helping in the prevention and detection of crime.

Mr. Desmond Swayne (New Forest, West): Recently, a shopkeeper in Lymington went out to defend his property against a mob of drunken youths. A police car passed by. The policeman in the car looked at what was going on, and the car passed on. The shopkeeper subsequently made representations to the police station, but he was told that the policy was that an officer would not get involved in an incident if he was on his own and had no back-up—but the citizen involved was on his own and had no back-up. If the police are not prepared to intervene to assist citizens, how can any justice be had, ever?

Mr. Straw: I understand the hon. Gentleman's concern, and I congratulate the citizen to whom he refers. I can say, modestly, that I have been in that situation myself on four occasions over the past few years. However, the hon. Gentleman knows that there will always be some instances of unhappiness about the way in which an individual police officer has behaved in an individual circumstance. The answer is for the hon. Gentleman to take the matter up with the chief constable, or with the superintending officer in that area.

I am not alone in saying that anti-social behaviour orders are having an effect. Robin Searle, assistant chief constable of Nottinghamshire police, has said:

> Through new legal powers the police and other agencies are also sending out a clear message to the most persistent young offenders, who previously thought that they were untouchable, that we will target them and take the strongest possible action.

The contrast between the actions of this Government and those of the previous Conservative Government is not simply that we are delivering crime reduction where the

[Mr. Straw]

Conservatives could not. It is that we also have a strategy for the long term. That strategy includes the new deal to get young people back to work, the sure start programme to help parents of vulnerable young children, the anti-drugs strategy, and a raft of policies to tackle social exclusion. Some 376 local crime reduction partnerships between the police, councils and others are up and running, pooling resources and effort into fighting crime.

The right hon. Lady complained that we had established targets for each police force area, in co-operation with those police force areas.—*[Interruption.]* She keeps waving her hands as an alternative to rational argument.

Madam Speaker: Order. I ask the right hon. Lady to contain herself while in a sedentary position. She has made her speech and should let the Secretary of State make his.

Mr. Straw: The right hon. Lady cannot help it, Madam Speaker—we should have sympathy for her plight. *[Interruption.]* I apologise, Madam Speaker, for any impertinence I may have shown to you.

The right hon. Lady waves her hands like a semaphore flag, which I have to decipher. I gather from her semaphore that she is not too keen on targets. Last year's crime figures, as they relate to previous years, show, underneath the overall totals, a very variegated situation. The right hon. Lady laughs. Of course we want to get overall crime figures down. Figures for some crimes are coming down, such as domestic burglary and violent crime, which we have targeted as a matter of policy.

Some police services do very much better than others even though they may have the same resources, powers and number of police officers. I am delighted to say that one of those is Lancashire which, with a less good budget settlement than many other forces, managed to reduce crime by 10 per cent. in the last full year.

What is true for police forces overall is also true for individual basic command units. That is why we have asked forces to set targets at a basic command unit level. I am astonished that the Tories should oppose that, because it was their policy in relation to schools 15 years ago. Far from the police objecting to them, the targets have been welcomed by the Association of Police Authorities and by Superintendent Peter Williams, the national secretary of the Police Superintendents Association of England and Wales.

Miss Widdecombe: I could not contain myself just now because I simply could not believe what we were being told. The right hon. Gentleman talks about crime reduction. Is crime going up, or is it not? Is it the first time in six years that it has gone up, or is it not? Is it happening under his stewardship, or is it not? Is it happening against a background of falling police numbers, or is it not? No matter how much waffle we hear, those are the facts. Will the right hon. Gentleman please address them?

Mr. Straw: I am addressing all those issues, and the waffle is coming from the Conservative party. The right hon. Lady knows very well that recorded crime overall rose by about 3 per cent. in the last year for which we published full figures. Within that figure there are major variations. Therefore, there are lessons to be learned. Yes, there is the issue of overall resources; we are addressing it, something that the previous Government failed to do. There is also the issue of how those resources are best managed.

I regret that police numbers have fallen. However, the last people in the world to lecture us about police numbers are the right hon. Lady and other Conservative Members. The Conservatives promised an increase of 1,000 in police numbers in their 1992 manifesto and then began cutting police numbers in 1993, so that they fell by 1,400 by 1998. The Conservatives' pre-election spending plans, published just before the election, would have led to an even greater loss of police numbers, with no strategy to reverse that decline.

The right hon. Lady presented the police budget for 1997-98 in a debate in the House in January 1997. She is staring at the ceiling, praying that I will not remind her of what she said. She said:

> I have already reminded hon. Members of the commitment ... to provide funding for an additional 5,000 police officers over three years.—[*Official Report*, 29 January 1997; Vol. 289, c. 457.]

However, that commitment was like so many others made by the right hon. Lady and her party before 1997 and since: the commitments of the rattling can—empty and worthless.

Mr. Tim Collins (Westmorland and Lonsdale): I hope that the Home Secretary can give a calm answer to my question. When does he propose to act on the report commissioned and received by the Home Office on the sparsity element in its funding formula for police forces? As the right hon. Gentleman may be aware, that is worth £2 million to the Cumbria constabulary and would make the difference between the continuation of reductions or turning them around and reversing them.

Mr. Straw: The hon. Gentleman raises an important issue. In the current police grant, £35 million is for sparsity. We shall be acting on the matter in the context of the comprehensive spending review. The Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke) recently visited Cumbria—a very rural area—and talked to officers about the matter.

Mr. James Clappison (Hertsmere): The Home Secretary has been in charge for three years, but he complains about police numbers under the Conservative Government. Will he confirm that police numbers have declined during the past three years? When does he expect police numbers to match those he inherited in 1997?

Mr. Straw: I confirm that police numbers have gone down. The hon. Gentleman knows that—there is no dubiety about the matter. What I am trying to do is to explain that decline. We decided to stick to the spending plans of the previous Government for the first two years—even though we did not have to do so—because we were not willing to make promises to the electorate that could not be delivered. We learned a few lessons in opposition—the current Opposition have failed to learn them—so, although I am happy to hear complaints about the fact that police numbers have gone down from police officers, police services or the public, the people who cannot complain about that reduction are members of the previous Administration.

Moreover, the Conservatives tried to trick the electorate by saying that police numbers would rise by 5,000—as the right hon. Member for Maidstone and The Weald said just before the general election—while allocating an amount that ensured that numbers were bound to go down. We are dealing with the matter. We are injecting funds so as to reverse the decline in police numbers. This year, £59 million is ring-fenced from the crime fighting fund; there will be more next year to accelerate—in two years, rather than three—the recruitment of 5,000 officers more than previously planned. After those two years—

Several hon. Members *rose—*

Mr. Straw: No, I shall not give way.

On the basis of the projections provided by police forces, we expect a return to the 1997 numbers. As for more police officers, that is a matter for the comprehensive spending review.

Many hon. Members were rather perplexed at how subdued the right hon. Lady was on Monday during Home Office questions. I was, too, until I read what she had said on Sunday on the BBC programme "On The Record", where she, and her spending plans, were taken apart by the relentless questioning of Mr. John Humphrys.

This matter is like the Tories' pensions pledges—they make a pledge in the morning and it falls apart in the afternoon. We saw that today. The right hon. Lady talks about honesty in sentencing; what she actually means is that she plans to cut sentences in half, with no licences for those people who come to the end of their period of imprisonment. Her plans will cost at least £1,900 million, but she gagged and fluffed—just as she did in the House—and tried to convince an incredulous Mr. Humphrys that the cost would be just a fraction of that amount—£200 million. This year, we have put an extra £300 million into the police service alone. The right hon. Lady's calculation is as worthless and hopeless as the ones she made before the election; it is doubly undeliverable, because under the Tories' so-called tax guarantee, there can be no extra spending anyway.

Oppositions can always make headlines. I know that; I spent 18 years in opposition. However, I also know that if Oppositions are to become Governments they require more than headlines. They need credibility; and to be credible, they cannot in one breath promise the earth on education, health, police, prisons and pensions and, in the next, promise to cut taxes. It simply does not add up.

The British people drove the Tories from office in 1997 not only because they had failed comprehensively on law and order, but because they broke the trust of the British people, cynically making one promise after another that they knew could not be delivered. By contrast, the promises that we made are being delivered—getting on top of the legacy of high levels of crime and of criminality with a strategy for the long term. We have put that strategy in place with the most fundamental reform of our criminal justice system in a generation to make our society safer and to allow people better to live their lives free from fear.

I urge the House to support our amendment.

4.35 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): We welcome this debate on crime and we welcome the opportunity to examine the Government's record and to hear what the Conservative party proposes to do.

First, I shall consider the Government's record just over three years on from the general election. It was perfectly valid for the right hon. Member for Maidstone and The Weald (Miss Widdecombe) to remind the House that the Labour party went to the election with the theme of tough on crime, tough on the causes of crime. That was its selling point and message and we must judge what it has done against that claim.

Of course, there has been some good legislation, some good initiatives and some worthwhile and considered proposals. In my conversations around the country, I pick up that the Crime and Disorder Act 1998 is generally welcomed and that police and local authorities in England and Wales welcome the new crime partnerships. I also pick up from my conversations that the new structure for dealing with young offenders is a good initiative and that it is much more likely to deal with young people effectively. Certainly, there have been good initiatives on crime reduction, and it is not always the big national schemes, but the small local initiatives that count. In many areas, the Government's actions have been welcomed, as they have been by the Liberal Democrats over the years. The Government have been clear about certain forms of crime, such as racially motivated crime. They have deserved support and have made progress.

We do not come to the debate with the attitude that, by definition, all we can do is criticise the work of another political party. That would be an unreasonable and unfair starting point. However, we have to consider what works, a phrase that was inherited from the previous Conservative Government and used again by this one. The test is what works to prevent, detect and deal with crime.

Perhaps, because he was understandably concentrating on the Conservatives, the Home Secretary did not hear my attempts to intervene on him. I absolve him of responsibility for that, because he is normally willing and courteous in giving way. However, I understand that he may have had difficulty in picking up my requests to intervene.

Let me paint the picture of the serious position that we are in and that is a challenge to us all. We need to go from where we are and not where we would like to be. On Monday, I quoted Home Office statistics to the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke) and—along with those published by the House of Commons Library, which are often prayed in aid—those statistics are the most authentic that we can quote. The latest figures show that, of 100 offences committed, only 45 per cent. are reported, only 24 per cent. are recorded, only 5.5 per cent. are cleared up and only 3 per cent. result in a caution or conviction. The figures are worrying whatever the level of crime.

The right hon. Member for Maidstone and The Weald was wrong to deny that crime reached a peak under the Conservative Administration. In 1992, the number of recorded crimes was higher than it had ever been before or has been since. Although the figure goes up and down, we clearly want a system that, whatever the level of offences, prevents crime more effectively, detects it better and deals with it more effectively.

[Mr. Simon Hughes]

Let me share with the House the other statistic that I wish to quote. It shows that, of the men who are convicted and imprisoned, more than half reoffend within two years and, of those who are under 21, more than 70 per cent. reoffend within two years. In addition to the fact that people are not being deterred, something is badly wrong when, despite a rising prison population and a general trend for longer sentences, a significant number of people are coming back into the system. That is as important as other matters that should be addressed as policy areas.

Mr. Howard: Does the hon. Gentleman agree that the proportion of those reoffending within two years of leaving prison is almost identical to the proportion of those who reoffend within two years of being sentenced in the community or having a probation order imposed on them? Whatever that statistic demonstrates, it certainly has no relevance whatever to the effect of prison on people inside prisons.

Mr. Hughes: The right hon. and learned Gentleman is right to argue that alternatives to prison do not suddenly prevent reoffending and that, in some areas, the figures are similar. However, if prison is to serve any purpose, it is meant to do two things. First, it should punish and deter and, secondly, like other sentences, it should have some benefit for offenders so that they are less likely to reoffend. However, we do badly in preventing people from reoffending.

I take the right hon. and learned Gentleman's point. We do badly in all our responses and, unless we cut the huge percentage of crimes committed by those who, in theory, are dealt with but for whom, clearly, the punishment does not work, we are not providing an adequate remedy.

The background to that includes the fact that, under the previous Government, convictions fell significantly, as objective figures show clearly. There were just under 2 million convictions in 1979 and just under 1.5 million convictions in 1997. There was one conviction for every eight crimes committed in 1985 and one conviction for every 14 in 1996. We must therefore ask ourselves how get to more convictions for those cases brought into system.

In this area, I disagree profoundly with the Home Secretary, whose solutions include reducing the right to choose jury trial. I do not think that that will have a significant effect on such matters, and is marginal to them. Clearly, the Home Secretary and his colleagues did not think that the matter was sufficiently important to be anything other than marginal at the last election when, as he conceded, he did not believe that reducing the right to jury trial played any role in dealing with crime. It was not part of the Labour party's programme or its manifesto.

Several hon. Members *rose—*

Mr. Hughes: I shall give way to the Home Secretary.

Mr. Straw: I have followed the hon. Gentleman's speech carefully. He may like to know that the number of those convicted rose by 7 per cent. in 1998, although it fell a little last year. However, it remains significantly higher than it was. Part of our strategy for the criminal justice system as a whole is to ensure that the police catch more people and that those people can be processed more effectively through the system.

The hon. Gentleman is right to point out the attrition rate and the big gap between the number of offences committed and the number of people who end up before the courts. However, whatever side one is on, if we are to close that gap, one must accept that the prison population must rise to cope with the fact that more offenders will be sent to prison, at least until we get on top of the problem.

Mr. Hughes: That may be the case and I accept that such matters are not simple. However, in this country and elsewhere, the pattern of rising prison populations does not necessarily mean that crime goes down. It does not work like that, which is why the Home Secretary came up with a recent initiative that I shall deal with now, although it is a bit out of context. We welcome the initiative if it means that we can punish, deter and begin rehabilitation by having shorter prison sentences, such as at weekends, or during the evening or day, which allow people to go on working and paying into the system—having them in prison costs the state a fortune—and if it works better than the present system. Other countries do that.

To take one simple example, people who are guilty of some type of football hooliganism offence are in some countries locked up at the very time that they would otherwise be going to a football match. That is a specific punishment, which relates to where they committed the crime and does not use up prison establishment resources, cost the state a huge amount or stop the person concerned earning and contributing to society.

Mr. John Hayes (South Holland and The Deepings): The hon. Gentleman makes an interesting point about recidivism. The point made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the former Home Secretary, which I think the hon. Gentleman missed, was that there is little evidence that less punitive means of dealing with offenders produces results in terms of recidivism. Indeed, what might be loosely described, for the sake of reference, as the liberal establishment's rehabilitative instincts have not borne fruit in dealing with repeat offenders.

Mr. Hughes: I understood the former Home Secretary's point clearly. He was saying that both types of response produce similar results on reoffending; I accept that.

Incidentally, in the great attack by the leader of the Conservative party on the liberal establishment he used a slightly ill-judged phrase. Would that the Liberals had been the establishment for the past 40 years. The two parties that have been the establishment have been the Conservative party and the Labour party. If people are to be blamed for this great failure of law and order and the increase in crime—I say with the greatest humility that many people can be blamed for many things and we can be blamed for some things—it cannot be us. The answer to the questions that we have consistently asked is not to be found in the liberal establishment. It lies in Conservative policy for most of the time and Labour policy for some of the time—neither of which has been in any way noticeably successful.

Mr. Oliver Heald (North-East Hertfordshire): May I reassure the hon. Gentleman that, in the text of the speech

of my right hon. Friend the Leader of the Opposition, "liberal" has a small "l"? Does he agree that targeting people who are committing offences ensures that they are charged with offences, convicted, sent to prison and therefore unable to commit further offences? Was not that the insight of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), and did it not work?

Mr. Hughes: It is not terribly insightful; one hopes at least that when people are locked up they are not committing offences. In case the hon. Gentleman does not realise, having come to his job quite recently, most people who are locked up are let out after a—varying—length of time. If most who are let out offend as often as most who were not punished in the first place, one must ask whether the system is particularly useful and effective. The reality is that both offending and reoffending rates are way too high, to which we have not yet produced a response.

When I took over the job of Liberal Democrat home affairs spokesman, our senior researcher commended a few bits of reading to me. None of them keeps me wide awake for great periods. However, I commend a Home Office research study—I am sure that the Home Secretary and his colleagues read little else these days, apart from reviews in the *Financial Times* of books written by their opposite numbers—entitled, "Reducing Offending: An assessment of research evidence on ways of dealing with offending behaviour".

Mr. Bercow: Is it a racy read?

Mr. Hughes: No, not at all. The one message that I am trying to put to the House is that we must try to reach a conclusion on what works and implement those policies. We do not want simplistic, knee-jerk and ill-thought-out policies that respond more to a demand for political rescue than any desire for success in criminal justice and rehabilitation.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Hughes: No, I will not.

One criticism that lies rightly at the door of the Conservative party, which initiated this debate, is that, in the past few months, there has been a more and more speedy procession of initiatives, most of which appear to ignore the evidence, or to be inconsistent, or to have not been thought out. When the Conservative party in one month appears to be arguing for mandatory sentencing but, as soon as somebody in Norfolk is convicted and receives a mandatory sentence, appears to be arguing against such sentencing, people in the country are entitled to ask whether it has thought through what it is saying—because it does not sound like it.

Mr. Bercow: If a man who is sentenced to six months' imprisonment for sex with a minor is released from prison after only six weeks, how does that deter him from reoffending, how does it deter others from imitating his offence and how does it reassure the public?

Mr. Hughes: Most people's initial reaction would be that it does not. I concede the proposition that the hon. Gentleman makes by inference and which was made from the Front Bench. We on the Liberal Benches are carefully considering the policy of releasing people earlier than they might otherwise be released, although we have not yet reached a conclusion, because such policies send out messages and risks are involved. Of course it is appropriate to release people if they are assessed to be no risk, although risks have to be taken sometimes. However, the criminal justice system should not send out messages that suggest that serious offences—an adult having sex with a minor, which is clearly serious and unacceptable behaviour, for example—are fine and that those who commit them will be treated leniently.

Before the debate, my hon. Friend the Member for Taunton (Jackie Ballard) told me that she attended a recent seminar on the American experience. In some cases, if the court that passed the sentence is satisfied that a drugs habit has been adequately dealt with and that there is a prospect of the individual staying off drugs, it can reassess and perhaps reduce the sentence on the basis of that person's development in prison. I have learned not only in the House, but before being elected, that sentences must be tailored to a combination of factors, including not only the crime, but the individual. Therefore, the balance in the case to which the hon. Member for Buckingham (Mr. Bercow) refers seems to be wrong, but I clearly cannot comment further on the specifics.

We have rightly spent a lot of time talking about the police, so I shall not concentrate on that today. I have criticised the Government because police numbers at the end of the Parliament are projected to be lower than at the beginning. We believe that having fewer police is highly unlikely to prevent or detect and reassure the public. I have not visited a single county in England and Wales—the policing of which is the Home Secretary's responsibility—where people have told me that they are more comfortable because there are fewer police.

We all agree that adequate police numbers are needed in every community, whether rural or suburban; there is no selective option. The hon. Member for Westmorland and Lonsdale (Mr. Collins) and others have the same interests for their village and rural communities as I have for my inner-city community. There is no difference between the demands. However, we have still not adequately recognised those who become the victims, despite the fact that the Government, the Conservative party and ourselves want to do so. I agree with the general proposition that the criminal justice system still does not look after victims adequately.

I want the Government to consider three propositions in that context, the first of which is general. We must better inform those who become victims of the sequence of events involved in the crime. Often, people are not given the information that would satisfy them that the crime of which they or their relatives were the victim has been dealt with adequately. Secondly, there must be a serious review of the criminal injuries compensation scheme because it has lost touch with reality. I cite a painful example involving a couple who live about a mile from the House.

Wendy and Chris Radford, my constituents, had a son and daughter. Last year, their 17-year-old son was attacked on his way to work early in the morning by a male, who was found guilty, convicted and sentenced for manslaughter. The Criminal Injuries Compensation Board offered compensation for the loss of their only son. They received the maximum—£10,000—although they were

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not after the money as they are both in work. They see other people in other life circumstances receiving compensation. For example, someone who had been under stress at work received £175,000. I do not mean to be vulgar, but they see someone who was caused mental stress after being plagued by someone who followed her around at school holding what is described in a newspaper as a "chocolate willy" receive £101,000. They produced examples of people who received tens or hundreds of thousands of pounds in compensation under the criminal injuries compensation scheme, although it is said that a value cannot be put on a life lost. We should consider how victims are dealt with under the civil damages and criminal justice systems.

Let me make a third request, which I realise is controversial. I should be grateful if the Home Secretary and his colleagues, along with us and others who are interested, would consider ways in which victims and their relatives could be integrated appropriately in the criminal justice system before the passing of sentence.

Let me give a simple example. Soon after I was elected, the son of near neighbours of mine was attacked, and subsequently died as a result. They went to the trial, which took place at the Old Bailey. There were convictions, although of relatively less serious charges. From the beginning to the end of that case, no one formally asked those people anything, and they were never able to, as it were, put a statement into the criminal justice process. They were never able to describe the effect of that death on them.

I have seen families destroyed, mentally as well as emotionally, by the injuries and deaths of relatives, and I have seen those directly involved destroyed. I do not think we can pretend to victims that the criminal justice system works well if we have independent prosecutions on behalf of the state and society involving—I have done this, so I know about it—such long mitigations by the defence on behalf of persons who are convicted, but giving the victim no opportunity to say anything formally. I do not think it inconsistent with justice for the defendant to give victims or their representatives opportunity to speak, although that must clearly happen after conviction. I ask the Government, and the Home Secretary specifically, to think about the issue.

Let me make two more brief points. The first is topical: it relates to an announcement made this week. We must move quickly on the involuntary manslaughter corporate liability agenda, to which the Government very properly responded in their paper. Throughout my time here, people have complained that practices on building sites that have led to deaths have attracted derisory fines for the construction companies which, directly or indirectly, have been responsible for those deaths. Corporate liability is required: someone must carry the can.

It was in my constituency, or on one of its boundaries, that the Marchioness sank 10½ years ago. At the end of the day, none of the corporate entities that owned the vessel that collided with the Marchioness were liable: no one carried the can. Another example mentioned in the paper to which I referred earlier relates to those who are found guilty of driving under the influence of drink or drugs. I believe that the penalties imposed on those convicted of killing, maiming or injuring while driving, generally, a vehicle—although this could apply to vessels or to aeroplanes, for instance—are often far too lenient. We must make people take responsibility for their actions, if the link between a sense of duty and personal responsibility and actions and reactions is not to be completely lost.

My last point is this. I have become convinced—our amendment mentions this specifically—that we should devote as much urgency as the Government devoted to nursing recruitment after a couple of years and are, I hope, now devoting to police recruitment, to the recruitment of people who are qualified and able to deal with drug addicts and drug offenders, so that we can prevent them from reoffending and returning to their addiction.

Of course, the dealers who make money from drugs at others' expense need to be dealt with as soon as possible, because they are real villains in society. However, my hon. Friend the Member for Taunton and I, and others, are regularly told by people including experts that even when it is believed that someone should be referred to drug treatment, that person will have to wait for weeks, or months, by which time it is often too late.

There are good initiatives in terms of work in prison and after prison, but, in far too many cases, people go out of that door and their chance of having work, a decent home environment and the help that they need to stay off drugs—from which they have been released while in prison—is not there. I hope that Ministers will respond positively, and find the funds, the recruitment mechanisms and the commitment to ensure that we prioritise the drugs menace highly. Because of that menace, many people commit crime, but many can be released from it and kept free of it.

Liberal Democrats have said from these Benches that the priorities are preventing and detecting crime and dealing with it effectively. If the Government concentrated even more on that agenda and somewhat less on taking away the liberties of the citizen—as they are doing in a Bill upstairs in Committee to reduce people's ability to choose a jury trial—they would better serve the public and, indeed, their supporters, who elected them to do the first, but not the second.

5.1 pm

Mr. Tony Lloyd (Manchester, Central): Fear of crime is almost certainly the biggest single political issue that my constituents face—it is above concerns about pensions and anything else on the political agenda. In the light of that, I must say that the attack on the Government by the Opposition is unwelcome. It is unwelcome not because there is not a debate to be had about crime and crime reduction, but because, when we trivialise the issue and make it a matter of party political knockabout, we do a major disservice to the real interests of millions and millions of people. I hope that we can have a much more intelligent debate that focuses on the real issues.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Lloyd: No, if the hon. Gentleman will forgive me.

The Government have already done an awful lot. Many things have been welcomed by my constituents, but the message that they would expect me to give the Government is that there is still a long way to go and not much time for us to make those changes.

Recently, I conducted a survey on crime in one of my local areas. What was astounding was the enormous response to that survey and the overriding concern that people in that community had about the issue of crime and crime in their communities. People feel unsafe—they feel unsafe in their homes and unsafe on the streets. Some people feel very unsafe—so much so, it destroys the quality of their life.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) mentioned drugs. It is right to say that, as long as we keep people in the queue for drugs treatment, we are simply recycling people: they are going back on to the streets and committing further crime, which is not good for those individuals and disastrous for society more generally. I know that drug treatment is an integral part of policy, but there is much more for us to do.

My constituents recognise that the issue of crime is much more complicated than simple slogans about who is tougher on the criminal. It is about a whole societal approach. They still want a Government who, like the present one, are committed to cracking down on unemployment. That is why they do not accept the bogusness of the Conservative Government of the past, who doubled crime on the back of the destruction of the communities in which my constituents live.

One of the things of which we should be aware is that trust in the police is much more fragile now than at any time that I can remember. When I go to public meetings about policing, I am struck by how strong the reaction of local people is and by how much the emphasis has changed—it is no longer on the local authority or the Government failing. The basic feeling is that the police are not performing the role that is expected of them. Although that is unfair in some ways, there are issues that must be addressed.

I welcome the clear targets being given to the police. I welcome them for my own police force because it is sometimes difficult to know what the aims and ambitions of the police and senior police management are. It is important that the public understand the strategies, aims and ambitions, but I hope that my hon. Friend the Minister will recognise, too, that sometimes the targets that have been set seem crude and narrow to people on the streets. The public's priorities are more wide ranging than those expressed so far by the Government or by the police. The public say to me that there is a lack of focus.

One of the biggest issues facing communities throughout the country is nuisance. It may seem almost trivial in the grand scheme of things, and I shall be talking about much more serious crimes, but when groups of young people are about quite petty crime that creates fear and disharmony in local communities, which is devastating or destructive.

I recently took up with the local police force the serving of drinks to those under the permitted age. I received a long letter in response, but I did not get what I wanted. I wanted a commitment that the police would take the offenders to court and that their licences would be taken away. That would give a clear message to all those who seek to abuse the law and participate in the process of giving alcohol to young people, which causes the sort of nuisance about which my constituents complain.

My constituents complain legitimately about the slow police response when a crime is being committed and where there is chronic criminality. In West Gorton, one of my constituents—Nora Peyton, a wonderful woman—persistently challenged local drug dealers. As a result, her home was attacked and she was shot at by young people. Nevertheless, she had to wait for about three months for the local police to crack down and make the necessary arrests. Once the police acted, the situation improved immeasurably. The quality of life in the West Gorton community is now massively better than it was. However, three months was too long to wait.

There are issues about the culture of the police, which is sometimes thought to be too defensive. It sometimes leads to victims being blamed instead of being embraced in a partnership. A local police officer told one of my constituents, a victim of robbery, "What do you expect, sir, living where you do? If you want to avoid crime, move away from the area." That type of police officer is massively damaging to morale and the relationship between the public and the police. They have no place in modern policing. They constitute a minority, but they give the police a bad name.

We do not have enough police. In my constituency, Greater Manchester does not have enough police to deploy. An inner-city area has massively more problems than other areas. We do not have enough police in Greater Manchester, and I hope that that message will be taken on board. I will not entertain the Opposition's argument about police numbers, as when they were in government they took many police officers away from my community. However, it is an issue that the Government must address in the context of the comprehensive spending review.

Mr. Heald: Does the hon. Gentleman agree that during the Conservative years the number of police constables continually increased? One of the National Audit Commission's criticisms of the present Government is that they have reversed that trend. Does he not agree that that has made a difference?

Mr. Lloyd: I do not agree. My constituents saw a massive increase in crime and a police force that became beleaguered by the sheer scale of criminality. The numbers game is an interesting one to play, but when in government the Conservatives failed communities, and not only in inner-city areas. They failed the nation, and they should remember that to their shame.

On a more positive note, there are many good things happening in policing, both nationally and locally. Some of the more general initiatives that the Government are taking, such as new deal and sure start, are making serious and important impacts in my community. There is a much better focus by the police and more intelligent policing. Some of the experiments in Salford, a neighbouring area to my constituency, are important in terms of how the police can crack down on local criminality by focusing on its sources. Local area partnerships are successful, although they are still new and not all are consistently good. We must raise the worst standards to the best. Nevertheless, the partnerships are making a big difference.

The multi-agency approach to crime is having an enormous impact in ensuring that those who are responsible for the majority of crimes are targeted, and sometimes before criminality becomes an issue, by dealing with the underlying social issues. We have had success with the implementation of the anti-social

[Mr. Lloyd]

behaviour order process. Ten such orders have been made in the Manchester area, the first being in my constituency. That case involved a group of young thugs who terrorised the local community. However, the process is far too complicated and we need to refine it and make it easier.

One of the most ridiculous aspects of that first case was that the stipendiary magistrate in Manchester refused to allow the names of those young thugs to be published. It was only after a campaign in the *Manchester Evening News*, for which it deserves credit, that that decision was reversed when the anti-social behaviour order went to appeal and the names could be made available.

The police are good at ensuring that anti-social behaviour orders are made. The Government's youth offenders initiative is already having a remarkable effect. The police, along with other agencies, have targeted 77 young people who they believe are responsible for about a quarter of youth offences in the city of Manchester. That is a significant step. We are still waiting for the Greater Manchester police and the court process to narrow the time it takes for cases involving young offenders to get to court.

Local schemes have been enormously important. Under the Home Office funded scheme, Manchester has had £0.5 million for closed circuit television and burglary prevention initiatives, and we hope to get help with projects on domestic violence. The local programme from the city council has matched that money with 65 schemes involving everything from gating back entries to make people feel more secure and to prevent intruders, to CCTV and home security for the elderly, who often fear violence more than most.

I want to raise some further issues about which my hon. Friend the Minister may like to think. We have to change the police culture. We still have some way to go to ensure that they work in partnership with local people and other local agencies. We must address the problem of a lack of police.

The biggest single issue that I would like to draw the House's attention to concerns my constituency's undeserved but nevertheless difficult reputation for murder, which is the most violent of crimes. It is often murder by young men of young men, sometimes involving drugs and sometimes not.

One of the problems that has emerged in recent years is the extremely low success rate for bringing offenders to court. The police put time and effort into the most serious cases: there is no suggestion that they spare any effort to bring those offenders to book. However, they face two important problems, the first of which is witness intimidation. That issue ranges across all crimes, but it is a major problem in murder cases.

The police tell me that when they have taken a witness to court—who may be reluctant at first—and they have asked the judge whether the witness can give evidence behind a screen, the judge has said that that is not possible because on appeal the case would eventually go to the European Court or to our own courts under the European convention on human rights, and giving evidence in that way would be deemed to be unacceptable. It is unacceptable to me that witnesses cannot be given protection in the court process for that reason.

I should like to raise with my hon. Friend the question of cost. Forensic science is enormously expensive. The police tell me that it costs £1,500 for each low-copy DNA test, which can detect a fingerprint on a spent cartridge. That is important for the detection of crime. If witnesses do not come forward, the police can use modern science to come to their aid. However, they have to consider the budget because the prices charged for such forensic science are excessive. That problem must be tackled, and I hope that the Minister understands that.

I am convinced that the Government have already made an important start in rolling back public attitudes and giving more reassurance. We have a long way to go, but the changes that my hon. Friend and his colleagues are making are transforming the public's view in my area of the way in which society operates. It is a change that can only be for the better.

5.14 pm

Mr. Michael Howard (Folkestone and Hythe): I did not intend to speak in the debate this afternoon. I had come to listen and to put a limited factual point to the Home Secretary in an intervention, but I have been provoked into making a speech by the hotch-potch of misdescription, exaggeration and sheer distortion that we heard from the Home Secretary. I am grateful to you, Mr. Deputy Speaker, for giving me the opportunity to make this speech, which I hope will be relatively brief.

The hon. Member for Manchester, Central (Mr. Lloyd) made an interesting speech. I thought it a bit rich when he accused my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) of making what he wrongly described as a knockabout attack on the Government's record. I do not know where the hon. Gentleman was during all those years when we were subjected to attacks from the Opposition Benches that were so crude that they did not merit the description "knockabout". I imagine that he was present on at least some of those occasions and has not totally forgotten them.

The hon. Gentleman made one point on which I wish to join him. He paid tribute to one of his constituents who stood out against the drug dealers and, in time and with the help of the police—he said that it did not come quickly enough—had managed to combat effectively the activities of drug dealers in that part of his constituency. I came across a number of examples of that when I was Home Secretary. The people involved—often in the least privileged communities, acting with enormous courage in the face of real risk—deserve enormous credit, praise and tribute, which they rarely get. Not only their local community but the whole of our national community owes people who take that kind of stand in those difficult circumstances a great debt.

The first of the two points that I wish to cover is the crime figures. In, I think, the first debate that took place after I became Home Secretary, the then shadow Home Secretary, now the Prime Minister, issued a challenge to me. He asked whether I would be content for my tenure in office to be judged by what happened to the crime figures. I suppose that as they had doubled between 1979 and 1993—I shall come back to that point in a moment—he thought that he was on pretty safe ground.

I confess that I was not sufficiently confident of my ability to turn things round in the relatively short time that I would have available to take up his challenge, so, to my

eternal regret, I declined to accept his challenge. I wish that I had done so because between 1993 and 1997 we saw a fall in crime of about 18 per cent. We never hear that figure from the Home Secretary when he talks about crime under the previous Government, or, indeed, from the Liberal Democrats. We hear only that for the period as a whole from 1979 to 1997 crime doubled under the Tories. It is an accurate figure—it did. It more than doubled between 1979 and 1993. What they never say is that crime had increased even faster under the previous Labour Government between 1974 and 1979 and had increased under the Conservative Government before that.

The truth is that crime had increased for all those years. My right hon. Friend the Leader of the Opposition was right to draw attention to that fact and to the relationship between it and the extent to which the liberal establishment held sway throughout that period.

Mr. Simon Hughes: I have always accepted and confirmed on the record that whereas 1992 was the peak in crime figures, after that they dropped. One of the reflections that I do not hear very often from the Leader of the Opposition is that the period when crime dropped—when the right hon. and learned Gentleman was Home Secretary—was when the right hon. Member for Huntingdon (Mr. Major) was Prime Minister. Crime rose under Baroness Thatcher and dropped when the right hon. and learned Gentleman was Home Secretary. That is hardly an indictment, even for the Tory party, of the liberal establishment.

Mr. Howard: The hon. Gentleman is wrong. There was a classic conspiracy—I do not want to spend the whole of my remarks on this—between the criminal justice establishment and the civil servants in the Home Office and the Treasury to keep down the number of people in prison because prison is expensive. One of the classic objectives of criminal justice policy during most of that time—the hon. Gentleman is one of the few people who still subscribe to it—was to keep as few people in prison as possible.

The truth is that one of the key elements in the turnaround in crime during my period of office—it was not the only element; there were others as well—was the increase in the prison population. I believed, and I said, that prison works, in the sense that—as my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) said just a few moments ago—while persistent, prolific, professional criminals are in prison, they cannot commit crime.

The other day, in a debate on these topics, I was very interested to see the junior Home Office Minister in the other place—I do not know whether the Minister of State would himself subscribe to this—come out with the phrase that the Government "believe that prison works". I was very pleased to hear him utter that phrase. When I was being criticised for uttering those words—the criticism was widespread and very considerable—I do not recall anyone from the Labour party coming to my support and saying that he agreed with that proposition. That policy, however, was a key factor in the fall in crime.

My point is simply that if one accepts the proposition that prison works in that sense—as the Government do, according to the junior Minister in the other place—it makes no sense at all deliberately and as a matter of policy to let people out of prison before the earliest date on which they would otherwise be released. It grieves me that crime has now started to rise again, and I hope that the increase is a temporary blip. I am not sure, however, that it will be.

If one is looking for the causes of that rise in crime, it is difficult to escape the inference that the early release of prisoners—my right hon. Friend the Member for Maidstone and The Weald, in opening the debate, gave all the details of the numbers and the extent to which those who had been released early had already begun to commit crimes again—in some way and to some extent is connected to the fact that crime has now started to rise again.

Mr. Heald: Does my right hon. and learned Friend recall that a little earlier, when I said that he had had that insight, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) commented "not much of an insight"? Does my right hon. and learned Friend agree that it was really quite a deep insight, and that the danger is that it is being lost again—not only in the early release scheme, but in the worrying idea that we should imprison people from nine to five, rather than from 12 to 12 and at weekends? Does he fear that what is happening is that the Home Office empire is striking back?

Mr. Howard: There is a good deal in what my hon. Friend says. It was striking that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), in one and the same breath—I am constantly amazed at his ability to speak without drawing breath—said, "Of course we all share that insight. But if people reoffend and are reconvicted as soon as they leave prison, what is the point?" The point is that they do not reoffend to any greater extent having been in prison than they do if they are dealt with in some other way, and that, while they are in prison, the public are safe from their attentions. That is the point.

Jackie Ballard (Taunton): Does the right hon. and learned Gentleman think that the exceedingly high crime rates and the very high prison population in the United States are proof that prison works? Is he aware that although crime rates are still very high in the United States, they have been gradually decreasing for the past 20 years? In the United States, there is no correlation between a reduction in crime rates and whether a conservative or liberal sentencing policy is in effect. Reduced crime rates are correlated with access to employment and housing and the maintenance of close family ties—all of which are damaged or broken when someone is in prison.

Mr. Howard: The hon. Lady simply could not be more wrong. She needs to look at the evidence much more carefully. I commend her particularly to a study that has been done by Professor Charles Murray—who I think shared a platform with the Home Secretary at a very recent conference on these matters. His research shows very clearly that, both in the United States and in the United Kingdom, as the risk of being sent to prison increases, crime falls. Graphs demonstrate that fact very clearly. One of the things that happened when I was Home Secretary was that the risk of being imprisoned increased

[Mr. Howard]

quite significantly and crime fell. One can see exactly the same pattern happening in the United States. There is a very direct correlation between the two developments.

Those were my only comments on crime figures. I should like, however, to say a word about police numbers. Just as one never hears the Home Secretary talking about crime in the last four years of the previous Government, when crime fell, but only about crime doubling over the whole period of that Government, so one never hears him talking about police numbers over the whole of the period of that Government, when numbers increased by 16,000, but only about the last four years, when the numbers did indeed fall—although, as my right hon. Friend the Member for Maidstone and The Weald was right to point out earlier, the number of constables on the front line continued to increase.

I should like to set out very clearly the position on funding because I think—I am not certain—that, in my earlier intervention, I may inadvertently have read out an incorrect figure. If I did, I certainly want to put that right. The figures are absolutely indisputable. In 1993-94, Government provision for police expenditure in England and Wales—in real terms, at 1998-99 prices—was £7,001 million. In 1997-98, the year in which I left office, the figure was £7,294 million. That was a real-terms increase of 4.2 per cent. In the current year, 2000-01, the figure is £7,278 million: a real-terms reduction.

It is true that we passed legislation that gave chief constables much more power to spend as they saw fit the money that was made available to them. I ensured that the United Kingdom police service had the money that it needed to maintain police numbers—if that is what they decided to spend their money on. We did provide the money that was necessary to make good the previous Prime Minister's pledge to give police enough money to recruit 5,000 extra officers. The difference between that period and the period since the general election is that, whereas there was a 4.2 per cent. real-terms increase in spending on police during my time, there has been a real-terms decrease under the current Home Secretary. In other words, in my time chief constables had the money they needed to maintain police numbers, had they chosen to do so; under the current Government, they simply have not had the money.

Mr. Clive Efford (Eltham): Would the right hon. and learned Gentleman care to comment on the effect of the implementation of the Sheehy report on the number of Metropolitan police officers? One of my police officer constituents told me that one of his colleagues—who pounds the same central London beat as he does, but joined after the report was implemented in 1994—is paid more than £400 less for doing exactly the same job. My local police inspector told me that that factor is the biggest barrier to increasing the number of Metropolitan police officers.

Mr. Howard: Most of the Sheehy report was not implemented. The report made a number of recommendations—earlier in the debate, we heard about the police service's reaction to those recommendations—but, for the most part, the report was not implemented. Some of the report was implemented, including the provision to which the hon. Gentleman has referred.

In looking at the provision for housing allowance, it was quite difficult to justify that type of provision. It is made in very few other jobs. It did not seem the best way of dealing with the problem of recruitment. However, to take housing allowance away from people who had joined the police service on the basis that they would receive it also was very difficult to justify. Therefore, we said that those who have the allowance will keep it, but that those who join the police service after the decision had been taken and announced—they knew exactly what the terms and conditions were going to be when they decided to join—will not get it.

Of course, decisions that are taken against a particular labour market background cannot be expected to last for ever. Government decisions are not set in stone, never to be reviewed. The circumstances in the London labour market have changed and it is probably more difficult to recruit officers now. If circumstances have changed and certain policies are no longer appropriate, they should be reviewed. I have explained the reasons for my decision. It seemed perfectly reasonable at the time, but these things need to be looked at as circumstances change.

Mr. Efford: Will the right hon. and learned Gentleman confirm that, as a result of his decision, new police recruits were £400 worse off and that that has made it more difficult for the Metropolitan police to recruit officers, who come primarily from outside London and find it difficult to cope with the costs of that move?

Mr. Howard: I do not know how many times the hon. Gentleman wants to put the same question and get the same answer. I do not know the exact numbers, but it is true that the terms and conditions were changed. Police officers who joined knew what the terms and conditions were. At that time, there was an abundance of applicants to join the Metropolitan police and there continued to be a healthy surplus of applicants for some time after the introduction of that change. That may well no longer be the case. It was several years ago and circumstances have changed, so it may be appropriate to look at the situation again.

My final plea is simple. I hope that when the Home Secretary explains what is happening and tries to justify Government policy, he gives the whole picture, not just part of it. When he is talking about police numbers, perhaps he will be good enough to say that, although they may have fallen in the last few years of the Conservative Government, they increased by 16,000 between 1979 and 1997, that during the four years when they were falling, the number of constables continued to increase and that during those years the amount of money made available to the police was enough to maintain the numbers, in sharp contrast with the position under his stewardship. I cannot stop him from talking about crime doubling under the Tories, but perhaps, to complete the picture, he might point out that it rose even faster under the previous Labour Government, that it started to rise again under his Government and that the only occasion on which it has consistently fallen—the biggest fall since records were first kept in the middle of the 19th century—was between 1993 and 1997, when it fell by nearly 18 per cent.

5.33 pm

Mr. Bob Blizzard (Waveney): Most of what I have to say is based on the experience of my constituency, but I hope to draw out some general points of wider relevance.

I moved to Lowestoft, where I now live, in 1986. Every week when I looked in the local paper, I saw reports that a garage had been broken into and garden furniture stolen, or that a house had been broken into and a purse or some jewellery stolen. I began to form the view from those press reports that I had moved into a community with massive amounts of crime. After a while I discovered that those crimes were reported because they were virtually the only ones and garden tool theft was newsworthy.

I also had a pleasant surprise when I looked at my home contents insurance policy with Co-op insurance, because it had a special low rate for Suffolk—I believe that it was the only county to which the rate applied. Those relatively low levels of crime were my benchmark.

Over the next 11 years, I saw crime rise and rise. Trends in my constituency were part of the overall picture, in which crime doubled under the previous Government. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) says that that happened in the early years. In my part of the country we tend to lag behind and crime continued to rise in the later years. In the view of people where I live, the Conservative party ceased to be the party of law and order.

With the election of the new Labour Government came very high expectations, particularly in view of the Prime Minister's slogan of being tough on crime and tough on the causes of crime. However, we had to stick to another manifesto commitment—to keep to the Tory spending limits for the first two years. That was an important commitment for many people who voted for us. It was necessary to bring the deficit in the public finances into balance and contribute to the economic stability of the country. We should remember that those were Tory spending limits. Had the Conservatives won the election, they would not have spent any more than we did in the first two years.

Mr. Howard: We hear that trotted out time after time by Labour Members, but it is complete tosh. If the hon. Gentleman knew the first thing about how any Government worked, he would know that three-year expenditure plans are the best estimate that can be made at the time, but they are revisited at every subsequent expenditure round. The figures are always adjusted. If the hon. Gentleman looks back over the 18 years of our Government, he will see that such adjustments always took place. It is tosh to suggest that we would necessarily have stuck to those figures. The hon. Gentleman should recognise that it is ridiculous.

Mr. Blizzard: We now know that the Conservatives promise to spend even less on fighting crime because of their tax guarantee. They launched a plethora of pre-manifesto guarantees last autumn, including the patients guarantee, the parents guarantee and the rest, but there was not one guarantee on law and order or crime fighting. That reflects the fact that they do not intend to spend any more money on fighting crime.

Mr. Heald: Police numbers in Suffolk have fallen by 30 since the general election. We have pledged to provide the money to restore those numbers. What does the hon. Gentleman want to happen?

Mr. Blizzard: I shall talk about police numbers in Suffolk later.

Crime is now high on people's list of concerns. In my constituency, it now rivals unemployment, which has been a long-standing concern. I shall focus on developments in my area in the past three years. However, it is not easy to make comparisons from the figures. This Government have been more honest than the previous Government in asking the police to compile statistics that more accurately reflect levels of crime. The performance summary from Suffolk police's annual report shows that total crime went down in 1997-98 from the level in the Tory years, but it went up again in the following year, reflecting a new method of calculation. House burglaries per thousand dwellings went down in 1997-98 and again the following year. The story on violent crime is not so good, because it has risen, but the police are now required to use a wider definition of violent crime when compiling their statistics.

In the top corner of the performance report on crime management, Suffolk police write:

> Changes in the way the Home Office records offences make comparisons with previous years' figures difficult. However, the overall underlying trend is still downwards.

I am encouraged by that.

Another difficulty in making comparisons concerns the boundaries one uses. If we take Suffolk as a whole, the crime rate is one of the lowest in the country. The county is at the bottom of the league table—a league table one relishes being bottom of. That is a tribute to the police in Suffolk, and to the honest people of the county. Of course, crime is not uniform across the county and is higher in some parts than in others.

All too often, as soon as one mentions Suffolk—a rural shire county—statistics are used to advance arguments about rural policy. However, Suffolk contains urban areas such as Lowestoft and Ipswich: areas where crime is highest in the county. Crime is still an issue in rural areas. Where previously there has been scarcely any crime at all, one notices even a slight rise in crime. The rate may remain relatively low, but people fear crime and do not want it to become as bad as it is in other places in the country. Often, those people have sought retreat in a shire county from somewhere where there has been higher crime.

The thin blue line is thin in rural areas, and single police officers often have to cover a load of parishes. Where there is a crime, the response is sometimes not as good as the people or the police would like. I say that because the arguments advanced on sparsity are valid. I am pleased that my hon. Friend the Minister appears to have accepted the arguments. We look forward to a positive outcome from the comprehensive spending review on these issues, as Suffolk—like other parts of the country—needs more police.

Not all Suffolk is rural, and most of the crime in my constituency is in the town which, unfortunately, has one of the highest rates in the county. Even now, however, crime rates in Lowestoft are about average for the country. The conditions that breed crime, or are associated with it, have in parts of Lowestoft been deemed comparable to inner cities by the director of public health, in his annual report. Unemployment, deprivation and low pay statistics back that up.

I am pleased that the area has single regeneration budget status, assisted area status and objective 2 status from the Government, and there is a new bid for other

[Mr. Blizzard]

parts of the SRB in the next round. It is important to tackle the causes of crime, but that takes time and people are rightly concerned about tackling crime now.

The perception where I live is that crime is rising. On election day, I went to vote and found that my next-door neighbour had been burgled. I was told that a lot of homes in my area had been burgled also. People who have been burgled are not happy voters and some do not bother to vote at all.

Looking at the figures for Lowestoft is difficult because of changes in the sector boundary and the methods of measuring crime. It appears that the trend in house-breaking in the past three years has been about level. The trend in violent crime has been up but, thankfully, the trend in the dealing and supply of drugs has gone down. I want to pay tribute to the previous chief inspector, Owen Lower, and the current chief inspector, John Everitt—and their teams—for the work they have done.

The good news is that following the two years in which we kept to the Tory spending limits, there is now clear evidence of the Government's three-pronged attack on crime working in Lowestoft. I was delighted that, on 17 May, we heard the announcement that the 5,000 extra police would come in this year and next. That means that, this year in Suffolk, there will be 31 extra police, with 14 extra the year after.

There will not just be 31 extra police, but 12 on top of that. Suffolk police carried out a brave and creditable exercise by consulting the people of Suffolk on what they wanted from the police. They went round the county, held public forums and even had electronic voting. The police asked people if they wanted to pay more to have more police, how much they were willing to pay and how many police they would like. As a result, Suffolk police are funding an additional 12 police this year from an increase in council tax. I commend the police on that, and I hope that my area gets a good share of them. It is certainly good news for Suffolk as a whole.

On police numbers, I had a conversation with the chief constable a few months ago in which I asked him this—if money appeared on his table, what would he do with it? Chief constables, of course, are responsible for police numbers. He said that apart from one or two pieces of kit, he would use the money to employ civilians. By doing so, he could get more police out from behind their desks and on the beat. I say that to demonstrate how we can have more police on the beat, even though it may appear that police numbers have not increased or decreased. I hope that Conservative Members will take note of that.

The other good news is the £193,000 awarded by the Government for more CCTV cameras. The cameras have made a difference. Sometimes the public are disappointed with the results from these cameras, and we must improve the way in which they are used. However, they are very welcome.

As part of the Government's crime reduction programme, we received £33,000 under the reducing burglary initiative. That has been targeted on the parts of Lowestoft with the greatest need, and it is a partnership between the local authority and Suffolk police. It is part of a larger multi-agency programme aimed at tackling youth crime.

The engagement locally by the police in crime reduction partnerships has been good. My local authority has responded positively and has carried out audits. It was one of the first in the country to succeed with an anti-social behaviour order. It is difficult for the district council to play its part in the partnerships as well as it would like.

What tends to happen is that the lead officer for the partnership is often busy already and sees it as just another thing to do. The same is true of the local drugs action team; the officer nominated is usually a busy person. Following the comprehensive spending review, I would like to see money passported through to authorities to employ specific additional people to drive the partnerships forward. They will succeed if we do that.

There is so much in the Crime and Disorder Act 1998, including the potential for community involvement in crime prevention and reduction. If we can harness that, we can do much more. I would like neighbourhood wardens to be employed—using SRB money, if possible—to support the police. Such wardens could do valuable work in gathering information and intelligence, visiting people and liaising with schools, for example, to deal with children who cause trouble on the way to and home from school.

In this Session, we have seen a large amount of legislation to improve the criminal justice system, and I support that. However, my constituents want the existing laws to be enforced as well as they can be. Catching people is the most important thing. It is important to prevent crime, but we must make sure that we catch people who break the law. My constituents will welcome the extra police but will hope that there are plans in the comprehensive spending review to employ still more.

We have had a debate about whether it is size or what one does with the police that counts. Of course, it is vital to have efficient police, but a bigger efficient police force has to be better than a smaller efficient police force.

One of the Government's core beliefs, which I share, is that we should combine fairness and enterprise. I believe that the Government have shown a commitment to both. Crime is particularly unfair. It is unfair on people who work hard to provide for themselves, their families and others. It is a tragedy when their hard-earned property or their money is stolen or when they suffer attack and personal injury.

It is the Government's policy, which I support, to be the champion of ordinary, hard-working people. To do that, we must protect them and protect their families, homes and property. That is why our policies on crime are so important. I believe that, now that we have got through the difficult first two years, the Government are showing a good lead, and I hope that they continue in that way.

5.51 pm

Mr. James Clappison (Hertsmere): I welcome the opportunity to take part in this debate. It is an especial pleasure to follow the outstanding speech by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). I also agreed with the sentiments with which the hon. Member for Waveney (Mr. Blizzard) concluded, as well as with many of the earlier parts of his speech, when he spoke about the growing public perception of crime. As well as crime itself, the fear of

crime is growing. It is also a question of police numbers. Elderly people feel the most vulnerable and fear that the help may not be available to them should they fall victim to crime.

It was absolutely right to choose this as a subject for debate. In my constituency, it is a matter of growing importance. My right hon. and learned Friend the Member for Folkestone and Hythe got the big picture absolutely right. We are getting used to the Government's great selectivity with statistics, but the striking thing about the history of crime in this country is its remorseless rise, decade after decade. It has certainly been on a steadily rising curve over my lifetime. The only point at which the trend was departed from was from 1992 onwards. That was the only sustained period in which crime fell. It rose during the rest of the Conservative period of office, but it fell significantly in the period from 1992, with many fewer victims.

It is worrying that that trend seems to have been reversed and crime seems to be resuming its upward trend. We must do whatever we can to reverse the trend and prevent people from falling victim to crime. That is another reason why it was right to choose this subject.

My constituency has been badly affected by crime over the past three years, for reasons that have a local character quite apart from the general matters that we have been discussing. When the big increase in crime in Hertsmere is discussed, it will not do for Ministers or Labour Members to tell my constituents that it has something to do with the previous Government. That excuse is wearing thin generally, and certainly in the case of Hertsmere.

Up to 1997, Hertsmere had been policed for a long time by the Metropolitan police, generally without complaint about their performance. Shortly after that, the decision was taken to transfer Hertsmere to the Hertfordshire police, with effect from 1 April 2000, as a result of the new arrangements for the governance of London. Hertsmere was subject to a lengthy period of transitional policing by the Metropolitan police, and it is the widespread perception—which I suspect is backed up by the figures, although they are hard to obtain because policing districts were changed—that there was a substantial reduction in police numbers. That was certainly the complaint of all three political parties in Hertsmere.

Especially in the past year, the result has been a disastrous policing performance, with total crime up 11 per cent., violent crime up 51 per cent.—from 557 to 840 incidents—and robbery up 58 per cent. Robbery was very rare in Hertsmere before. The clear-up rate collapsed, falling by 27 per cent. The local paper was right to run a banner headline calling that a huge rise in crime figures. It certainly was, and it has caused great distress and discontent among my constituents.

Hertsmere has now been taken over by Hertfordshire police, who have certainly shown a commitment that has been warmly welcomed. Everybody is now backing them and giving them their strongest possible support, and their attitude has been praised. We look for better things in the future.

My constituents are certainly entitled to feel some disquiet and despair when they set that against the big picture of what the Labour party promised about policing before the general election. We were promised a crackdown on anti-social behaviour, but such behaviour has grown in Hertsmere. The Prime Minister and the Home Secretary were very strong on the subject.

The Home Secretary said that he would go to war against all anti-social elements, even down to the squeegee merchants. The Prime Minister said that he was in favour of zero tolerance policing. At a Labour party press conference, he said:

> I am absolutely passionate about this . . . You go out and ask old people who face these types of problem and they will say zero tolerance is a good idea. If you refuse to tolerate the small crimes then you can create a different climate within local communities.

The first thing that was implemented in those places that have adopted zero tolerance policing—I am thinking in particular about New York, which had a real mayor in Mayor Giuliani, as opposed to the red mayor that we have been given in London—was the recruitment of thousands of extra police officers. In this country, the Government set up an apparatus under the Crime and Disorder Act 1998, including, among the many buzzwords, the anti-social behaviour orders and local curfew orders.

Those orders were at the core of the Act. It is no good Ministers playing them down and saying that there are examples of previous laws that have not been given much effect. They were the flagship measures in the Government's flagship Bill. The anti-social behaviour order was trailed countless times, with press releases, visits to inner-city estates and announcements by different Ministers and by the Prime Minister himself.

The Government were warned by some that the orders were impractical and broke new ground legally. It has been interesting to hear some of the complaints from Labour Members in this debate. The hon. Member for Manchester, Central (Mr. Lloyd) said that the anti-social behaviour order process was complicated. He can say that again. We understand that others have made the same complaint.

What is beyond peradventure, given that the anti-social behaviour orders have been in operation for more than a year, is that they have not lived up to the expectations built up for them by the Home Secretary and the Prime Minister. About 40 or 45 orders have been issued, and I understand that at last we have had one in Hertfordshire.

It is very interesting that Ministers' tone is beginning to change. It is going through a distinct evolutionary phase. When the failure of the courts to issue more of the orders was pointed out to Ministers, they said that it would take time for them to bed down. When it became clear that they were not bedding down at any perceptible rate, they said that the deterrent effect was the most important thing.

In olden days, public executions had a deterrent effect, but there have to be some in an area for there to be any effect at all, and large parts of the country have not seen a single anti-social behaviour order. Until recently, the nearest one to Hertfordshire had been in Camden.

We have moved on to a new phase, which right hon. and hon. Members will recognise, in the evolution of a struggling policy. The Government have stopped trying to pretend that the policy has been a success or that it has had some sort of remote effects that have been successful. Now the Government are looking for someone else to blame, but they cannot make up their mind who should be blamed. The Minister of State, Home Office said during Question Time on Monday that local authorities could be

[Mr. James Clappison]

criticised for their approach. The Home Secretary has aimed higher and chosen a different target. In an angry outburst at a recent conference, he made what was described by the Press Association as

a scathing attack on "well heeled" civil liberties lawyers.

In explaining why the number of anti-social behaviour orders was so low, he said:

"I had in mind some of the lawyers and so called legal experts who have been running a campaign against Anti Social Behaviour Orders suggesting ludicrously that they go against the European Convention of Human Rights. I think there is a huge issue of hypocrisy here. They represent the perpetrator of crime and then get into their BMWs and drive off into areas where they are immune from much of the crime.

The Home Secretary should be more careful about attacking such people, because the ruffled feathers were probably to be found more among friends of Labour Members than anyone else. Ministers will have to decide who is to blame, but I expect that in the end—

The Minister of State, Home Office (Mr. Charles Clarke): You are.

Mr. Clappison: The Minister has beaten me to it. I knew that it would end up being our fault.

I have a helpful suggestion about the anti-social behaviour orders. Some of the suggestions that I have made in the past have been adopted by other hon. Members. If the orders are to be used in targeting what the Government have described as sub-criminal behaviour, they will have to employ many more police officers. As the House will have gathered tonight, the police officers we have are already fully stretched dealing with criminal behaviour. It is not possible for the frontiers of crime fighting to be stretched to cover sub-criminal behaviour when the Government have such difficulty dealing with actual criminal behaviour.

In the debate on police numbers, we have heard much from the Government about initiatives, strategies, partnerships and fighting funds. If we had an extra police officer for every time we have heard one of those buzzwords, we would all be happier. What is the real picture on police numbers? The Home Secretary told us on Monday at Question Time about the Government's plans for police numbers. It is an accepted fact that in every year under this Government so far the number of police officers has fallen and, according to Labour Members, after three years of this Government, that fall is all the Conservatives' fault. The Home Secretary said:

The projections of police numbers based on forces' estimates for recruitment and wastage now rise as follows: it is projected that, in March 2001, the number will be 126,500 and that, in March 2002, it will be 127,000.—[*Official Report*, 22 May 2000; Vol. 350, c. 655.]

That will still leave police numbers lower than when the Government took office.

For some strange reason, the Home Secretary finished his prediction at March 2002. Can the Minister confirm that the Home Office police resources unit has a projection for March 2003 that police numbers will start to fall again, to 125,900? That unit gives the same projection for other years as the Home Secretary gave the House on Monday. If the Minister can confirm that point, it is worrying and my right hon. and hon. Friends are right to highlight the subject.

While there cannot be said to be a clear link between police numbers and the incidence of crime, the public expect visible policing. They also expect a speedy response from the police for the victims of crime. Visible policing is vital for the elderly, because it does so much for the quality of their lives when they see a bobby on the beat when they are out and about. *[Interruption.]* The hon. Member for Eltham (Mr. Efford) represents a constituency covered by the Metropolitan police force, so he had better be very careful.

Mr. Efford: Would you care to comment on the £400 a month reduction in the salaries for police officers and its effect on recruitment to the Metropolitan police? Your Government did it.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must use the correct terms. It is nothing to do with me.

Mr. Clappison: The hon. Gentleman has had his answer. If that is the quality of the excuses from Labour Members, they should watch out. The local election results were only the beginning.

Mr. Phil Hope (Corby): Will the hon. Gentleman explain why he and his party voted against the Regulation of Investigatory Powers Bill, which will tackle organised crime and drug trafficking? The hon. Gentleman claims to support the fight against crime, but he voted this month to stop powers to tackle crime.

Mr. Clappison: I understand that my hon. Friends took the view that the powers in that Bill were not strong enough. If the hon. Gentleman looks at the history of the last Parliament, he will see that the previous Government introduced measure after measure to crack down on drug traffickers and drug trafficking, some of which broke new ground. I give Labour credit for not always opposing those measures, but they did oppose several measures that have proved helpful to the police, including the change in the law on the right to silence. The Home Secretary himself opposed that change, but it has assisted the police greatly in tackling crime.

Mr. Heald: Does my hon. Friend think that the hon. Member for Corby (Mr. Hope) might find it helpful to read the reasoned amendment on Third Reading? It makes it clear that the powers in the Regulation of Investigatory Powers Bill will be inadequate for the police's purposes.

Mr. Clappison: My hon. Friend is right. The issue of honesty in sentencing is also connected to prison numbers. I invite the Minister to reflect on the view expressed on both sides of the House about the mess that sentencing in the criminal justice system is in. Whatever view one takes of the efficacy of prison, honesty in sentencing—what the courts give an offender and the sentence he actually serves—is important. It cannot be honest for courts to sentence an offender to prison for six months and then, six weeks later, for him to be released. We have talked about how victims feel, but I cannot think of anything more disillusioning for a victim of crime—perhaps an elderly person—than to see the offender sent to prison for six months only for that person to be released six weeks later, so that the victim might bump into him in the

supermarket or the pub. It cannot be right to tell the public one thing and then for something completely different to happen.

The Home Secretary mentioned the economies to be made by ending the right to trial by jury. However, there is no trade-off to be made between good law and order and civil liberties. The Government demonstrate that because their law and order policies do not work, at the same time as our civil liberties are being reduced. As *The Guardian* said—and I happily quote it on this occasion—civil liberty is the poor relation of this Government. That applies especially to trial by jury. The Home Secretary, when he commended the abolition of the right to trial by jury this afternoon, forgot to remind the House of what he said when the same measure was proposed in 1997 by a review under the previous Government. The findings of the review were not adopted, but they were considered. He came out and said that that review's proposal for curtailing the right to trial by jury was wrong, short sighted and likely to prove ineffective. Nothing has changed since then, but the Home Secretary has now adopted that proposal.

There is no trade-off between civil liberties and law and order. Both are going downhill under this Government, whose ineffective authoritarianism does not protect members of the public. People want an effective system of law and order more than anything else. They also want their traditional civil liberties to be preserved and the justice system to be administered fairly.

Unless the Government get a grip on the problem and cease to be complacent, I predict that there will be more speeches from hon. Members about fear of crime in their constituencies, which was the burden of the contribution from the hon. Member for Waveney. Conservative Members are right to focus on a matter that is growing in public importance largely because the Government are guilty of dereliction of duty with regard to the police force.

6.11 pm

Helen Jones (Warrington, North): Like many hon. Members, I come to the debate only too aware of those of my constituents who have suffered from the effects of criminal behaviour. Some are victims of crime while others suffer from the effect of crime on their neighbourhoods; and I agree with my hon. Friend the Member for Waveney (Mr. Blizzard) that the fear of crime is almost as pernicious as crime itself. That fear has grown in our communities over the past few years, and must also be tackled.

All hon. Members will have seen examples of how the fear of crime stunts people's lives—the elderly ladies who are afraid to open their front doors; the people who are afraid to go out at night or to leave their homes empty for any length of time. That fear is not always related to the most common forms of crime, but it is real: it destroys and disfigures communities, and it stems from a feeling prevalent during the previous Government's period in office—that nothing could be done and that the thugs and criminals were getting the upper hand.

Mr. Hope: Does my hon. Friend agree that the Conservative party is deliberately trying to promote the fear of crime for political reasons? My hon. Friend has come to the House to contribute to the debate on this Opposition day motion. Is it not surprising that only three or four Conservative Members have done the same?

Helen Jones: My hon. Friend is right to point that out.

More important, however, was the way in which the previous Conservative Government failed to tackle crime and the fear of crime. I believe that that was an offence against a civil society that the Tory Government committed time and time again. There are recidivists on the Tory Benches, and their collective amnesia reminds me of the rewriting of history that is the subject of the novel "Nineteen Eighty-Four".

We should not allow the Conservative party to rewrite history. If the Opposition are to be taken seriously when they talk about crime, they must answer some important questions, the first and most important of which is the one to which we keep returning: how is it that the party that poses as the defender of law and order allowed crime to double during its time in government?

Mr. Heald: Did not the hon. Lady hear my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) explain that crime fell during the previous Parliament for the first time since the second world war? The Labour Government have taken the country back to the bad old days of rising crime. Should not the hon. Lady think about that?

Helen Jones: I do not accept the hon. Gentleman's thesis. His Government have to be judged on their whole period in office, not just on the figures for a few years.

The previous Government failed in other ways. They said that prison works, but for it to do so, criminals must first be caught and taken to court. Under the previous Conservative Government, the number of offenders brought to book fell by one third, whereas the period between the arrest and sentence of young offenders rose to four and a half months. In contrast, the conviction rate under this Government has risen to the highest level for 20 years.

The Conservative party tells us that burglary is a destructive and damaging crime. It is, and its victims feel violated in their own homes. So how did it happen that, under the Conservative Government, the chances of being burgled rose from 32:1 to 13:1? Conservative Members have many questions to answer.

My constituents know about the fear of crime. They learned a great deal about it during the 18 years of Conservative Government. That Government talked a good fight, whereas, in contrast, this Government have acted to reduce crime. The figures for domestic burglary have fallen by 20 per cent. under this Government, and crime has fallen by 7 per cent. overall. I know that the Opposition do not want to hear those figures, but they show the real picture.

Jackie Ballard: Will the hon. Lady give way?

Helen Jones: I hope that the hon. Lady will forgive me, but I have given way several times and want to make progress so that other hon. Members can speak in the debate.

The figures that I have cited, and the Government's action to reduce crime, are not based on some remote theory but on the real experiences of our constituents.

[Helen Jones]

Those decent men and women tell us what they want to happen in the criminal justice system. They want to live in safe, quiet communities. They do not want to be terrorised by young offenders who are out of control, or to have their lives rendered unbearable as a result of harassment by a few people.

That is why the Government have introduced anti-social behaviour orders. If any Conservative Members think that those orders are merely a gimmick, they should come and talk to the people who come to my constituency surgery. They will be told how vital the orders are.

We reformed the youth justice system because people had had enough of seeing young offenders walk away laughing at the system after repeated cautions. We have also introduced a final warning for young offenders—something that the previous Government failed to do in 18 years in power. We are well on course to halving the period between arrest and sentence for persistent young offenders—a pledge that I recall the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) said could not be delivered. This Government are delivering it.

Labour Members know that our constituents were sick and tired of seeing criminals go to court for the same offences time after time without being properly punished. That is why minimum mandatory sentences have been adopted. It is hard to believe that some Opposition Members have called for the abolition of mandatory sentences for murder, the most severe crime of all. I hope that my hon. Friend the Minister will make it clear in his response to the debate that the Government value human life far more than that.

Many hon. Members will agree with what my hon. Friend the Member for Manchester, Central (Mr. Lloyd) said earlier—that crime in many areas of the country is largely drug related. My hon. Friend was right to say that greater powers are needed to protect witnesses in those circumstances. Almost every week I meet people who know who the drug dealers on their estates are but who are afraid to come forward with that information. In their position, I, too, would be afraid. We must do much more to protect those people when they give evidence. The police need to be given much more in the way of resources for surveillance of people who deal in drugs so that they can use that evidence in court.

We have taken steps to tackle the menace of drug-related crime. That is why we are introducing the power to test certain people for drugs on charge, and why we introduced drug-testing and treatment orders—measures which were opposed by the right hon. Member for Maidstone and The Weald (Miss Widdecombe). That is why we are putting £20 million into arrest referral schemes.

We have to act to get people off drugs if we are to tackle the menace of drug-related crime at one end of the spectrum while ensuring that those who profit from that evil trade are not allowed to keep the profits that they make from dealing in human misery. I hope that my hon. Friend the Minister will talk about how those powers might be strengthened.

In the light of that, I hope that Conservative Members will reconsider their opposition to the Regulation of Investigatory Powers Bill. They opposed a Bill that gives police more power to tackle organised crime such as drug dealing and money laundering. That sits very ill with some of the statements that we have heard from the Conservative Benches.

Mr. Heald: The hon. Lady should not perpetuate a myth. The reasoned amendment that the Opposition tabled on Second Reading of that Bill said that the powers in it were inadequate, and called for tougher measures.

Helen Jones: It is interesting that the hon. Gentleman's remarks are at variance with the response of the police. The police said that they needed the powers in the Bill, yet the hon. Gentleman voted against it.

Mr. Heald: Will the hon. Lady give way?

Helen Jones: If the hon. Gentleman will forgive me, I should like to make some progress. *[Interruption.]* The hon. Gentleman will be able to speak at the end of the debate, as our silent Whip says.

Reducing crime is also about encouraging partnerships. The Opposition make light of that, but it is one of the most effective ways of tackling crime in our communities and keeping people safe. That is why we are investing £250 million in crime reduction programmes and why we have put £170 million worth of investment into closed circuit television cameras.

The crime and disorder reduction partnerships around the country are beginning to tackle crime. More important, they are changing attitudes. I should like to give an example of how that has operated in my constituency. We had a problem in an area called Birchwood, caused by a small number of young people. Everyone knew who they were. We have brought together to tackle that not just the police and the youth offending teams but local councils and the housing association for the area. As well as tackling those particular offenders, we have been looking at how to make the whole area safer so that people are less likely to have the opportunity to commit crimes.

Ms Rosie Winterton (Doncaster, Central): Does my hon. Friend agree that the attitude of the Conservative party in dismissing local partnerships as useless and ineffective sends completely the wrong message to people and agencies working together to carry out the improvements that she eloquently describes.

Helen Jones: I could not agree more. I would go further: the Conservative attitude sends the wrong message to people whom the right hon. and learned Member for Folkestone and Hythe, the former Home Secretary, quite rightly praised earlier for standing up to criminals in their community. These people must be supported, and we are putting into place the measures and the partnerships to support them. The fact that the Opposition reject that says much about their real agenda. It is about whipping up fears in the community. It is more about headline-grabbing than about tackling crime.

The Conservatives hope that we have forgotten their past record. Were she here, the right hon. Member for Maidstone and The Weald would tell them that when it comes to obtaining forgiveness for their past record, absolution requires a firm purpose of amendment. They

have no purpose of amendment at the moment. They remain recidivists on crime, and for that reason, I urge the House to reject the motion.

6.24 pm

Mr. Peter Bottomley (Worthing, West): The hon. Member for Warrington, North (Helen Jones) may be a pleasant person, but that was a pretty nasty speech. It was unnecessarily and inaccurately partisan, and I hope that if she re-reads it tomorrow—she may be the only person who does—she will spot the occasions when she should have followed the examples of the hon. Members for Manchester, Central (Mr. Lloyd) and for Waveney (Mr. Blizzard) in reflecting the real concerns of constituents. Those hon. Members were able to say that; I am able to say that; and most right hon. and hon. Members will say that. We should have a partnership not just with local organisations but across the House to achieve what our constituents want, whether they are represented by a Labour, Conservative or Liberal Democrat Member of Parliament, or anyone else.

Our constituents want to have a sense of security; they want to believe that three essential things are happening. They want to know that fewer people commit serious crimes; that those who do so commit them over a shorter period; and that a growing number of people find something worthwhile to do in the campaign on behalf of the victims of crime. Those are the three crucial elements.

If anyone wants confirmation of that, I suggest that they watch "Crimewatch UK Update" this evening. My constituent Michael Abatan is related to a victim of crime who died; he was a victim in the same event, in which he was injured, and he is a witness. There are many people like him, like his partner Kathy, and like the partner of his brother Jay Abatan who died, who want people to help in solving crimes. They would be the first to say that we should try, with the police and everybody else, to cut down on the amount of crime committed.

Let me give an indication of how serious the problem is. Every week, 2,400 people in this country are, for the first time, convicted of a serious criminal offence, for which they could be sent to jail for six months or more. Fortunately, they are not sent to jail in large numbers. I shall also give a comparison because I am often reminded by my doctor daughter that politicians talk, but do not always give evidence or figures on the basis of which their remarks can be judged. In the United States, whose population is five times this country's, there are 2 million people in jail. The equivalent for this country, on the basis of population, would be 400,000 people in jail. We actually have getting on for 70,000 people in jail. Our crime rate does not match that in the United States. So although prison has a purpose and may be necessary, it is false to say that it is the way to reduce the number of victims of crime, the number who become criminals for the first time or the amount of time for which people remain criminals.

I shall claim to be the voice of the liberal establishment, as no one else has. I do not mean the soft liberal establishment—although one has some ideas which, if tested, may be shown to work. Let me give an illustration. Some 1,800 people a year used to die as a result of people drinking above the legal limit and driving. That is two and a half times more than the number of murder victims a year in this country. In terms of gaps in families, the criminal activity of drink-driving caused more misery and avoidable tragedy than all the murders that had been committed. That figure of 1,800 people a year killed by drink-driving is now down to about 500. Although the figure is still far too high, it is less than a third of what it was at its peak. There was no change in the criminal law during the period over which the figure diminished from 1,800, to 1,200, to 600, to what it is at present. There was no change in sentencing, enforcement or penalty. It happened because of a change of culture.

One lesson to be learned from that example is that a change of culture can make a difference. I believe that the crime rate was low between the wars not because of different levels of unemployment, or because there are now more radio-cassette players for people to steal, or because of drugs, but partly because during that period many more younger people took part in worthwhile activities. The growth of organisations such as the Woodcraft Folk, the Boys Brigade, the scouts and brownies involved many younger people as youth leaders. Many more, whether they lived in rich or poor areas, in social housing, privately rented or owner-occupied accommodation, were involved in two or three worthwhile activities a week, such as sport and drama.

I believe that if we did a study at juvenile courts and saw who was persistently in trouble with the law, it would tend to be people who did not know what they would be doing, on a regular basis, a week or even two weeks ahead. I am not arguing that many of us got through our teenage years without doing anything wrong, but the difference between most of those who are persistently in trouble and those who are not lies in the confidence and competence of parents to provide meaningful activities for their children.

I pay tribute to the Peabody Trust; this afternoon, I attended, as an observer, one of its community development meetings. In the housing for which the trust takes on responsibility, sometimes from local authorities, it tries to find easy ways to combat people's fear of crime—for example, by ensuring that there is a lock on the rubbish chute lockers, so that people do not go in there to inject heroin; and that people can go in and out of their own front door without being worried.

I congratulate the Government on their announcement that child prostitutes will be considered to be victims rather than criminals. When I was chairman of the Church of England Children's Society, we tried to work with partnerships in some of the most difficult areas. Children in care were often both victims of crime and those who subsequently became criminals. We failed those children of the state in so many ways. If we can offer some hope to the children for whom we have responsibility—either through local authorities or nationally—we shall also give the rest of our children a better chance.

It is not possible to go into detail about some of the most important matters. However, if we took a liberal establishment view, we should take account of the figures to which I referred—the 2,400 a week or the 30 per cent. of men who have been convicted by the age of 30. We should learn more about people's experiences in jail—especially those of younger people. When I visit prisons and listen to people aged under 25, it occurs to me that I might meet such people on the streets of any of our towns and they might say, "I don't want to beg, but I came out of prison this morning. Can you tell me where to find a bed tonight and a job interview tomorrow?" Until we can

[Mr. Peter Bottomley]

give an answer to that question in every part of the country, people leaving jail will not have the chance that they deserve.

I do not believe in being soft. People who commit crimes should be caught—early. We could adopt further measures to reduce the consequences of what may have started as mild bad behaviour. I offer an example from Worthing. Recently, some people—I suspect they had been drinking in public—went to an alley behind some shops and lit a fire. The fire melted a gas pipe, causing a conflagration in which two shops were burnt out. In my view, there was also a failure to use proper materials for the gas supply in an exposed area—plastic pipe may be all right underground, but not in the open, where there may be rubbish. We need to learn lessons from that.

We should also learn lessons about visible policing. The Home Secretary can make a decent speech. I suspect that he and I might agree on some elements of his responsibilities. However, when his ears go red, I think that he is talking to the gallery rather than to those who share his concerns. At present, they are not red. Sometimes, when the right hon. Gentleman raises his voice, we can be fairly sure that he is trying to mislead his Back Benchers and, possibly, the Opposition. It does not always work.

Anything that the Home Office says about statistics on policing or about the last Government should be checked by the director of the Office for National Statistics—as, indeed, should any similar statements from the Department of Health and the Prime Minister. The Government should say whether they mean that the figures apply from 1979 or from 1992—the Home Secretary is rising to adopt my suggestion.

Mr. Straw: We do check. I am absolutely committed to integrity in statistics. Before the implementation of the National Statistics Commission across government, I called in the Royal Statistical Society to ensure that our statistics—provided for Ministers—were of the highest integrity and independence. That is in stark contrast to the record of the previous Administration.

Mr. Bottomley: The Home Secretary should check that with the Office for National Statistics. I held ministerial office for six years during the previous Administration. Although my experience was not at the right hon. Gentleman's exalted level, it was twice as long, so I have twice as much experience of dealing with Government statistical services. Furthermore, I can give him a statistic that he has probably not calculated. During the first five minutes of his speech, the number of Back Benchers who were not in the doughnut around him fell from 11 to nine—a reduction of 18 per cent. in the number of Back Benchers who were listening to him. I merely say that to illustrate the fact that he was not talking to a large audience.

In relation to the serious points that the right hon. Gentleman made, when he talks about the last Government, will he make it plain whether he means the 1992-97 Administration or the years from 1979 to 1997. The last Government is an ambiguous expression, which will no longer suffice. I should be grateful if he could confirm what he means.

I pointed out that there were between 65,000 and 70,000 people in prison. Last year, 18,000 of them were found to have used illegal drugs. I shall not go into detail about the Cambridge Two and the slogan "Help the Homeless—Jail the Social Workers". However, if on only one of the 30 occasions when people in prison use illegal drugs—*[Interruption]*—I do not know why hon. Members are laughing. If 18,000 in 65,000 prisoners are using illegal drugs, and if the Prison Service—in closed institutions—can detect those drugs in only one in every 30 cases, we have a major problem. The figures are contained in Home Office statistics. No doubt, if I have got them wrong, the Home Secretary will point it out.

The figures have been going down. The problem involved about 24 per cent. of prisoners; the number is now between 17 and 19 per cent. However, if people can obtain illegal drugs in prison, they will continue their drugs habit when they are released. If prison is to help, it should be part of the cure or therapy for some of the underlying problems.

People who are on drugs commit crimes. Sometimes, people commit crimes to obtain drugs. We need to deal with both elements. I support the efforts of the Home Office and the Prison Service to reduce the amount of drugs in prisons.

My final point relates to my constituency. I agree with my hon. Friend the Member for Hertsmere (Mr. Clappison) that elderly people especially need a sense of security. That will come when they can see that crime in their area is falling. That point was also made by the hon. Members for Manchester, Central and for Waveney. People will gain a sense of security when they see police officers around and about.

In Worthing, I should not mind if the police station was moved from the centre of town to Durrington. What is important is that the police are visible in villages such as Ferring, Rustington, Goring and East Preston and in central Worthing. People need to see the police and talk to them. People should not see the police only when a family member has been killed or injured in a car crash, or when someone is suspected, or is the victim, of a crime; the police should form an ordinary part of the community.

Mr. Hayes: The non-adversarial policing that my hon. Friend describes will never be achieved if our national statistics are crime led and the police service is funded accordingly. The police will always have to fund such policing on a discretionary basis and they do not have resources to do so.

Mr. Bottomley: I thank my hon. Friend for that point. If he does not have a chance to make a speech, I hope that the Home Office will respond to it.

In trying to achieve that sense of security, the police should consult with local authorities about whether there should be a further reduction in drinking in public. If there are to be increased opportunities for young people to drink in licensed premises, the corollary should be that the amount of drinking in the streets—by the young or by older people—should be controlled. I do not want to get rid of street cafes in tourist areas. However, in residential areas, where there are problems owing to people drinking in the streets, the police and local authorities would be right to reflect popular views that the arrangements should be reviewed. If necessary, there should be a clampdown and a ban.

6.39 pm

Mr. Oliver Heald (North-East Hertfordshire): We have held a good and well-informed debate, although there has been the occasional spiteful comment. However, certain themes have emerged from both sides of the House—even though their interpretation might not always have been the same.

My hon. Friend the Member for Worthing, West (Mr. Bottomley) made a thoughtful and serious speech. Although he described himself as a member of the liberal establishment, I am sure he meant liberal with a small "l". Many of us would agree with what he said about groups, such as the Peabody Trust, that examine thoughtfully the way in which problems of the architecture of the inner city can be dealt with. Obvious changes can be made and everyone in the House should pay those groups a tremendous tribute. My hon. Friend's comments about drink driving were relevant and both sides of the House can accept his point about the need for a change in the culture of society.

One of the themes that my hon. Friend highlighted has been a feature of the debate. A visible police presence is an incredibly important part of elderly people feeling safe in their communities. That point was made by everyone who has spoken.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) talked about the need to consider the victims and, in an excellent speech, the hon. Member for Manchester, Central (Mr. Lloyd) said that the fear of crime was the top issue in his constituency. He spoke about a lady who stood out bravely against the drug dealers who were attacking her and he said, quite frankly, that there were not enough police in his area.

The hon. Member for Manchester, Central echoed a point made by Fred Broughton of the Police Federation, who said that the police receive much of the criticism for the way in which things have gone recently. He said:

> Every policy station in the country is facing anger from its community.

The hon. Gentleman echoed that comment and it is true that, in his area, crime is up by 6.7 per cent.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) also paid tribute to the bravery of all the individuals he had met as Home Secretary and who put up a fight and stand up for decent values in difficult circumstances. He also put the record straight. He pointed out that, under his stewardship, crime fell by 18 per cent. He is convinced, as I am, that the reason for that was a firmness of approach. To send criminals to prison is not the crime; the crime is not to do that. He spoke about the relationship between the liberal establishment and the failure of successive Governments to deal with crime. He also pointed out that, during his time in office, funding for the police increased in real terms by 4.2 per cent. when, under this Government, it has fallen by 0.2 per cent.

The hon. Member for Waveney (Mr. Blizzard) said that crime is now rising in Suffolk and that it is the top issue in the county. He pointed out that, in rural areas, there was virtually no crime but that its incidence is now rising. He used the expression that the thin blue line is thin. The perception is that crime is rising.

My hon. Friend the Member for Hertsmere (Mr. Clappison) described the plight of the elderly and the vulnerable, with police numbers falling and crime rising in his constituency. He called for a crackdown on anti-social behaviour and pointed out the weakness of antisocial behaviour orders and of the unused and unloved child curfew order.

It was a feature of the debate that everyone who has taken part is concerned about ASBOs. In a debate a few months ago, the hon. Member for Gedling (Mr. Coaker) explained that only one child curfew order has been made in Nottingham and that was against someone who

> had been convicted 55 times in the past two years on charges including theft, taking vehicles, robbery, burglary, handling stolen goods and motoring offences.—[*Official Report, Westminster Hall*, 1 February 2000; Vol. 343, c. 139WH.]

He explained the bureaucratic and complex regulations or requirements of an ASBO and all the case conferences and consultation that must be undertaken. He said that it should be a quick and efficient process, but that it was not. The Government will clearly have to think again about a flagship policy that has failed.

In measuring the Government's performance against their promises, the starting point should be the Labour party's manifesto. It said:

> The police have our strong support

and that the Labour party would

> get more officers back on the beat.

The police believed that "strong support" meant more than just words and that "more officers" meant more officers. In fact, funding is lower in real terms and the number of constables, which increased under the previous Government by 2,500, is now sharply falling. The Audit Commission has criticised the reversal of that trend. Like some Members who have spoken in the debate, it has pointed out:

> Officers on patrol, especially on foot, provide a sense of security, of help being close at hand.

I make the central charge that the Government, unlike the Labour Back Benchers who have spoken in the debate, are simply out of touch with the public's concerns on law and order. I come to the Dispatch Box from time to time to reply to statements that the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), makes and last week we heard about the plan for extensive new training for the police. However, where will the officers come from to be trained? Can they be spared? The Police Federation vice-chairman says:

> Our men on the ground are saying that it is getting to the stage that they feel vulnerable and overworked. They do not feel that they can give the public anything like the service they would like and it is in danger of leaving a vacuum on our streets.

Ms Julia Drown (South Swindon): Will the hon. Gentleman give way?

Mr. Heald: Unfortunately, I do not have time to give way.

Last week, the Minister told us about a new complaints procedure. However, 90 police stations have closed in the past year, so where does one go to make a complaint? He has spoken of improving police equipment and technology but, in April, on average almost a quarter of the Metropolitan police's vehicles were off the road every day

[Mr. Heald]

for repairs. He has announced new communications for the police, but 999 calls are now being answered by a recorded message machine.

The Minister talks about cutting bureaucracy for the police yet the White Paper on licensing will give them a new role as the licensing authority for church fetes and other temporary events. While he tells us that he is considering rural sparsity funding, the National Farmers Union estimates that the cost of rural crime to farmers has risen by £100 million per annum.

What do the public think when they see a headline that says, "Yard operators are 'losing it' in a 999 crisis"? A recent article says that Scotland Yard, which used be the gold standard of policing in Britain,

is in danger of being overwhelmed with emergency calls amid a staffing crisis and a surge in the number of people dialling 999.

Senior officers are drawing up continency plans and they say that

they are coping with a surge in calls.

No wonder—crime is rising at 3 per cent. The surge in calls should be no surprise. If crime is rising, it is obvious that more people will ring in.

When an operator was asked about the problem, he said:

On one recent shift 20 to 30 calls were being held in a queue.

He explained:

The problem is caused partly by . . . a rise in the number of calls.

How can a member of the public—*[Interruption.]* The Home Secretary says from a sedentary position, "How professional", but the public have a right to know whether their 999 calls will be answered. The public have a right to see police on the beat and to have their numbers restored, so that there is visible presence and the public need not be frightened. The public have a right to hear from the Home Secretary how he will tackle the rise in crime, and I hope that he is about to do just that.

Mr. Straw: I did not say what the hon. Gentleman suggests.

Mr. Heald: Goodness knows what the right hon. Gentleman said. Perhaps I did not hear him correctly. I thought that he said, "That was very professional". The operator was explaining the shortcomings of the Home Office and the difficulties that he faces in trying to answer people's calls at the most desperate moments when people are frightened and afraid. I thought that it was at those comments that the Home Secretary was sneering.

People are entitled to feel safe in their communities. The Conservative party is committed to providing answers, particularly to the central question of police numbers. The public want to know when the Government will respond positively. The public want the answer that the Government will restore police numbers to the level that they inherited and that they will be tough on crime and the causes of crime. In other words, the public want the Government to live up to their promises; they do not want the current position, which is all talk, all sweet words and no delivery.

6.49 pm

The Minister of State, Home Office (Mr. Charles Clarke): Our debate has been quite thoughtful—at least Back Benchers' contributions were. I welcome our discussions, as it is important to have a political debate about the issues, and I am glad that the Opposition decided to table the motion. However, I regret the fact that only three Conservative Back Benchers were present for most of the debate, and think that that is significant.

I intend to try to set out the strategy that the Government are seeking to follow. We inherited problems after 18 years of Conservative Government. I shall not get into trite questions about whether crime doubled or, indeed, go through that whole debate. However, I shall indicate the problem that we are trying to address in each policy area and how we are doing that.

I do not think that the problems that we inherited were those of a great liberal establishment. Indeed, Margaret Thatcher, who was Prime Minister for a considerable part of that period, would not have been very pleased to be described as part of such an establishment. For much of her life, she represented Finchley—a Hampstead liberal if ever there was one. Authoritarian ineffectiveness, to reverse the words of the hon. Member for Hertsmere (Mr. Clappison), was characteristic of that whole period of government.

Our strategy has been to build our way out of the crisis that we inherited. We believe that it is important to address anti-social behaviour, and we all know of such problems in our constituencies. As an aside, let me say that the young people causing such problems are the children of the no-such-thing-as-society generation. We did not have the necessary legal instruments, which had not been provided by the previous Government, so we set about establishing them. Of course, we have to do a great deal more, and do it better, so criticism on that is perfectly justified. However, we got the legal instruments in place as we needed to do, and we are addressing the problem.

Partnership is another element of our strategy. There was no legal basis to the partnerships when we came to power. Everyone acknowledges that the most important legislation on changing the culture of policing and other issues has been introduced by us. We have set about achieving a legal basis for the partnerships and have changed Metropolitan police boundaries to get them going. We have also put resources into closed circuit television, neighbourhood wardens and so on to make those partnerships work. We have set about that process, although I accept that we have not done enough. However, we are going to do more.

The hon. Member for North-East Hertfordshire (Mr. Heald) made some rather jeering remarks about technology. We have inherited a situation in which 43 police authorities each use different technologies and so cannot communicate with one another. Police, prisons, the probation service, the crown courts, the magistrates courts and the Crown Prosecution Service all have entirely different systems and cannot relate to one another effectively. We are investing to solve that important problem, which should have been addressed a hell of a long time ago.

We are putting money into DNA testing and are improving the police national computer. Those are significant matters, as it is important to use technology to benefit policing. Modernisation of the police is important,

as is training, as most people would acknowledge. The Police Federation certainly did when the hon. Member for North-East Hertfordshire and I attended its conference. It is important to establish a best value regime that addresses significantly different levels of performance by different basic command units and different police authorities throughout the country.

We have worked on establishing an independent complaints procedure and dealing with the relationship with the community and related issues following the Macpherson report. Major issues have to be addressed, but so do ridiculous issues. Different police forces have different height requirements for special constables. People with glasses can be recruited in some forces, but not others. That is a ludicrous state of affairs which we must modernise and get straight. We have had to deal with all the mess that was left behind.

Serious and organised crime is another important matter which we tackled by getting real joint working between the National Criminal Intelligence Service, the security services, Customs and Excise, and the immigration and nationality directorate. That had not been done before, and we have got a strategy to get those key agencies working together. Of course, there is a great deal more to be achieved but, again, we are moving in the right direction.

Mr. Heald *rose—*

Mr. Clarke: I shall not give way, because of the time constraint that the hon. Gentleman himself mentioned.

Drugs involved the same problems. We had to get the agencies working together properly and we introduced new legal instruments to try and address the issues involved. As everyone acknowledges, drugs are the core of a great deal of crime, and we have tried to make our strategy on them move forward.

I agreed with much of what the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said about support for victims and witnesses, and I can assure him that we will consider those points. We need more such support. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was right to pay tribute to the courage of witnesses, and he will acknowledge that it is the duty of the state to give them all possible support. That is why we are making available more money and resources and providing better support for Victim Support. We have a lot further to go, but we are building on the inadequate provision that we inherited.

We are tackling reoffending by dealing with the situation of those who have been convicted, whether they require help with drug problems or education in literacy and numeracy. We are setting up a coherent programme to try to prevent people from reoffending. That is difficult and involves tackling cultural questions and significant problems.

Several hon. Members mentioned bobbies on the beat. We have made clear our intention, by the end of the Parliament, to increase police numbers to the level that we inherited.

Mr. Clappison: Will the hon. Gentleman give way?

Mr. Clarke: No.

In many places, the issue of bobbies on the beat is not simply a question of police numbers; it is a question of using technology effectively, reducing obstructions in the criminal justice system and developing partnerships. Of course, as my hon. Friends have said, people want a high-profile local police force. We are committed to that, and I acknowledge that a great deal needs to be done, but we are setting about that task and aim to increase police numbers, as my right hon. Friend the Home Secretary has said.

We have made progress in those strategic areas, and what we are doing is right. Of course there is more to be done, and I accept the fair criticism from my hon. Friends and the hon. Member for Southwark, North and Bermondsey that we are not moving fast enough. However, I do not accept criticism about our strategies and methods or claims that what we are doing is nonsense and that we are going in the wrong direction. We aim to build a resilient law enforcement and criminal justice system. Without going into any of the arguments about money and police numbers, I can say that we did not inherit such a system and we needed to improve it.

I turn now to what the Opposition have been saying. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) has not at any time acknowledged her errors or her responsibility for the situation that we inherited. The Opposition have no strategy of any kind, but have merely staged populist public relations stunts. Their programmes are uncosted, and would require more than the £260 million that the right hon. Lady suggested. The cost of the measures that she described would be getting on for £2 billion. That is on top of the £3.5 billion that the Conservatives are committed to spending on asylum, making almost £6 billion altogether.

Let us consider what has happened in Parliament when measures have been considered. On illegal immigration, the Conservatives listened to the road hauliers rather than taking account of the interests of law enforcement. On the Criminal Justice (Mode of Trial) Bill, they listened to lawyers rather than the police or anybody else. If the Opposition had won a vote on the Regulation of Investigatory Powers Bill, all agencies would have had to suspend their investigations into paedophilia, drug trafficking and money laundering on 2 October. The hon. Member for North-East Hertfordshire failed to say that the reason for that vote was that he had listened too much to the businesses involved and had not taken enough account of the interests of law enforcement.

Mr. Heald: Will the hon. Gentleman give way?

Mr. Clarke: No.

Last week, in proceedings on a private Bill promoted by Kent county council—there is an identical Bill promoted by Medway council—we even heard the hon. Member for Surrey Heath (Mr. Hawkins) saying that he was not interested in the measure suggested by the chief constable of Kent and my hon. Friend the Member for Gillingham (Mr. Clark) because he was worried about antique dealers, despite the fact that they want to identify fences. The right hon. Member for Bromley and Chislehurst (Mr. Forth) has prevented the progress of legislation on international banning orders for football supporters committing offences and on stopping under-age drinking.

Throughout this Parliament, the Conservatives have shown that they aim not to help law enforcement, but to oppose it. That is why the Leader of the Opposition,

[Mr. Clarke]

realising that his party has no strategy, has decided to take over from the right hon. Member for Maidstone and The Weald and has overruled various of her decisions. He is wearing the clothes of racist populism and turning himself into skinhead Hague. He believes that he is playing a populist card. I urge the House to reject the motion and to back the Government's strategy to build a country in which we can be proud and safe.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 138, Noes 358.

Division No. 206] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Peter Luff.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Jean
Cotter, Brian
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank

Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jowell, Rt Hon Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Opik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Willis, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. David Jamieson.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the fact that recorded crime has fallen by 7 per cent. since March 1997, with domestic burglary down by 20 per cent. and vehicle crime down by 14 per cent.; applauds the Government's investment to boost police recruitment; supports the Government's strategy for tackling crime and the causes of crime through better prevention, improving the performance of crime and disorder partnerships, the police and the criminal justice system, more effective punishment of offenders and securing greater support and protection for victims and witnesses; backs the radical reforms of the youth justice system, including swifter punishment for persistent offenders; and notes that all this is in sharp contrast to the record of the previous administration when crime doubled and the number of offenders convicted fell by a third.

Transport

[Relevant documents: The Ninth Report from the Environment, Transport and Regional Affairs Committee, Session 1998-99, Integrated Transport White Paper, HC 32-I, and the Government's response thereto, HC 708 of Session 1998-99.]

7.13 pm

Mr. Bernard Jenkin (North Essex): I beg to move,

That this House notes that, while government spending on transport has fallen in comparison with the period before the 1997 General Election, taxation on the motorist has been raised to record levels, so that £1 in every £7 now spent by the Government is raised from the motorist; condemns the Government for presiding over ever-worsening congestion without any policies to deal with continuing road traffic growth; welcomes the increasing investment in transport industries that were privatised during the previous administration; laments the failure of the Government to build on these achievements and that total public and private investment levels in transport are still well below what is required by people, business and industry; and condemns ministers for failing to secure increased funding for anything except for the growing costs of running the Department of the Environment, Transport and the Regions which is the Government's largest and least effective Department of State.

I am afraid that the first question that I have to ask is where is the Secretary of State? [HON. MEMBERS: "Where is Archie?"] I am the man responsible for the transport policy of Her Majesty's official Opposition, but the Secretary of State is responsible for transport, the environment and the regions, and much he has made of them since being appointed to the job. We are debating his policy and his White Paper; standstill Britain is his achievement. He is responsible for three years of perpetual policy chaos. He assumed office with ludicrous anti-car policy objectives such as traffic reduction targets, centralisation and control, and the travelling public are paying the price in congestion—not only on the roads, but on all our transport networks—transport spending cuts, delayed investment and, of course, ever-higher taxation. He is more mouth and less delivery than any other member of the Government. With all due respect to the Minister for Housing and Planning, who will reply to the debate, the Secretary of State should do so.

The Conservatives transformed many of the transport industries with privatisation and deregulation, starting with National Freight, British Airways, the British Airports Authority, British Rail's hotels, Sealink, Associated British Ports, the National Bus Company and the Scottish Bus Group, and finishing with British Rail. We stripped away the Treasury controls that stifled investment and we exposed those companies to proper competition. There has been an explosion of investment and innovation in those industries because they now put the customer first, and even the Government admit that there has been a transformation in the rail industry.

Angela Smith (Basildon): I thank the hon. Gentleman for giving way so early in his speech, but does he agree with the hon. Member for Tunbridge Wells (Mr. Norman), who said today, "At Asda, we give a refund in all circumstances. That is because we are customer-led."? Will he give the British public a refund for the privatisations?

Mr. Jenkin: I shall treat the hon. Lady's intervention with the contempt that it deserves. I certainly support the comments made by my hon. Friend the Member for Tunbridge Wells (Mr. Norman), who speaks for the customer. It is about time that Ministers started speaking for the customers on the railways instead of for the Department of the Environment, Transport and the Regions.

The Conservatives invested huge sums in many Conservative projects, such as £26 billion in our trunk roads and motorway system. It is now a largely completed network, thanks to the Conservatives. We substantially reduced the maintenance backlog to a manageable level. What would transport be like today if we had not built the M25, the M40, the second Severn crossing or the second Dartford crossing? The long list of such transport projects includes the docklands light railway, the Manchester metro, the Sheffield metro, the £12.5 billion investment in the channel tunnel and the docklands light railway extension.

During the past two or three years, there has been a succession of celebrated openings of great transport projects. The Prime Minister opened the Heathrow express in June 1998. That was a Conservative project and our achievement, as was the Jubilee line extension. The Croydon tramlink, which the Deputy Prime Minister opened in April, was a Conservative project funded with Conservative Government money backed by the Conservative commitment to transport. A fair description of Conservative transport policy would be, "A lot done, but a lot left to do." Labour's response could be summed as, "Not much done, and no plans to do much either."

Ms Claire Ward (Watford): The hon. Gentleman is keen to take credit for the Jubilee line extension, but does he also take credit for the fact that it went massively over budget and over time?

Mr. Jenkin: That project proves the virtues of the private sector rather than the public sector. The hon. Lady seems to suggest that we should have involved the private sector more, and I have no doubt that such projects would be handled much more efficiently by a privatised tube.

The Labour party has produced not massive, great projects such as ours, but three years of dither, delay, broken promises and U-turns. After all, we waited more than a year for the integrated transport policy to be produced, even though the Labour party had 18 years in opposition to think about it. We waited for almost three years for the Transport Bill, but it will not take effect until almost four years after the Government were elected. Most of the achievements to which they lay claim are Conservative achievements. The improvement in the cleanliness of motor vehicles is the result of regulations that we introduced in government. That is why car pollution is decreasing.

It was the privatised Railfreight service that set the target for the trebling of freight on the railway in 10 years. It was the Conservatives who launched, for instance, the national cycling strategy and the safer routes to schools initiative. From the way this lot carry on, one would think that the Government had invented it all—but they are Conservative policies that they have hijacked. The only Labour initiatives have been all mouth and no delivery.

The Secretary of State said—this was quoted in the House—

I will have failed if in five years time there are not . . . far fewer journeys by car.—[*Official Report*, 20 October 1998; Vol. 317, c. 1071.]

However, three years into his Administration, congestion on our roads is increasing. It has increased by 6 per cent. since the election and is unaffected by any of the Government's policies.

On traffic levels, the Government's White Paper said:

> We will therefore . . . consider how national targets can best help

to reduce congestion. The Government, however, now agree that that was a silly idea, and that national traffic targets are destructive. That is why they voted against a private Member's Bill earlier in the Session.

In paragraph 1.29 of the White Paper, the Government said that they wanted to

> tackle the pinch points in transport networks that lead to congestion.

Barely a month later, however, following the roads review, 100 vital road improvements and bypasses were cancelled. As for the Birmingham northern relief road project, which the Government now say they support, not a sod has been turned. We were left with only 37 road schemes—and it came as no surprise that one of the first to be commenced was the A1033 Hedon road improvement scheme, which just happened to be in the Deputy Prime Minister's constituency. What we get from this Government is roads for the privileged few, but congestion and potholes for the many.

The roads White Paper claimed:

> We are refocusing our approach to trunk road investment.

"Refocusing" is new Labour speak for "massive cuts". The transport White Paper said:

> We commit ourselves to challenging targets and rigorous monitoring.

What exactly does that mean? It means multi-modal studies, a substitute for real action, a cry for help from the Highways Agency. Meanwhile, improvements on the A66, the A14, the M1, the A1 and many other vital trunk roads and motorways that are crying out for improvement have been frozen.

I should be interested to hear from the Minister whether he plans to go through with all the multi-modal studies, however long they take, before any action is taken on those roads. Will no improvement be made to the A14 while a multi-modal study takes place? Does the same apply to the Hindhead and Salisbury bypasses, to the A36 bypass and to the Stockport A6 bypass, which is jammed in the Government's "carry on consulting" policy? Even "carry on consulting" has failed, however, because the Government have so much consulting to do that they have run out of consultants. There are not enough consultants to conduct all the multi-modal studies that the Government have set in train: it will take years for them to clear those multi-modal studies.

Perhaps the Minister will give us a date. When will the multi-modal studies that were announced nearly two years ago be completed—or will he go abroad to find even more consultants to complete the work?

In the roads White Paper, the Government said:

> adequate maintenance of existing roads is our number one priority.

They also said—twice—

> We will improve trunk road maintenance, making it our first priority.

Two recent surveys have shown that roads are in a worse state than they have been since the early 1970s. That is because this Government are spending less on road maintenance than the Conservatives did.

Ms Ward: Will the hon. Gentleman give way?

Mr. Jenkin: I give way to the enchanting lady.

Ms Ward: The hon. Gentleman is most generous. He may have forgotten, however, that the Conservatives cut the road maintenance programme by 9 per cent. over a four-year period. Is the hon. Gentleman taking no responsibility for what happened under the last Government?

Mr. Jenkin: I would have expected the hon. Lady to have something to say about all the traffic that is being driven off the motorways, which go through and near her constituency, on to local roads. This Government have cut the road improvement budget so that traffic is driven on to the roads where her constituents shop, play and drive to work.

The Minister for Housing and Planning (Mr. Nick Raynsford): As the hon. Gentleman has raised the question of spending on road maintenance, will he confirm the following figures? In 1994-95—a year that he likes to cite because it was the best year of the Tory Administration—£2.8 billion was spent on road maintenance. Over the subsequent two years, the amount fell to £2.45 billion. Since we have been in government, it has increased to £2.899 billion. Will the hon. Gentleman concede that he was wrong to claim that the present Government had cut spending on maintenance? It was cut by the last Government; we have increased it.

Mr. Jenkin: Unfortunately, the Minister has been given cash figures rather than figures relating to prices in real terms. In real terms, in 1994-95 we were spending £3.3 billion. *[Interruption.]* These figures are from the House of Commons Library: the Minister may want to argue with those in the Library. Not in any single year, either past or for which the Minister is planning, does expenditure match that amount.

The present Government, not the last, are responsible for today's spending levels. I know that the strategy of the Minister's party is to try to fight the last general election rather than the next, but we will not let him do so.

In its White Paper, Labour claimed:

> We are already . . . investing more in public transport.

That is a typical Labour lie, like Labour's promises on tax. Increased taxation and spending cuts sum up the Government's transport policy. The Secretary of State, as a departmental Minister, has failed the real test. His record shows that the Deputy Prime Minister has consistently been the Government's biggest budget loser in every spending round.

These are the killer facts—

Sir Nicholas Lyell (North-East Bedfordshire): When we start talking about killer facts, things become very serious. Is my hon. Friend aware that I was told I should say thank you when the Government rightly kept the Great Barford bypass in the programme? Is he further

[Sir Nicholas Lyell]

aware that, since then, absolutely nothing has been done to build it? There was yet another fatal accident earlier this month on the A428, leaving a family husbandless and fatherless.

Mr. Jenkin: I would not want to make a party political point about any tragedy. The fact is, however, that the less spent on highways maintenance and improvements, the more dangerous those roads will be and, inevitably, the more deaths and injuries there will be.

Mr. Bob Russell (Colchester): The hon. Gentleman referred to killer facts. Until this moment he has not mentioned road deaths, and he has done so now only in response to an intervention. Will he at any stage mention the fact that 10 people a day are killed on our roads? Will he challenge the Government to do more about road deaths? That is a question to which people want answers.

Mr. Jenkin: As it happens, I am not majoring on road safety today, but the hon. Gentleman has raised a vital issue. I would like a debate on road safety in Government time. They tried to sneak out their road safety policy without making a proper announcement to Parliament. In the end, they made a statement, but it should be pointed out that they did so at my request. These are important matters. I continue to reflect on them, and in due course we will produce a road safety policy to keep the Government up to the mark.

I was talking about killer facts. Killer fact: Labour is spending less on local transport. The local transport grant has been cut from £329 million in 1994 to just £13 million in the current year. Killer fact: we were spending an average of £2.25 billion on the trunk road and motorway network. Labour is planning to spend a mere £300 million in the current year and in the next year. Killer fact: on road maintenance, the top priority, in our last three years, we spent £8.6 billion—*[Interruption.]* The Minister is touchy on the subject and we know why. We spent £8.6 billion and that was despite the recession. We maintained that spending despite the recession and the squeeze on public spending. In a boom, Labour has spent a mere £7.8 billion in the past three years and it has no plans to spend any more than the Conservatives.

Mr. Raynsford: As the hon. Gentleman referred to the Conservative Government's record in their last three years in office, will he confirm that spending on road maintenance in those last three years fell year on year from £2.8 billion to £2.6 billion to £2.4 billion? Why does he try to mislead the House with bogus statistics?

Mr. Jenkin: I am a generous chap, so I will overlook the Minister's jibe, but he cannot shuffle off responsibility for his lower spending levels using the record of the previous Government. We spent more over those three years than he spent over the successive three years.

Killer fact: Labour is spending less on the railways. Killer fact: Labour is spending less on London Transport. We averaged £830 million per year; Labour is averaging just £640 million a year. In fact, the spending level is well under £500 million this year. It is about £245 million and it is scheduled to be nil next year. Let us hope that there will be an announcement about that. The public-private partnership is mired in delay and the cost of consultancy fees is going up and up and up.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am interested in the fact that the hon. Gentleman says that Labour is spending and has spent less on railways. Is he suggesting that, somehow or other, the deal that his Government did on privatisation—that the public subsidy should consistently fall—is one that he now regrets, and that he would like a lot more public money to be invested? If that is the case, it is an interesting change of tack.

Mr. Jenkin: I am merely pointing out that the Government are responsible for spending levels today, just as we were responsible for spending levels before. It was the Secretary of State who said that he was going to change everything. If he is keeping everything the same, those are the facts that the hon. Lady has to accept.

The biggest killer fact, the killer blow to the Secretary of State's credibility, is that the Conservatives spent twice as much per year on transport as the Labour Government. Between 1984 and 1997, we spent an average of £12.2 billion per year on transport. In the past three years, Labour has spent an average of just £6.4 billion—barely half the Conservative commitment.

Against that background, there is Labour's killer tax lie. There is an extra £8 billion in taxes on the motorist compared with 1997 levels. The Government are raising £36 billion in motoring taxes and investing less than a fifth of that in transport. Half of that tax burden is paid by business, so it hits competitiveness and productivity. United Kingdom petrol is by far the most expensive in Europe. For every £20 spent at the petrol pump today, £16 is taken in fuel duty.

I will give the Minister the facts about the price of petrol because it is not a familiar topic on the Government Benches. The Government inherited a price per litre of 59.2p and it is now well over 80p per litre. The Chancellor of the Exchequer would do well to remember that. The average motorist is spending £270 more per year for fuel under Labour. It confirms that Ministers do not drive their own cars or have to fill them up. Motoring taxes have reached such a level that they now fund £1 in every £7 that the Government spend. Those are all killer facts.

Mr. Peter Snape (West Bromwich, East): Does the hon. Gentleman agree with the killer fact from a Tory Minister with responsibility for transport, who said in March 1994 that increases in fuel duty and motorway tolling would help people to make more informed choices about the cost of using their cars?Was it a killer fact then, or was he day dreaming?

Mr. Jenkin: The point is that it depends on from what level duties are going up. It was the hon. Gentleman's Government who doubled the rate of the fuel escalator, who imposed three increases in the space of 18 months—calling them annual increases—and who have been found to be cheating on the rate of inflation, using a higher rate for uprating fuel duties than for uprating pensions, something the hon. Gentleman might have found out about during the local elections. The important point is that there are more taxes to come: congestion taxes and workplace parking taxes. Those are Labour taxes, not just London mayoral taxes.

The Secretary of State and the Prime Minister are responsible for the taxes that the London mayor can apply under the Greater London Authority Act 1999. The Prime Minister says that Greater London Authority members must "abide by their manifesto" commitments not to introduce congestion taxes during the first term of the mayoralty. He should be aware that he was contradicted within hours of making that statement by the Labour deputy mayor, who was elected on that Labour manifesto. She said that "in principle" she wanted to introduce congestion taxes in the first term.

I read that the Secretary of State had a meeting with the hon. Member for Brent, East (Mr. Livingstone). Perhaps we will learn what was discussed on the matter of congestion taxes. I tabled a parliamentary question, but the only answer that I got was:

We had a wide-ranging discussion of issues of mutual interest including transport.—[*Official Report*, 22 May 2000; Vol. 350, c. 324W.]

I bet he did. Perhaps the Minister would tell the House exactly what was discussed between the Secretary of State and the London mayor about congestion taxes.

Mr. Raynsford: I was not there.

Mr. Jenkin: Well, the Under–Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), was there because he answered the question. Perhaps the Minister will tell the House what he expects the London mayor to do. If he decides to introduce congestion taxes, will he take responsibility so that London voters know that, when the mayor introduces a new tax on driving into London, it is Labour policy, or are we expecting another U-turn from the Government?

Meanwhile, business and industry are groaning under the burden of Labour taxes and crying out for more investment in transport. This year's Railtrack network management statement, which was delivered on time, said that £52 billion is needed. The British Road Federation Ltd. says that we need to spend £90 billion over the next 10 years to have a road system that is comparable with that of our European competitors. The Confederation of British Industry said that a total of £212 billion is needed to deliver the transport that business and industry need.

The real question is, how will the Government deliver all that investment? That would be a real transport policy. That is the real killer question for the Government. How will they deliver investment in the roads? Will they reverse the ludicrous 1998 decision to scrap the roads programme? How else can they solve congestion and pollution? How will the Secretary of State reduce the ever-growing backlog of repairs? Are the Government really going to wait until all those multi-modal studies are completed before carrying out the vital improvements that are needed?

On the railways, how will the Government help the industry to deliver their investment aspirations? When will the review of rail access charges be completed? It was meant to be completed this spring, then it was meant to be completed this summer. The rumour is that it will not be completed until the autumn. Will the Minister tell the House when the review will be completed?

What has happened to the Strategic Rail Authority's 10-year plan for the railways? Again, that was meant to be delivered this summer. The rumour is that that will be delayed too. How will the Government revive the financial confidence of the railway after a three-year campaign of denigration of the management and staff of the railways, who have done so much to transform the railways?

I take heart from recent statements from the Government. The Under–Secretary of State for the Environment, Transport and the Regions said in his reply to the debate last week:

I concede that it—

the railway—

has been successful in many respects under privatisation—

that is a change of heart—

and as a result of it. I think that we all acknowledge that there has been a great deal of innovation in the industry and a greater focus on customer care.—[*Official Report*, 10 May 2000; Vol. 349, c. 921.]

I am glad that he has not got into trouble for making those remarks. They are the proof of the pudding that the much denigrated privatisation of the railways has been a force for good and something upon which the Government should be building.

Will the Government therefore abandon the Transport Bill? On 9 May, the Deputy Prime Minister said:

I have been a defender of the public sector . . . but it costs a great deal more than the private sector.

I think that the right hon. Gentleman is beginning to learn. The experience of office might be doing some good. Does he now support privatisation? He said:

I have never accepted "public good, private bad".—[*Official Report*, 9 May 2000; Vol. 349, c. 710-715.]

That would be a welcome U-turn, but judging from Prime Minister's questions today, as soon as he has the opportunity the right hon. Gentleman is once again posturing to the gallery of political correctness instead of doing what is right for transport.

Sir Brian Mawhinney (North–West Cambridgeshire): Before my hon. Friend deifies the Deputy Prime Minister, will he make it one of his tasks to persuade the right hon. Gentleman to admit that when he sat on the Opposition Benches and kept saying that privatisation would accelerate the loss of passengers on the railways he was wrong? Passenger use of the railways since privatisation has increased by 25 per cent. That fact has been acknowledged by the Under–Secretary.

Mr. Jenkin: There we have it. Privatisation has achieved exactly what the Government say they want to achieve, which is to get people out of their cars and get bums on seats on the railway. That is what 40 years of nationalisation failed to achieve.

Why is the Deputy Prime Minister pressing ahead with the ridiculous so-called public-private partnership on the tube? It is based on the religion of ultimate state control. Is it not the case that the right hon. Gentleman's Department has the worst record of all Departments? It was the Select Committee on Transport, chaired by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), which last July stated:

The Department's achievements . . . have largely been confined to the publication of documents and policy statements and the establishment of task forces. As yet, there have been few tangible improvements.

[Mr. Jenkin]

What has happened since then? The answer is, not much. We have heard only that the Deputy Prime Minister has been stripped of his responsibilities for transport. They have been handed over to Lord Macdonald, who will produce a 10-year transport plan. That seems to be more of the same.

We are told that it will be an £80 billion transport plan. What real increases will there be to match the Conservative commitment? If we add up what Railtrack is investing and what the Government are spending, that easily amounts to £8 billion a year. If that is stretched over 10 years, there is no substantial change in policy.

Will the Minister tell us when the great transport plan will be produced? I tabled a question, but I know that it is rather naive to expect any useful information. However—*[Interruption.]* It is not funny for the Under-Secretary to laugh about concealing information from Parliament. I asked clearly if he had decided to publish his 10-year transport plan before the end of July. After all, that is what all the spin has been about. He said, as with all such departmental reports,

we will publish the plan when it is ready.—[*Official Report*, 16 May 2000; Vol. [illegible], c. 89W.]

On past form, that probably means next Christmas. Will the Minister tell us when the plan will be published?

Mr. Raynsford: When it is ready.

Mr. Jenkin: There we are; the Government are a forthcoming lot.

The purpose of the debate is to give an opportunity for the Government to explain what their transport policy is. After three years of gesture politics, denigration of the transport industries and massive cuts in government financial support across the board, is it not about time that the Government started to explain how they will deliver the public transport services—the roads, the railways and the infrastructure investment—that the country needs?

When in office, the Conservatives spent more than Labour, raised more investment than Labour and kept Britain moving. When the Prime Minister says to the Deputy Prime Minister, "A lot done, a lot left to do", he is clearly referring to the achievements of the Conservatives and the failure of the Deputy Prime Minister to achieve anything.

Labour came into office promising to wave a magic wand. That was its so-called integrated transport policy. Perhaps the Minister will explain exactly what that slogan means beside the massive increase in congestion, the logjam of investment, the millions of frustrated commuters, the businesses that are groaning under their taxes and road users who are fed up with paying ever-higher taxation.

Why is it that only now the Government are contemplating a new transport plan? They had 18 years in opposition and three years in government to think about it. Is that not why it is fair to say that the Government are all mouth and no delivery? The Government tax more and deliver less. On the evidence of its record, Labour's new slogan should be, "Not much done, nothing doing, but taxes going up". Is that not the most savage indictment of the architect of the policy? The Deputy Prime Minister was appointed to deliver a better transport system. Instead, he has been scuppered by his so-called friends at the Treasury. In fact, he has become their plaything. How they must laugh at him behind his back as they tax and tax the travelling public and cut and cut his expenditure.

In December 1999, the right hon. Gentleman was robbed of his transport portfolio. Today, he may be Secretary of State for the environment and the regions, but not for transport. He is in office, but not in power. He is discredited. He is a loser. We know that and so do his colleagues and the public. The only person who does not know it is the right hon. Gentleman.

7.46 pm

The Minister for Housing and Planning (Mr. Nick Raynsford): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

welcomes the fact that the Government has substantially increased spending on transport from the levels planned by the previous Government; notes that this Government ended the automatic fuel duty escalator begun by the previous Government; deplores the previous Government's record of under-investment in transport, which left an investment backlog in important areas like road maintenance, rail and London Underground; notes that under the last Government the number of cars per mile of road went up from 70 to 100, that yearly carbon dioxide emissions from road transport increased by 26 per cent. and that by May 1997 Railtrack was £700 million behind on its rail investment and maintenance programme; and welcomes the Government's approach on an integrated transport strategy which will be delivered by an integrated Department of the Environment, Transport and the Regions, and its plans to increase spending and modernise the transport system further through its Ten Year Plan for transport investment.

The people of this country want a transport system that is quicker, safer, cleaner, smarter, more reliable and good value for money, which takes them conveniently from the start of their journey to their destination. *[Interruption.]* Opposition Members roar with laughter at that. Surely that is a self-evident statement of what the public expect. We intend to deliver such a system through modernisation, integration and partnership.

The hon. Member for North Essex (Mr. Jenkin) spoke at length about congestion, taxes and underinvestment. I agree with him on one point. There are significant problems with transport. It is not as good as it should be. I differ with the hon. Gentleman over his ludicrous attempts to re-write history and completely ignore the Conservative party's abysmal record and its responsibility for the problems that we face.

It is naive in the extreme to suggest that the problems of today are the product of the past three years alone. The hon. Gentleman and every sensible Member of this place know that the problems that we inherited from the Conservative Government were considerable. There was serious congestion on the roads and a chronic backlog of maintenance, with emissions and pollution from traffic aggravating health problems, especially among children—*[Interruption.]* Those are serious problems, which hon. Members would do well not to make light of. We were faced with a deregulated bus industry that was failing to deliver quality services, and there were far too many cowboy operators. We had also a fragmented railway industry that was lacking strategic management and direction.

We inherited a transport system that had suffered for 20 years from the irresponsible pursuit of ideology, defective privatisation—*[Interruption]*—and neglect of

the public sector. Conservative Members clearly do not agree with my comment on defective privatisation. I am surprised. I am only echoing the words of the hon. Member for Tunbridge Wells (Mr. Norman), who, sadly, has not stayed in the Chamber for the debate, despite making a brief appearance. Only yesterday he admitted that there were "serious shortcomings" in the privatised railways. Who is to blame for that?

The hon. Member for North Essex may not agree with the judgment of the hon. Member for Tunbridge Wells. Indeed, he may not feel comfortable about the idea that his hon. Friend is defining Opposition transport policy. I feel a little sorry for the hon. Member for North Essex. I remember only too well when he proudly puffed out his chest a few months ago during consideration of the Transport Bill in Committee and said:

I speak in this Committee on behalf of the shadow Cabinet.—[*Official Report, Standing Committee E*, 18 January 2000; c. 9.]

Today the hon. Gentleman claimed that he represented the Opposition—but it was not him who was issuing the press statements and being quoted in the press yesterday; it was Archie.

Mr. Jenkin: Lest the Minister should start enjoying himself too much, I should tell him that I sat next to my hon. Friend at the press conference. We discussed exactly what he was going to say. He would not have done that press conference without my permission, because we work as a team. The Minister has got into a muddle: it is his Department that is the unhappiest Department in the Government. As for the shortcomings in the rail privatisation, he and his hon. Friend the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), would agree with me that there was much to improve on in the railways when the Government came into office. It is sad that they have done absolutely nothing except denigrate and cast slurs on the management, undermine the financial viability of the industry and cause an investment bottleneck.

Mr. Raynsford: That was rather a long intervention, but I can tell the hon. Gentleman, in the nicest possible way, that we are delighted to know that he sits next to Archie and is educating Archie.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The Minister knows the convention of the House as well as I do.

Mr. Raynsford: Thank you, Mr. Deputy Speaker.

Ms Ward: Does my hon. Friend agree that that the comments of the hon. Member for North Essex (Mr. Jenkin) seem to suggest that he is pulling the strings of the hon. Member for Tunbridge Wells (Mr. Norman), who is a mere puppet? If it were not for the hon. Member for North Essex telling him what to say, the poor man would not know how to cope. How is that for a team working together?

Mr. Raynsford: My hon. Friend makes a good point, but it is interesting to see who is quoted in today's press. The hon. Member for North Essex is quoted—I grant him that. He was allowed to put out a short piece in the *Evening Standard* about encouraging motor cycling in London. However, it was the managing director who took precedence and issued all the press statements about the Tory party's policies nationally. I am sorry for the hon. Member for North Essex, because he has clearly been relegated to the equivalent of the local Asda store manager in Manningtree.

Mr. James Gray (North Wiltshire): The Minister sounds a little sensitive on the subject of who is spokesman for what. Could that be because when transport matters are discussed in the papers, it is not him who is quoted? It is not even the Secretary of State who is quoted, but his noble Friend in the other place. The hon. Gentleman is the Minister for Housing and Planning. What is he doing talking about transport?

Mr. Raynsford: I am only too happy to confirm that the Deputy Prime Minister and my right hon. and noble Friend Lord Macdonald are quoted on transport policy, because they represent the Government on that issue. *[Interruption.]* As my right hon. and noble Friend is in the other place, I am speaking for the Government at this Dispatch Box. *[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members cannot shout across the Floor of the House.

Mr. Raynsford: Thank you, Mr. Deputy Speaker.

I have to remind the hon. Member for North Wiltshire (Mr. Gray) in the nicest possible way that in the Committee considering the Transport Bill it was he who identified his hon. Friend the Member for North Essex as merely the subaltern. There was a different field marshal; it was, of course, a different shadow Minister, but there we are.

Mr. Gray: I want to put the record straight. That was not the case. I was happy to identify myself as the humble lance-corporal, but there was no question about who the leader of our team was, and he is sitting on the Opposition Front Bench right now.

Mr. Raynsford: I distinctly remember the hon. Member for North Wiltshire referring to the field marshal sitting with him on the Back Benches—the lowering presence of the aspiring leader of his party.

We inherited a transport system that had suffered for 20 years from neglect and short-termism. Let me remind the House of that legacy. In the 10 years from 1986 to 1996, the proportion of public transport journeys fell by 11 per cent., while the number of car journeys increased by 21 per cent.—killer fact. Over the same period, bus journeys outside London where services were deregulated fell by 31 per cent.—killer fact. By May 1997, the funding backlog on the London Underground had reached £1.2 billion—killer fact

Meanwhile, at the change of Government in May 1997, Railtrack was £700 million behind on its rail investment and maintenance programme—killer fact. The road system was no better. In fact, in 1997 the nation's roads were in their worst condition for 20 years—killer fact. At the same time, yearly carbon dioxide emissions from road transport increased by more than 26 per cent.

[Mr. Raynsford]

There is more of the same. The proportion of freight carried on our congested roads grew to 66 per cent. from a starting point in 1979 of 54 per cent., while rail freight fell from 11 per cent. to only 6 per cent. It is hardly surprising that in 1979 there were 70 cars for every mile of road, but when the Conservatives left office, after billions of pounds of road spending, there were 100 cars per mile—killer fact. That was their record.

Mr. Lawrie Quinn (Scarborough and Whitby): Does my hon. Friend agree with me that one of the problems was the fact that the previous Government split up the rail freight industry into three component parts? It was only as a result of a private entrepreneur sticking Humpty Dumpty back together again that the renaissance that the hon. Member for North Essex (Mr. Jenkin) applauded came about.

Mr. Raynsford: I am happy to confirm to my hon. Friend that in the past two years there have at long last been significant increases in rail freight. I shall deal with that matter later in my speech.

Mrs. Teresa Gorman (Billericay): Are we to take it from the Minister's remarks that the Labour party deplores the fact that more people can afford motor cars and like to use them on the road?

Mr. Raynsford: No, quite the opposite. If the hon. Lady will bear with me, I shall come to that issue and explain in detail our policy on road traffic and motorists. We want to see an extension of car ownership, but we recognise, as any sensible person does, that there must be limits on car usership in congested areas.

We are tackling the problems. The Opposition criticise us for it. They accuse us of being anti-motorist. That is opportunistic nonsense. The truly anti-motorist policy would be to do nothing, and to allow congestion and pollution to increase. Like the Conservatives when they were in power, before the burst of post-Government amnesia that now afflicts them, we recognise that taxation of things that damage the environment is better than taxation of things that are good for the economy. That is one of the reasons why fuel duty revenue has increased.

Indeed, the then Chancellor, the right hon. and learned Member for Rushcliffe (Mr. Clarke), said in 1994, when he increased the fuel duty escalator from 3 to 5 per cent.—*[Interruption.]* If Conservative Members would wait for it, they would be interested in this quote from the right hon. and learned Gentleman. He said:

> Any critic of the Government's tax plans who claims also to support the international agreement to curb carbon dioxide emissions will be sailing dangerously near to hypocrisy.—[*Official Report*, 30 November 1993; Vol. 233, c. 939.]

The Conservative party appears determined to qualify for that designation by criticising the very policies that the Conservative Government introduced to meet international environmental targets. We remain committed to those targets.

The Conservatives do not want to look at the whole picture. They did not do so when they were in government, and from what we have heard tonight they have not changed. It is still knee-jerk and quick fix.

Mr. Jenkin: Is the hon. Gentleman seriously suggesting that the extra increases in taxation on fuel have made all the difference between achieving the Kyoto targets and not achieving them? Will he be honest with the House and admit that the regulations on engine emissions and fuel economy have made the difference? They have been applied across the European Community and were promoted by the previous Government. Engine technology, not Labour taxes, will cure the pollution problem.

Mr. Raynsford: I know that the hon. Gentleman takes a different view from the former Chancellor on many matters, not least those related to Europe. I believe that his right hon. and learned Friend was talking a great deal more sense when he pointed out that it is not consistent to will the means to reduce emissions and then to reject policies that are designed to achieve that. I accept that the fuel duty escalator alone was not responsible for all the reductions that have been achieved. Of course it was not. Any sensible person knows that a range of policies across the economy are needed, but people do not deny the validity of measures that can make a contribution if they are serious about achieving environmental objectives. We are serious, and we shall not reject policies that contribute towards environmental gains.

Conservative Members do not want to look at the whole picture. The Government want to achieve real cuts in transport emissions, which is why we are already implementing an important package of tax measures to reduce the environmental impact of road transport, and, incidentally, to cut motorists' tax bills—a point that Conservative Members would do well to bear in mind when they make facile allegations that we are anti-motorist. Our major reform of vehicle excise duty in March 2001 will send an important signal to motorists to select cleaner, more fuel-efficient new cars.

Most purchasers of new cars will also see their tax bills fall. From this date, 4.1 million owners of smaller cars will benefit from a £55 cut in VED. Duty on ultra-low sulphur petrol is also being cut later this year, to encourage the take-up of the cleaner fuel. That follows on from the success that we had in switching the entire diesel market over to cleaner ultra-low sulphur diesel.

Those measures show that the Government are helping to protect the environment without penalising the ordinary motorist—an agenda that is being directly copied by the Opposition, judging by their recent policy paper "Greener Cars for a Greener Environment".

Mr. Gray: I thank the Minister for giving way a second time. He makes great play of the fact that we invented the escalator in 1994. Does he accept that in 1994 one third, or 28.4 per cent., of the tax raised from motorists was spent on roads, whereas today less than half of that—14.1 per cent. of the tax raised from motorists—is spent on roads? Surely that says it all.

Mr. Raynsford: The hon. Gentleman, like the hon. Member for North Essex, has chosen some rather selective statistics. I put it to him that if one is increasing investment in public transport, the proportion spent on roads will inevitably fall. That is a simple matter of economics. Percentages cannot remain constant if one increases the proportion spent in a different area.

We fully recognise that we cannot put right overnight, or even in a couple of years, the problems that have built up over two decades—but we will put those problems right.

Before I move on, I must take the hon. Member for North Essex to task over the wildly misleading figures that he quoted on total expenditure. He made some incredible claims. I have to put it to him that Conservative spending on transport in England was not an average of £12 billion, as he said. It averaged £8 billion a year during the period of the Major Government—1992-93 to 1996-97. Labour's spending on transport in England from 1997-98 to 2001-02, bearing in mind the fact that in the first two years we took over the expenditure plans of the previous Government, will average £7.6 billion. The difference is mainly due to the falling rail subsidies to train operating companies—a system put in place by the Conservative Government. So we will have no more nonsense from Conservative Members with false statistics about spending patterns. If we want a fair comparison of spending on transport, let us compare like with like.

In the 1997 annual report, the last produced by the Conservative Government, the figure given for total spend on transport in 1994-95 was £5.9 billion. That was the year that the hon. Member for North Essex selected, because it was the highest year for Conservative spending, so I will do him credit and use his figure. As the hon. Gentleman has said, total spend last year was just under £6 billion. Before anyone points out that that is a real decrease in spending, do not forget that rail subsidy has fallen over that period from £1.8 billion to £1.1 billion. Those are the facts.

Unlike the previous Administration, this Government are willing to take the tough decisions and invest for the long term.

Mr. Bob Russell (Colchester): The Minister has quoted many figures. He has yet to mention road safety. Does he agree that the cost of every fatal accident is in excess of £1 million to the public purse? More than 3,000 people are killed on our roads every year, yet we spend only 10p per person per year on traffic calming.

Mr. Raynsford: I fully accept the importance of road safety. I say that with some personal feeling because I was orphaned at the age of 11 when my mother was killed with my stepfather in a car crash. I believe that road safety is fundamental, and I will refer to it in a moment. It comes into my speech, but I am sure that the hon. Gentleman will recognise that the speech has to cover a number of other issues. I certainly did not intend to downgrade the issue of road safety. I intend to give it considerable prominence.

In 1998 we published our integrated transport White Paper. At the time, we were criticised for the delay—and yes, it did take us just over a year from coming into office to publish the White Paper. The Conservative Government did not manage to produce one in 18 years. They did, however, publish a Green Paper; in 1996, they published "Transport, the way forward—the Government's response to the transport debate". I suspect that the Opposition are not too happy to be reminded of this document. It was, of course, the product of Mr. Steven Norris. The then Minister for Transport in London confessed that he much preferred to travel in the comfort of his own car rather than having to

"put up with all those dreadful human beings"

whom one meets on public transport.

Mr. Norris had some intelligent things to say about transport, despite that remark, which would probably make even the Bourbons feel embarrassed. When he talked about congestion charging, he sent a clear message that the view of the Government of the time was that price signals were a highly efficient way of influencing transport demand. The Green Paper referred to

The Government's presumption in favour of introducing legislation in due course, to enable congestion charging and area licensing to be implemented.

So it is a bit rich for the Conservative party to make such a meal of criticising us for taking practical steps to pursue the very same agenda that his own party floated when in government.

The biggest difference between this Government and the previous one is that we are delivering on commitments. The fact is that under this Government there has been a 15 per cent. increase in rail passenger journeys, with 1,300 more trains running daily to meet demand. The Conservative party can talk up its gimmicks about tackling the problems that it created, but in the real world investment in rail is doubling. Twenty per cent. of railway carriages are new and 80 per cent. of stations have been modernised. Bus capacity is increasing. We now have more than 1,800 new and enhanced rural bus services in England, not as a result of deregulation but as a result of the Government's initiative to increase rural bus services. More are to come.

We have halted the decline in the number of bus passengers and we have seen investment in buses rising year on year. In London, for example, 40 per cent. of buses are new. We are also guaranteeing a free bus pass for all pensioners—something that the Conservative party will want to abolish, along with the winter fuel allowance and free television licences for pensioners.

We are also setting up a national public transport information system with a single telephone number, which will be in place by the end of this year. Nothing like this has been done before. It will integrate timetabling and ticketing information for buses, trams and trains across the country. We have a targeted programme of 41 trunk road improvements, 20 of which will provide bypasses for local communities.

Mrs. Eleanor Laing (Epping Forest): I have been listening carefully to the Minister's argument and to his statistics. Will he admit in all honesty that the statistic that he has just given about improvement in the railways and buses would not have been possible without privatisation?

Mr. Raynsford: I refer the hon. Lady to the views of the hon. Member for Tunbridge Wells, who said that serious problems were created by the privatisation process.

Mr. Jenkin: Really it does politics no good if we cannot have a mature discussion about matters of policy. He is pretending to the House that my hon. Friend the Member for Tunbridge Wells (Mr. Norman) disagrees with my hon. Friend the Member for Epping Forest (Mrs. Laing). Of course, precisely the opposite is the case. The point that my hon. Friend the Member for Epping Forest is making is that a great many benefits have come about as a result of rail privatisation. The point that my hon. Friend the Member for Tunbridge Wells made was that whatever problems still existed, the Minister had not sought to deal with them.

Mr. Raynsford: I was merely quoting from *The Guardian*—probably not a newspaper that the hon.

[Mr. Raynsford]

Gentleman reads. The hon. Member for Tunbridge Wells is quoted, referring to rail privatisation, as saying that there were "serious shortcomings". I rest my case.

We have introduced local transport plans so that local partnerships can improve public transport services, air quality and road safety, and tackle congestion and pollution. Provisional plans were produced last year, and the first full five-year plans will be produced later this year. Those plans are the cornerstone of our transport policy, providing, as they do, the key mechanism for delivering integrated transport at a local level. The plans provide for a longer-term, more strategic view, with greater certainty of funding for local authorities than under the previous annual system.

We have also, of course, introduced the first Transport Bill for a generation. The Bill will provide a statutory basis for bus quality partnerships and contracts, establish the Strategic Rail Authority, and provide powers for local authorities to introduce road user charging and workplace parking charges—as proposed, of course, by the Conservative Government in their own Green Paper.

Our Bill provides powers for local authorities to introduce charging, but it does not require them to do so. It will also be up to motorists to decide whether to use the roads where charges are imposed. It is an entirely voluntary charge. We have also—unlike Conservative Members—guaranteed that all income from those charges will be ring-fenced to improve local transport.

Although I want to focus on outcomes, I must emphasise that the Government recognise the need for extra investment. We have already increased spending on transport. In the 1998 comprehensive spending review, we provided an extra £1.8 billion for public transport, traffic management and road maintenance over and above what the Conservatives were planning to spend. In November 1999, we gave a £50 million boost for London bus services.

In this year's budget, the Chancellor gave an extra £280 million for transport, including £30 million for extension of the docklands light railway to City airport, £65 million for London Underground, £30 million for local authorities to spend on schemes for child safety and safe routes to school, and £20 million for 80 new schemes for safety and congestion stress points and other improvements on the trunk road network.

In response to the question from the hon. Member for Colchester (Mr. Russell), I stress that road safety is a critically important issue, and that we have set ourselves an incredibly demanding target of a 40 per cent. reduction in deaths and serious injuries. We are determined to drive forward measures that will achieve far greater safety on our roads.

We are also working on our 10-year plan for transport, which was announced last December by my right hon. Friend the Deputy Prime Minister. That plan will entail a step-change in investment in both the public and private sectors, and enable us to deliver a real transport system for the 21st century.

The Opposition claim that we are spending less on transport than they did when they were in office and that we are taxing more. They are wrong on both counts. They also claim that we have a vendetta against the motorist. They are wrong about that, too. The truth is that we inherited a transport system that was suffering from a generation of underinvestment in terms of both money and long-term planning. We are putting that right.

Ms Ward: Will my hon. Friend give way?

Mr. Raynsford: No, I shall not give way to my hon. Friend. If she will bear with me, I am finishing my speech; I have probably been on my feet too long.

We are increasing spending and improving services. As I said, our 10-year transport plan will entail a step-change in investment. We are putting right the failures of the past and investing not just for tomorrow, but for a generation. We are making progress in modernising the transport system, and we are proud of our record. We have a commitment to put in place the policies, programmes and resources that are necessary to overcome long-standing and deep-seated problems. We intend to stick to that.

The public can see through the shallow, opportunistic and ill informed ideas that come from Conservative Members. I urge the House to do the same, and to reject the Opposition motion.

8.13 pm

Sir Brian Mawhinney (North–West Cambridgeshire): Well, that is all right then—everything is for the best in this transport world; nothing could be better; and the Government are doing everything right. The Secretary of State is absent from this debate not because he is frit, but because he is out driving round in his Jag.

I am extremely grateful to the Minister for his speech. I am going to go back to the people of North–West Cambridgeshire and tell them how wonderful the Government's transport policies are. I am now able to tell them that, when they are caught up in traffic jams, it has nothing to do with the Minister. I can tell them that, when they have to take their cars in to be repaired because potholes have damaged the suspension, it has nothing to do with the Minister. I can say that, when they cannot get on a train, it has nothing to do with the Minister. I can assure them that, when they want to go on British Airways or Virgin but find themselves on some other airline instead, because of a cosy alliance that is not in the customer's best interests, it has nothing to do with the Minister.

I am grateful to the Minister for his speech, because he has produced a yardstick against which we shall continue to measure him. I have to tell him that it was a very foolish speech that reeked of complacency. *[Interruption.]* Yes, it did. I listened carefully to every word he said, and his speech reeked of complacency. He said that everyone out there is wrong, except for the Deputy Prime Minister and those who are brought in to speak on his behalf when he has something more important to do than to meet his own responsibilities by coming to the House and addressing transport issues.

Today, I do not want to range across transport issues—

Mr. Snape: I will bet the right hon. Gentleman does not.

Sir Brian Mawhinney: Did the hon. Gentleman wish to make an intervention rather than a sedentary comment?

Mr. Snape: Yes. I am grateful to the right hon. Gentleman for giving way. Does he think that he could

perhaps dignify this debate by being serious? If he is going to tell his constituents in North–West Cambridgeshire the stories that he has just related to the House, will he make it clear to them that those problems started only on 1 May 1997? The House really deserves better from a former Secretary of State, albeit not a very good one.

Sir Brian Mawhinney: I will tell the hon. Gentleman what I shall say to them. I shall say that, unlike the Minister, I am not confused about who is in government. I know who is in government. I know that the Government have been in office for three years. I know that they made the most preposterous claims about what they would do if only they were elected. I know that many in the electorate believed them, and that many in the electorate now know that they were conned in 1997. I am very happy to have that debate with my constituents. With every passing month, my constituents recognise just a little more clearly that the Government conned them. Transport in the United Kingdom is getting worse, not better.

As I said, I do not want to range across the full panoply of transport policy. I should like to talk about something that is dear to the Government' heart—congestion charging, and the "entirely voluntary charge" that the Minister just mentioned.

It is interesting that congestion charging remains part of the Government's policy as, slowly but surely, the political light is dawning on them. There can be no other explanation for the fact that the Government are wriggling, ducking and weaving, trying to create the impression that they are cooler on transport charging than they were. It also explains the fact that we are not going to see any congestion charging this side of a general election.

I should like, therefore, to ask Ministers a variety of questions. I shall do my utmost to be in the Chamber when the Under–Secretary of State, the hon. Member for Streatham (Mr. Hill)—whom I hold in high regard on transport matters—answers them. I shall be interested to hear his answers.

The Government talk about congestion charging as if it were a mantra. It is the stick that they have chosen with which to beat the motorist, whom they so hate. My constituents understand the disdain in which the Government hold the motorist. It is too late for the Minister to sit there on the Treasury Bench, holding his chin and shaking his head: car users have already formed a judgment of the Government, and that judgment will not change this side of a general election. He is stuck with that judgment. One of the joys of government is that change requires long lead times, and the Government are way past the point of being able to change the public's perception of Ministers' attitude to the motorist.

The Government have never said whether they see congestion charging as a means of increasing the speed of traffic or as a means of getting more traffic through a congested area. At least the hon. Member for Streatham understands transport policy, not least because he was a distinguished member of the Select Committee for some time, and will understand the significance of the next question. I shall be interested to hear his answer. I do not have great hopes of an answer from the Minister for Housing and Planning. The second fundamental question that the Government have never addressed on congestion charging is what charge would have to be applied to reduce the amount of traffic on a road by, say, 10 per cent.

That is not a new question. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has been the Chairman of the Select Committee for a considerable time and I had many a happy discussion with her when I was Transport Secretary—discussions that, I would like to think, were marked by a good deal of mutual respect. She will recall that the question has been around for at least five years. Let me repeat it: what charge would have to be levied to reduce traffic by 10 per cent?

Let me tell the Minister a story. When I was Transport Secretary, I visited the United States. In Boston, I asked that question of one of the world authorities on urban congestion. He said, "I don't know the answer. Nobody in the world knows the answer. If you give me a large enough contract, I'll come up with some advice for you, but you should save your money, because the charge would be so great that no democratically elected politician would ever be able to enforce it."

The Government do not have a clue what sort of charge would be needed to reduce traffic by 1 per cent., 5 per cent. or 10 per cent. We are talking about just another form of taxation. I shall tell my constituents that.

The Government are frit. They do not have the guts to implement the policy that they have been going on about for years, because it might cost them votes at the election. Before local authorities decide to implement it, they ought to give some thought to the consequences of implementation.

I have a few more questions for the Minister. What will the technology be? We know that the Labour party is in favour of congestion charging. The deputy mayor of London confirmed that recently, and in the first vote of the Greater London Authority, the Labour members voted in principle to support congestion charging. This is not an idle debate. It goes to the heart of what will happen in our towns and cities throughout the country.

What technology does the Minister envisage? If he is thinking of technology rather than pieces of paper, how effective is it? A few years ago, it was not nearly effective enough. The German trials of the technology a few years ago proved it to be about 95 per cent. effective—I am speaking from memory, but that figure is more or less accurate. Can the Minister envisage the uproar that there would be in this country if 5 per cent. of all congestion charges levied were shown to be inadmissible and wrong? The Minister must think about how effective the technology is.

How would the system be enforced? There is no point in having congestion charging unless it is enforced. Who would do it? How many extra people would have to be employed, and at what cost? Does the Minister have any idea whether enforcement would be immediate or subsequent to the event?

That leads me to my next question. How can the Government square enforcement policy with their commitment to the privacy of the individual? The Government must have an enforcement policy. If they acted, at least in part, subsequent to the event, what would the privacy implications be? How intrusive in the life of individuals are the Government prepared to allow the state to be in support of congestion charging?

[Sir Brian Mawhinney]

What work have the Government done on the economic consequences of congestion charging for shops and businesses that suddenly found themselves inside an area? Does the Minister believe that congestion charging would have no effect, some effect or a large effect on their business? Does he know? Does he care? What would be the likely effect on property prices or private leasehold arrangements? Would those affected be eligible for compensation, and who would pay it? The Government do not have answers.

Who would administer the scheme? What would it cost? The Government would want to take credit for supporting the old and the disabled, so presumably they would be given exemptions.

Mr. Jenkin: We tabled amendments in Committee for such exemptions, but none of our amendments was accepted.

Sir Brian Mawhinney: I should have known that and I am grateful to my hon. Friend for telling me. The Government mouth support for the old and the disabled, but they are not prepared to make legislative provision for them. Perhaps that is because they understand that the administrative costs of exemptions would be enormous. What about occasional visitors to a town or city? How would they be dealt with?

If the Government are interested in electronic technology, they must tell us who would pay for the installation of all the electronic equipment in every car, van, bus, truck and, for all I know, motorcycle in the land. Would the Government pay? Would people be able to reclaim the money? Would they be able to offset it against tax? The Government have no idea.

The Minister looks at me quizzically. He is beginning to understand that when he talks about congestion charging and tries to encourage some of his more gullible party members in other parts of the country to introduce it locally, he does not begin to realise the ramifications.

Mr. Raynsford: I would not want the right hon. Gentleman to labour under any illusions. I remind him that the basis of the scheme is that the issues that he has raised are to be determined locally. He might remember the time when he was Secretary of State for Transport. The Government at that time appeared to be rather interested in the scheme. Why has he done an about-turn since he left office?

Sir Brian Mawhinney: I am deeply grateful to the Minister; I was hoping that he would get up and say that. In preparation for his doing so, I went to the Library today to re-read my evidence to the Select Committee on congestion charging in London on 1 February 1995. The Minister did not even know that I gave evidence. He has no idea what that evidence was. The Under-Secretary knows, because he questioned me. The Minister could have saved himself a good deal of embarrassment if he had asked his hon. Friend before he got up to ask that question.

His hon. Friend, or the hon. Member for Crewe and Nantwich, could have told him that the hon. Lady—with all the courtesy with which she is traditionally associated—managed to convey to the Committee that this Secretary of State was pretty unimpressed with charging. He did not say that it would not be Government policy, because he repeatedly said that the research was not in and that he would not make a judgment until he had all the information. I know that the hon. Lady remembers that, because we talked about this issue a few weeks ago and she went off and read the evidence. The Minister knows nothing about it. The Under-Secretary does, and he will not take me to task when he winds up.

The Minister's second point was that all this is to be dealt with locally. Let every local authority leader in the country understand that before they get into congestion charging, these are the questions that must be asked and answered. There is no point in turning to the Government, because the Government are all mouth on this issue and do not begin to understand the ramifications of their policy.

Mr. Raynsford: Does the right hon. Gentleman accept the principle of collective responsibility? Will he remind the House whether he remained a member of the Government at a time—admittedly after he personally had ceased to be Secretary of State for Transport—when the Government issued a Green Paper suggesting that congestion charging was the right way forward? Did the right hon. Gentleman resign because of that?

Sir Brian Mawhinney: No; he talked to his right hon. Friend the Member for North-West Hampshire (Sir G. Young), the then Secretary of State, and he agreed a statement in the Green Paper that bears no resemblance to what the Minister has just asked. The difficulty that the Minister has is that I know what happened and what my view was. I know what my right hon. Friend's view was. I know what was in the Green Paper, and it was not the view that the Minister would have the House believe.

I remind the Minister that it was a Green Paper; it was a judgment, taken collectively, that following the transport debate that I initiated there were still a number of outstanding issues to be resolved—certainly on this matter—before the Government could even make a decision. That is what a Green Paper is all about and the hon. Member for Crewe and Nantwich will recall that that is what I told her when I gave evidence on 1 February 1995.

Mr. Clive Efford (Eltham): I will avoid the temptation to remind the right hon. Gentleman of the cuts that he made in the road-building programme and the red route programme in London while he was Secretary of State. Would he care to comment on the actual wording of the Conservative Green Paper, published in 1996? It said:

> The Government will discuss with the Local Authority Associations what powers may be appropriate over and above those already available to them, for example to facilitate the introduction of congestion charging, area licensing, or taxing private non-residential parking.

Sir Brian Mawhinney: A Green Paper said that there were more discussions to be had and more issues to be explored. That Green Paper came out of the evidence that I gave the Select Committee. The present Government have not produced any evidence, facts or understanding. They have had no dialogue with local authorities, except

to say that they are frit and that they do not like the political consequences; in that they may be right. The Government will not do it—local authorities must do it, and take the opprobrium.

What advice would the Minister give to those in the public and social services? Who will pay the congestion charges for school buses, district nurses or police vehicles? The list goes on and on. Does the Minister think that the charges should be levied by location, by distance travelled or by time spent? None of this is a matter of interest to the Government, because they do not care. They just want to find new ways to raise taxes.

The Government are in favour of this ill-thought-through policy. It will be a damaging policy competitively, and it will reinforce in the minds of my constituents the fact that the Government hate the motorist. That is the ineluctable consequence drawn from the policy. I will also tell my constituents that the Deputy Prime Minister did not have the guts to be here to answer for himself.

8.37 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The first thing to remember when trying to plan a transport policy for the United Kingdom is that when people are in their cars, they want everything cleared away so that they can go past; that when they are fighting to get on a train, they want much better public transport; and that when they are walking by the road, they want to be safe and not at risk from any vehicle. I regard that as a perfectly normal and balanced view, even if it means that we occasionally have slightly unrealistic debates.

I do remember the passages of arms that I had with the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) when he was Secretary of State for Transport. I also remember him giving hell to people who he felt had not supported him correctly after one of those sessions. I am also prepared to believe that he was exceedingly sceptical about congestion charging; however, his Government were not, and subsequent Conservative Ministers not only planned to bring forward congestion charging in some form but in the run-up to the general election had actually begun to prepare for it.

The right hon. Gentleman said that it is difficult—almost impossible—to introduce congestion charging to deal with the amount of traffic on the road, but he knows that that is not true. Other countries have done it. Norway has a very effective congestion charging scheme. The Select Committee, to which he referred, which had a Conservative Chairman at the time, went to have a look at it. We saw that there were several different ways of implementing congestion charging.

The right hon. Gentleman made an important point about the protection of privacy and ensuring that one does not impinge on the rights of people travelling in a vehicle whose number is recorded. The Norwegian authorities addressed that with great care. Their scheme was highly efficient and they recorded the number plates of vehicles going through congestion charging barriers, but they were also very careful to eliminate the faces of both driver and passengers, so that whoever was operating the system could not see them. The authorities had the number and could take action against the car that had breached the rules, but people's privacy was protected. The Norwegians had thought carefully about all the objections that the right hon. Gentleman raised.

We know that congestion charging can be implemented efficiently and at very little cost. British firms were responsible for the electronic charging systems used in America. A British firm came up with the smartcard technology used in Virginia, and a British firm has been carefully selling systems throughout the world.

There is no great technical problem to overcome. The real problem is political, which is why it is absolutely essential that local authorities should take the decisions. Authorities with mediaeval towns which are very attractive but have congested streets and are hard to get in and out of will want to consider seriously some form of charging as a way of at least slowing the rate of growth. Others that are perfectly capable of absorbing large numbers of vehicles, either by using park and ride or by providing alternative forms of transport, will be quite happy to let the natural evolution of the motor car develop in a different way. Congestion charging is achievable as one of the means of managing the growth of motor traffic. That is all it is: a management tool.

What has been demonstrated today is that we have to think seriously about transport, and in terms other than, "Yah-boo, you rotten lot hate the motor car, and we love the bicycle", or, "We managed to get rid of the railway system, so it is not costing as much, but you want to run it down even further." Frankly, that is not a very high level of debate, and it does not do anybody much good.

Rail privatisation was an unmitigated disaster. Only now, years after the destruction and the splitting of an old system into unmanageable fragments, are we beginning to pull it together into some kind of manageable, efficient system. It still suffers disastrously from the way in which it was privatised. The Conservative Chairman of a Conservative-dominated Select Committee thought that the method being used by the Conservative Government to privatise the railways was a disaster. He set out the way in which he thought that it should be done. He was not against privatisation, but was convinced that what was being suggested was unworkable. He proved to be absolutely right.

Sir Brian Mawhinney: I agree that there is little value in revisiting what we did, but I am concerned by the hon. Lady's statement that rail privatisation was a disaster. Given the huge surge of investment, some of which has already been delivered and the rest of which will be delivered over the next few years, and given the huge increase in the number of passengers—bearing in mind the fact that for the previous 40 years, under nationalisation, it had gone down year after year—is not her judgment a little harsh?

Mrs. Dunwoody: My judgment when it comes to men is frequently disastrous, but when it comes to transport I am rather better. I believe that rail privatisation was a disaster, and I use the word advisedly. Frankly, under privatisation, a very old system that was disastrously run down was not improved but made even worse. It is only the pressures brought to bear by—believe me—the customers that have begun to change the situation.

Of course it is true that there are many more people riding on the railways, but it is also true that the interim years when we did not commission any new trains, buy any new rolling stock, plan any new lines or keep the existing lines up to standard proved truly disastrous.

[Mrs. Dunwoody]

Those factors have resulted in trains providing unacceptable levels of service to passengers, and we are only now beginning to see the companies—after all this time—buying new rolling stock and improving the lot of the passenger.

I hope that the Minister will forgive me if I do not address such delightful issues as congestion charges or what might happen in 2015, because what matters to me is the day-to-day running of the railways. Above all, safety is still high on the list of issues about which we should worry. We listen every day to the evidence being given by those who were in the appalling train crash in which so many people died. Many of the faults involved arose out of direct negligence by the company—investment had not been made, training standards had been allowed to fall and rolling stock had become run down. All those faults, which we have set out in detail, were contributory factors to that dreadful crash, including even the training of drivers and the lack of proper concern about the teaching of safety procedures to senior conductors.

My simple plea to my hon. Friend the Minister tonight is that we are waiting for the safety company that Railtrack is supposed to have set up. I know that an announcement was made yesterday and I welcome that, because the chairman, Sir David Davies, is a remarkable man and will be a great asset. However, the company should have been set up some months ago. If Railtrack's licence requires modification, that should have been considered and changed. We do not need to hear from Railtrack about a wish list of billions of pounds to be spent on projects that it will frankly never achieve unless the taxpayer coughs up. It asks for many millions of pounds on spurious grounds, when it should have been bringing forward workable plans for the new railways safety company. By now, that company should have been staffed and given a budget. Railtrack should have come forward with criticisms of the existing facilities and with the ways in which the existing working practices were deficient. None of that has happened.

I blame the management of Railtrack, of whom we have heard much in the past months. It is also part of the Government's responsibility to lean on Railtrack in a way that has not happened in the past. Railtrack's management knows that if it is to produce a high-quality railway, it must talk about the money that it intends to put in immediately. We do not need a 20-year plan that is entirely dependent on the taxpayer. Railtrack must admit unequivocally that it does not have the state-of-the-art safety measures that will save us from such a disaster in the future, and it should say how it intends to change that situation.

Mr. Quinn: Does my hon. Friend share my real concern about the upgrade of the west coast main line, because Railtrack, its contractors and project managers are now having to recruit technical expertise from the Indian sub-continent? Is not that a symbol of what has happened to our railway industry's manufacturing base? Expertise has been lost and we have not replaced it with future investment.

Mrs. Dunwoody: It is a marvellous irony that we, who built most of the Indian railways and supplied the engineers and expertise, are now—100 or 150 years later—having to go back and ask for assistance. I am glad that the Indian railway system is capable. When I look at some of our trains, I wonder whether we will end up riding on their roofs, as people in India do; I hope not.

Some rail companies, worried about their franchise, come forward with the most wonderful plans and wish lists. Others, such as Railtrack, do not appear to deal with immediate or short-term problems but only say that they hope that things might be different in 20 years' time. That is not acceptable and it will not do.

Recently, members of Railtrack staff were criticised in the tabloids for what was reported as some sort of drunken folly. Whether the story was true or not I do not know, but Railtrack managers made a clear statement that they expected people to be sacked over the incident. That is terrifying. Many people in Railtrack need to be shifted because of what happened to 31 people outside Paddington station. If that does not happen, we have got our priorities totally wrong.

People who try to put the responsibility solely on the Government should remember that the private rail companies received their franchises in return for the promises that they made. Those promises were not simply general ideas; they were contractual responsibilities. If those companies do not fulfil those contractual obligations, no one will believe a word they say when they come forward for the new franchises. No matter how many glossy colour brochures are published by those companies, their plans will be examined in great detail.

I hope that the Minister will answer some questions from me this evening. When will the rail safety company become operational? What will its responsibilities be? How many staff will it have, and how big will its budget be? Who will take the decisions?

If railway safety is left in the hands of those who contributed to the Paddington disaster, the House will be guilty of complacency. In that case, it should consider where its true priorities lie.

8.52 pm

Mr. Tom Brake (Carshalton and Wallington): It is a pleasure to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I trust her judgment on transport, although hon. Members on the Government Front Bench may not always be so certain. We welcome this important debate. I am happy to speak to the Liberal Democrat motion and against the motion tabled by the Conservative motion.

From what we have heard it is clear that the Government are failing in their transport policy. They came to office pledging to reduce the overall level of traffic on our roads. That pledge has been broken.

The Government came to office planning to save the London underground. That pledge has been broken: London underground has not been saved, but a bill for at least £60 million in consultancy fees has been run up—with no guarantee that the public-private partnership will go ahead. The public sector comparator could still find the PPP financially unacceptable.

The Government came to office promising that our air is not for sale—another transport pledge that has been broken.

However, even though the Government's record is one of delay, cancellation and the occasional U-turn, I can only admire the brazen opportunism and astounding collective amnesia exhibited by the Conservative party in tabling the motion before the House. Conservative Members seem to be suffering under a delusion that three years in opposition absolves them of responsibility for decisions before year zero of the new Labour regime. I am happy to remind them of their record on transport.

It was the Conservatives who introduced the fuel duty escalator. It was the then Chancellor of the Exchequer, the right hon. and learned Member for Rushcliffe (Mr. Clarke), who said, as we have heard already:

> Any critic of the Government's tax plans who claims also to support the international agreement to curb carbon dioxide emissions will be sailing dangerously near to hypocrisy.

What we have heard tonight certainly qualifies as sailing dangerously near to hypocrisy, if not colliding with it.

It was the Conservatives who first investigated the use of additional charges for road use in cities. In 1994, the then Prime Minister, the right hon. Member for Huntingdon (Mr. Major), said:

> I do not expect to have people dancing in the streets in delight at the concept of road pricing but if you look at the environmental problems, you can see the impetus behind the policy and the necessity.

It was the right hon. Member for North–West Hampshire (Sir G. Young), then Secretary of State for Transport, who said at his party conference in 1995:

> I believe the key is not to build lots more roads but to make more intelligent use of the ones we have.

The Tory mayoral candidate, Steven Norris, said as recently as 1997:

> I take the view that you cannot pander to traffic growth.

Steven Norris, unlike the hon. Member for North Essex (Mr. Jenkin), does not rubbish plans to tackle traffic growth.

After years of failed transport policies, during which the Conservatives were convinced that building more roads would solve congestion, they at last began to realise that that was not possible. They began to realise that the continued growth of road traffic was unsustainable. Even they noticed that motor vehicle traffic increased every year, according to the House of Commons Library, by a total of 75 per cent. They began to realise that despite the biggest road-building programme since the Romans, the condition of Britain's roads had deteriorated to the worst on record. They began to realise that with no alternative strategy, there would be no hope of keeping to internationally binding Kyoto agreements to cut greenhouse gas emissions.

That insight, acquired during 18 years of government, was, regrettably, jettisoned within a matter of months of being in opposition in favour of a transport policy that is about soundbites and spin. It must have been dreamt up at a joyriders' convention. The Conservatives want to take us back 20 years in terms of transport policy, in a desperate attempt to shore up their support. My right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy), the leader of the Liberal Democrats, was right to attack the Conservatives recently for constantly proposing policies that they rejected in office. Their transport policy is just another example.

The Conservatives say that they will publish a balance of account showing what the Government raise in transport taxes and how it is spent. That may be fine, but the Conservatives never did it in 18 years of government. The Conservatives say that they will improve road maintenance. That is all well and good but, again, after 18 years of Conservative government, the roads were in the worst condition on record.

The Conservatives say that they will save the tube through privatisation, but forget that they never did so when in office. In fact, they created a maintenance backlog of £1.2 billion. Right hon. and hon. Members do not have to take my word for it. The hon. Member for North Essex said in the House:

> We did not do enough for the tube—I would be the first to acknowledge that—[*Official Report*, 27 January 1999; Vol. 324, c. 436.]

The Conservatives say in their new rail policy that they will improve the railway service. We all support that. They will ensure that all passengers without a train seat travel for free, end the practice of running lesser services on Sundays and end long ticket queues. All that is missing from that list is a requirement for all railway staff to wear a baseball cap when they are available to be spoken to—or is it when they are not available to be spoken to?

The Conservatives do not say how any of their proposals can be achieved; they certainly do not say how they will pay for them. They say that they will talk up the railway and encourage investment. That must be how they will pay for their promises. That is the size of their strategy for investment in the railway service that they privatised.

As part of their fair deal for the motorist—or their joyriders' charter—the Conservatives propose allowing motorists to turn left on a red light, provided that it is safe to do so, to ease traffic flow. They will also be doing away with those irritating traffic-calming impediments. What is fair to the motorist will be fatal for the pedestrian.

It is clear to Liberal Democrats that, regrettably, the Government have so far failed to honour their pledge to develop an integrated transport policy so as to fight congestion and pollution. They promised to reduce traffic overall—so far they have failed. They no longer even aim to reduce traffic; they accept that the number of vehicles on our roads will continue to rise and that the amount of traffic will continue to increase.

In contrast, we are clear about the fact that traffic reduction is crucial to help us to meet our carbon dioxide emission targets. It is also crucial for business.

The right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney) referred to the costs of congestion charging schemes. That is a valid point, but he did not refer to the costs of congestion itself. The CBI estimates that it will cost industry about £20 billion a year—not an inconsequential sum.

Traffic reduction is also crucial in the reduction of death on our roads and of death and ill health caused by air pollution. The right hon. Gentleman did not refer to the obvious costs associated with that problem.

To sell off National Air Traffic Services in the face of opposition from pilots, air traffic controllers and more than 100 Labour Back Benchers is unnecessary.

Sir Brian Mawhinney: The hon. Gentleman says that Liberal Democrats are in favour of reducing traffic. Will he offer us a small indication of how that might be done?

Mr. Brake: I am happy to respond to that point. As the right hon. Gentleman pointed out, congestion charges

[Mr. Brake]

may have a role to play—as would a substantial improvement in public transport, which would encourage people to switch to it from car use.

I am happy to repeat the call for NATS to remain as a public company, allowed to raise funds for investment from the private sector.

Liberal Democrats are clear—as are Londoners—that the state of the tube has worsened under the Labour Government. However, our answer is not the Conservative folly of privatisation, nor the Government's mish-mash of partial privatisation and fragmentation. Our response is to raise the finance needed to revitalise the tube system through the issue of bonds against guaranteed future revenue streams. I am sure that Susan Kramer—as London's transport supremo—will fight for that—*[Interruption.]* Does an hon. Member want to intervene? If not, I am happy to repeat that Susan Kramer is London's transport supremo.

I hope that the Government will listen to the message that came across clearly at the recent elections for the Greater London Authority: Londoners do not want another rail privatisation fiasco on their hands—even only a partial one. I hope too that the hon. Member for Brent, East (Mr. Livingstone) will listen to Londoners and honour his pledges, and that he will not be tempted to compromise simply to secure his early return to the Labour party.

I am a regular commuter on Connex South Central, whose representatives were willing to talk to my constituents about the future of rail services; it appears that the Go-Ahead group has decided to pull out of the arrangements. I confirm my party's support for the establishment of the Strategic Rail Authority. We believe that it will improve regulation on the railways, although its scope could have been widened to include other modes of transport. The existing remit of the SRA should be extended to cover the expansion of the rail network where appropriate. As a priority, the SRA should simplify ticketing throughout the network.

In the wake of the Paddington crash, the public are still rightly concerned about safety. Immediately after the disaster, the Deputy Prime Minister announced that he was minded to remove the setting of safety standards from Railtrack. We supported him on that matter, but we were much less comfortable with his proposal, announced in February, that an independent subsidiary company of Railtrack should be responsible for transport safety. Railtrack should not be judge and jury on such an important matter.

We remain concerned that there is still a considerable shortfall of funding for investment in the railways. Without the investment, there will be no improvement in the services promised by the Government. If they continue to reduce the amount that they spend on the railways, it is increasingly likely that it will be left up to the passenger to make up the difference. That is why we believe that the tapering of subsidies has to be called into question.

Our tax plans reflect our transport priorities. We would invest in public transport first, securing a leap in the quality of public transport, and only then consider the introduction of congestion charges. We would abolish road tax on all cars of up to 1600 cc; this would be paid for by a small compensatory rise in the fuel duty. With two thirds of British drivers driving cars of 1600 cc or below, the majority of drivers would be better-off. The policy would also have the beneficial environmental effect of encouraging smaller engined cars. That is the right way to proceed.

The debate about transport needs an infusion of honesty. The Tories' promises will come to nothing unless they are prepared to say where they will raise the finance to improve our transport infrastructure. In 18 years in government, they failed to invest in roads, rail and the London underground. Tonight, they have said nothing to make me believe that they will do any better next time. They are all mouth and no delivery.

9.6 pm

Mr. Peter Snape (West Bromwich, East): I declare an interest: I am the chairman of Travel West Midlands, a subsidiary of the National Express Group, and I am a director of other National Express subsidiaries in the bus industry.

Mrs. Gorman: Will the hon. Gentleman repeat that?

Mr. Snape: The hon. Lady, who is not averse to dodging the rules of this place occasionally, asks me to repeat that; I am delighted to do so. I speak as the chairman of Travel West Midlands and I am the director of various National Express Group subsidiaries. I hope that satisfies her. My other interests—I am a member of the RMT—are in the Register of Members' Interests.

I hope that the hon. Member for Carshalton and Wallington (Mr. Brake) will forgive me if I do not pursue most of the points that he made. However, I am inclined to agree with him about the future role of the Strategic Rail Authority. I shall return to that subject shortly.

These are enormously depressing debates for those of us who have a long-standing interest in transport. The hon. Member for North Essex (Mr. Jenkin) made a speech that I have heard umpteen times—so many times, particularly in Committee, that I would have thought he would have refined it by now, but he has not. He has done his usual disappearing act. He opened this debate by demanding the presence of my right hon. Friend the Deputy Prime Minister, and he opened the proceedings of the Committee stage of the Transport Bill by making exactly the same speech. He then did a disappearing act there. Of the 36 or 37 sittings of the Committee, he missed more than he attended. He has disappeared again tonight and it brings the House into disrepute when Opposition spokesmen behave in that way. The hon. Member for Poole (Mr. Syms) has been left to pick up the pieces and, no doubt, he will do that in his own adequate fashion. However, it is still a sad commentary on Conservative policy.

Stale statistics have been trotted out. Usually they are the prerogative of the motoring organisations, the AA and the RAC. Although I have been a member of the AA for many years, it has never asked me for my views on the subject, but it still trots out the same old rubbish about £36 billion being raised in taxation and £6 billion being spent on the road network. There is some excuse for the AA; it is part of the motoring lobby. However, I do not think that there is any excuse for someone who purports to be a shadow Minister of Transport to trot out all those statistics.

As the hon. Member for Colchester (Mr. Russell) reminded us, there are more than 3,000 road deaths every year. Each one of them, as he again rightly reminded us, has a financial cost as well as a human cost—a point that was made by my hon. Friend the Minister for Housing and Planning. It costs about £1 million for each accident, so can we add that sum to the £6 billion that is spent? Can we add on to the £6 billion the £16 billion in congestion costs, which is the estimate of the Confederation of British Industry? Shall we add on all the police, court and legal time that is spent on the aftermath of the motoring offences committed? If we do so, the equation does not look too attractive, although it is beloved of motoring organisations and idle hacks on daily newspapers, who spend their lives driving cars and reporting that the ashtray is in the wrong place to guarantee that they will get another new car to test within three or four weeks.

Surely transport receives better treatment than it is given in the House. I was disappointed by the speech of the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), who did not come up with anything new. When a Conservative Government gave local authorities the power to impose residential charging schemes, some Tory backwoodsmen asked how that would affect shops and visitors to people's homes, as though an impossible barrier were being erected around residential areas. Those schemes have worked well, and some are in constituencies that have long been represented by Conservative Members.

The right hon. Gentleman went through a list of road schemes that he said we are still considering. I am interested in one scheme in particular—the Hazel Grove bypass around Stockport. I do not represent that part of the world, but I come from that area. I remember, as a councillor on Bredbury and Romiley urban district council—that ages me somewhat—taking part in a debate in Stockport about that particular road. That was in 1971, so delays in building roads are nothing new and did not start on 1 May 1997.

I come now to the speech of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). Parliamentary privilege is precious to all hon. Members and should not be abused. Blaming Railtrack for Ladbroke Grove when an inquiry into that accident is taking place is an abuse of parliamentary privilege. I have no brief for Railtrack, but I hope that my hon. Friend will reflect that Railtrack did not design the offending layout at Ladbroke Grove; it was designed in British Rail days. Railtrack inherited the design in 1994, when it was still a public sector company.

That design is pretty complex, but, goodness me, in my youth as a railway signalman the entry to most railway terminuses was guarded by a multiplicity of semaphore signals, and that was a pretty complex business. To suggest, as some of my hon. Friends occasionally do, that drivers have passed signals at danger only since the railway was privatised is to ignore a long history of railway accidents. Ladbroke Grove was an enormous tragedy, but we should let Lord Cullen decide who was responsible and make recommendations accordingly.

Mrs. Dunwoody: My hon. Friend has chosen to accuse me of abusing parliamentary procedure, and I have to say that that is the first time in 30 years that anyone has said anything of the sort. I certainly believe that Lord Cullen must make his recommendations, but I am deeply concerned about the fact that straight after the accident, Railtrack gave certain undertakings about the immediate creation of a railway safety authority. I made that point then and I make it now, and I resent the suggestion that I am doing anything that in any way abuses parliamentary procedure.

Mr. Snape: I stand by what I said, and my hon. Friend can resent what she likes. The future of the railway industry is done no great service by attacks such as those that have just been made, particularly when the Government have set up an inquiry to look into all the causes of the Ladbroke Grove disaster and to make proposals that will, I hope, be debated and accepted as quickly as possible.

Another allegation is that Railtrack is unfit to investigate rail accidents or to have any responsibility for rail safety. If Railtrack does not do that, who will? It is easy to demand independent inquiries, but the technicalities of rail safety are complicated and people investigating rail accidents must have prior knowledge of the industry, track layout and how signalling is designed and installed. Finding someone who is independent and who has the knowledge to take on that responsibility on a day-to-day basis is no easy task.

We ought to get away from the concept that, to us, everything that the previous Government did is automatically bad, and, to the Tory party, everything that the Government are doing is automatically bad. Those who work at any level in the railway industry deserve better from this House.

I cannot understand the present-day Conservative party from the terms of the motion: a Conservative Opposition are denouncing a Labour Government for not spending enough public money on transport. I was always brought up to believe that the wicked Tories were against public expenditure, but somehow they have decided that there is some political mileage to be gained from hammering such spending on transport.

I do not want to bore the House too much with my experiences, but I have seen lots of public money spent on the railway industry since the late 1950s when I began working in it. I have seen lots of public money wasted on it by Conservative Governments. I well remember the aftermath of the 1955 modernisation plan, when millions of pounds of public money was spent on wiring up railway sidings that had not seen a wagon for years. Overhead wires were provided for sidings that had gone rusty before I was born.

I saw the Government of the day—a Conservative Government, I must remind the House—insist as part of that modernisation plan that railway locomotive purchase was spread as far around the country as possible. The result—I speak from memory, but I think that I am right—was 32 different types of diesel locomotives, many of which were in the knacker's yard in a decade because they were not any good. Is the Conservative party these days saying that all public expenditure is necessarily a good thing and that a Labour Government who look carefully at their expenditure priorities are misbehaving? I would have thought that the reverse would be true.

[Mr. Snape]

Can we get away from the philosophy that everything was wonderful when the railways were publicly owned and when they were privatised everything was appalling? I agree with my hon. Friend the Member for Crewe and Nantwich that the previous Conservative Government's system of privatisation was disastrous because it was introduced in too much of a hurry to get it out of the way before the then impending election.

However, the system has one advantage now that it is beginning to settle down, as my hon. Friend the Member for Crewe and Nantwich said. At last, and for the first time in my life, the railway industry is out from under the dead hand of the Treasury. Before people are allowed to renew franchises, they will have to pledge some long-term investment in the industry—not something that we could ever get out of the Treasury.

Again I refer to some of the disastrous mistakes following the 1955 modernisation plan—but we were lucky. I remember Peter Parker, as the chairman of British Rail, fighting desperately for a three-year investment plan in the industry, yet under franchising we can demand 20-year investment plans. The train operating companies do not just lease trains and run them; we can demand that they make improvements to infrastructure along the route that they have chosen to acquire. We could never do that in BR days.

Indeed, more often than not, the first piece of expenditure to be cut by successive Governments—Tory and Labour alike—was capital investment in our public sector industries in general and our railway industry in particular. I remind the House of the saga of the west coast main line electrification and modernisation. We did the first bit from Crewe to Liverpool and Manchester in 1959 and the second bit from Euston to Crewe in the mid-1960s, but it took another decade to complete the bit from Crewe to Glasgow—I nearly said Edinburgh—where it stopped in those days. That was largely because the Treasury, under successive Governments, could never resist interfering with investment plans.

Mr. Quinn: May I advise my hon. Friend that about 65 per cent. of all the design work with which I was personally involved in 18 years of working in the railway industry remains in some dusty drawer? I do not think that that is a reflection on my abilities as a designer, but it supports his point.

Mr. Snape: I am grateful to my hon. Friend. I hope that those of us with practical experience of these matters can occasionally put politics aside and say that we have to start from where we are today if we are determined to have a better railway industry. There is no point harking back to the glory days—either pre-grouping, since nationalisation or beyond.

Of course the Tories got it wrong in the mid-1990s because they were in such a hurry, but other countries that are privatising have learned from our mistakes. Australia, which is a case in point, takes the same view that many of us are coming round to: if the railway industry is left in the public sector, it is always subjected to the vagaries of the economy. I am not saying that the private sector is immune from those vagaries, but at least long-term investment plans are part of the railway hinterland in a way that they never were in the past. We ought to recognise that.

I wish that the Conservative party would grow up and participate in a proper debate. In other parts of the world—particularly other parts of Europe—these matters are not considered worthy of political discussion, and whether Governments are of the left or of the right, a basic transport infrastructure is accepted as necessary and something that has to be paid for in any civilised society. However, the hon. Member for Tunbridge Wells (Mr. Norman) yesterday issued a press statement entitled "The new railway—serving the customer". As far as I am aware, no statement was made in the House, but I shall put that to one side.

The hon. Gentleman made some sensible proposals—for example, that franchise terms should be reviewed if the franchisee does not live up to them. Hon. Members on both sides of the House would not argue with that, but occasionally he moved into the realms of fantasy. One paragraph, entitled "Standing is Free", says:

> For too long passengers, particularly on London commuter lines paying full fares, have found themselves having to stand. Train companies now need to grasp the fact that their product includes a seat. Selling a fare without the capacity to provide a seat is like selling a hotel room without a bed.

Well, it is not, but that is what the hon. Gentleman says. He also says:

> In passenger speak, it is a "rip off".

There is a good modern Tory term; the Tories would know all about that. He goes on:

> Therefore we would ask the SRA to introduce a new policy whereby after three years of a new franchise all customers unable to get a seat would be entitled to a refund.

Administering that proposal should be great fun for somebody. It would mop up a few unemployed bureaucrats, I dare say, and there would be fun and games when the 8.47 from London Bridge arrived at Victoria and the passengers lined up to complain.

What about the people who choose to get into the front coach of a train arriving at a dead-end terminus? Many do so, all over the country, to get ready for the off. Should we compensate them as well? My hon. Friend the Member for Crewe and Nantwich referred to the Indian situation, but that would lead to an overcrowding problem as people in one half of the train would stand on the roof, and on each other's heads, to qualify for a refund, while everybody else would demand breakfast because there was lots of space in the carriages.

Someone ought to take the hon. Member for Tunbridge Wells aside and teach him the facts of life, particularly if one remembers when the time came—not much more than a decade ago, and under BR and public ownership—to replace the diesel multiple unit fleet. A Conservative Government insisted that that could be done only if three-car DMUs were replaced with two-car DMUs. Now the Conservative party complains about overcrowding. If ever a railway industry was designed to be overcrowded, it was that which the previous Government left us.

I hope that we can bring a little common sense to these debates. I am glad that the hon. Member for North Essex has returned to his seat. I hope that he will give serious and mature consideration to these matters instead of behaving like a red-nosed comedian without the red nose, particularly as he should obtain a new script from time to time. It is impossible to deliver the same jokes to the same audience all the time. I realise that the audience for these debates is not a great one, but those who attend regularly

would appreciate his getting a new scriptwriter so that we could at least hold a sensible and grown-up discussion on the railway industry. People in the industry deserve better than the debates that usually take place in the House and they certainly deserve a lot better than the cliched and hackneyed nonsense that they hear from the hon. Gentleman.

9.24 pm

Mrs. Virginia Bottomley (South-West Surrey): Unlike the hon. Member for West Bromwich, East (Mr. Snape), I am no expert on transport matters, although I declare an interest in that I have a brother who is a railwayman and is as passionate about and obsessed with railways as the hon. Gentleman is—and, of course, I used to be married to a Transport Minister.

I know, however, that my constituents care more about transport today than they have at any stage since I have been their Member of Parliament. Among their heroes is my hon. Friend the Member for North Essex (Mr. Jenkin). He visited my constituency—as did every Conservative Minister with responsibility for transport—to witness one of the most shameful problems; the A3 at Hindhead, which is the only single carriageway stretch between London and Portsmouth, and contains the only traffic lights that the four Scottish roads Ministers would encounter if they travelled from Scotland to Portsmouth.

My hon. Friend has identified and articulated my constituents' outrage at the fact that £17 out of every £20 that they spend on petrol goes to the Chancellor. My constituents include nurses, pensioners and school-run mums—people who have no option but to drive. In return for paying that exorbitant tax, they are asked to wait in their cars for hour after hour. It is a disgraceful situation.

The Government recently produced a Countryside and Rights of Way Bill. It has been met with a hollow laugh in my constituency. The land involved locally is a special protection area under the European Union birds directive—a site of special scientific interest. However, all my constituents are confronted with is what my hon. Friend described as the "Carry On Consulting" policy.

Local people were initially hopeful about the review of trunk roads. They were enthusiastic, and I myself participated, expecting the process to be straightforward. We thought that if the proper answers were given on safety, access, economic development, and routes to Portsmouth and the Isle of Wight—all of which had been held up by the situation at Hindhead—our position would be approved. During the 18 years of Conservative Government the rest of the A3 was improved, effectively to motorway standard, but the Hindhead problem is appalling. "Carry On Consulting", because what was announced in the review of trunk roads, means further reports and discussion of whether tolls should play a part in the A3 Hindhead problem.

My hon. Friend the Member for North Essex suggested that there were too few consultants to undertake the work. I am delighted to say that an excellent team, MVA, has undertaken it. It is clear that MVA will produce a textbook illustration of a place where tolls could never be used. Tolls would lead to more rat-running, and toll plazas would use more of what is internationally precious land. However, the Government have been given what they wanted—the opportunity for further delaying tactics. I am informed that even when the report is completed, it will be submitted to the south-east England regional assembly. There will be more talking shops and more delay—and, presumably, the final result will land on the Government's desk shortly before a general election. My constituents are heartily sick of all this, and totally cynical about the device.

Progress has been achieved in one respect. My right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot) and I asked, on a monthly basis, for one of the 10 environment Ministers to visit Hindhead. At long last, after three years, the roads Minister has visited it, but this is an example of the way in which the Government behave. They do not govern for the many; they govern for their friends. It is disgraceful that it took three years for one of 10 Ministers to visit the site of the most serious problem in the south-east. I believe that the Government have no credibility on this issue. People are being taxed more, and are getting less.

Those for whom I feel most sorry are people in the Highways Agency such as Paul Arnold, who has been there for 14 years, and Graham Hodgson, from Surrey county council, who have had to meet irate residents groups who were asking for traffic-calming measures and other palliative steps because of the Government's failure to discharge their responsibilities.

This is a crucial route. I ask the Minister not to offer more consultation reports or talking shops, or to refer the matter back. At a time when people are paying more than ever before, this is a Government responsibility, and the Government should discharge it.

9.29 pm

Mr. Robert Syms (Poole): I start by declaring an interest. In the Register of Members' Interests, it is stated that I am a director of a family business that has some interests in transport. We may stray into areas that may by affected, so I hope that hon. Members accept that.

We have had an interesting debate on a subject that is important for most of our constituents. It is a pity that more Back Benchers could not speak in the debate. All of us as constituency Members appreciate that the issue is dear to the heart of many Members because of the number of times that it comes up in surgeries and in letters, with people saying what they want.

The debate was ably started by my hon. Friend the Member for North Essex (Mr. Jenkin), who set out an indictment of the Government's policies. It was chapter and verse; it was game, set and match. The Government have learned a lot about their policies from the impact that they are having.

The Minister for Housing and Planning did his best to defend the Government on a difficult wicket. I think that we all acknowledge that defending the Government's policies on transport is not easy. He did it in his normal way, and he did his best. He said in his peroration that the Government were spending more and taxing less than the previous Government—and he kept a relatively straight face, so he did a reasonable job.

The fact is that the Government are taking £36 billion from motorists. That is a lot of money—£8 billion more than when they came into office. One pound in every £7 collected by the taxpayer comes from motorists. As we have heard, of every £10 spent on petrol, £8 is tax.

[Mr. Robert Syms]

For most people, a car is a necessity. Most people need one to work, to get to school, to go to hospital, to go to the supermarket and to undertake the ordinary tasks that hard-working families in communities must undertake. One gets the feeling in many of these debates that Members think that people with cars are fat cats with unlimited amounts of money, but many people find it difficult to run a car.

Being hit by higher taxes under the present Government is bound to have an effect on the family budget, and, indeed, on people who are not necessarily the richest; some of the poorest people, and many of those who live in rural areas, will be affected. Sixty-nine per cent. of households own cars, but 85 per cent. of households in rural areas own them. The Government have hit them hard. Under Labour, the average motorist is paying £270 more a year for petrol than under the previous Government.

Roads are key to any integrated strategy, because most people travel by road. Most goods travel by road. The Minister said that when we came to office, there were 70 cars per mile of road, and when we left, there were 100. That is a sign of Conservative success, of a more prosperous economy, with people able to buy cars. In many instances, those who in earlier times would not have been able to afford a car could do so. Many people have two cars.

Mr. Snape: If 100 cars per mile of road is a tribute to Conservative party success, and the allegation in the debate is that there are even more cars on the roads and even more congestion now, is that a hallmark of Labour success, too?

Mr. Syms: As we become more prosperous, it is evident that there will be more cars on the road. The way to deal with it is to increase capacity—to increase the value of the road system. People aspire to have a car. They work hard. They expect to be able to buy a car, so that they can have a better standard of living.

Mrs. Gorman: Is my hon. Friend aware that statistics on the use made by each family of their cars show not that every car is on the road all the time, but that one or other of the cars is on the road at any one time? It is not true to suggest that congestion is caused by more cars on the road. It is caused by the run-down condition of the roads, which have been getting worse under the present Government.

Mr. Syms: My hon. Friend makes a persuasive point. I hope that those on the Government Front Bench were listening. The fact is that £36 billion comes from motorists, but only slightly over £5 billion—about 15 per cent.—is being spent on roads. That is having a dreadful effect on our roads system. We experience log-jams and breakdowns. People who travel round the country to do their jobs have greater difficulty.

What is the Government's big idea? What have they decided to do to solve the problems? In their long awaited Transport Bill, they have proposed congestion taxes and workplace parking. Brilliant. What does that mean? It means that the answer to the problems of our nation is more tax—to raise more money from more people.

In the 1998 spending review, the Treasury assumed that £1 billion would be raised by that method by 2005-06. The Minister said that the charge would be voluntary. That is an interesting comment, bearing in mind the fact that the Government are underfunding local authorities' spending on transport. I suspect that if the Treasury is making the assumption that £1 billion will be raised by the charge, all the pressure in the world will be put on local authorities. The Government will say to them, "You have the right to introduce this charge, and if you do not, why should we give you the money?"

We have an interesting situation in London. The Labour party ran on a manifesto of no charges for four years. The Conservatives ran on a manifesto of no charges. At the first vote in the London Assembly, the Labour party took a different view. The public in London, especially those who voted, have been sold a false prospectus on congestion charging.

Those who read the *Evening Standard*, as most of us do, will have seen the article "Commuter Watch 2000" in Monday's edition. It clearly says:

> The new Mayor is considering a £5-a-day congestion charge . . . But the blunt truth from our 3-month CommuterWatch survey of train, Tube and bus services is that the majority are as poor or even worse than when we tested them in 1997 and 1998.

Who was in office in 1997 and 1998? Ministers often forget the fact, but it was them. They must accept responsibility for the situation in London.

The Government are taxing more and delivering less. My right hon. Friend the Member for North–West Cambridgeshire (Sir B. Mawhinney) asked some extremely pertinent questions about congestion charging. I hope that the Minister will answer those questions when he winds up the debate, so that hon. Members can be better informed. I believe that congestion charging is a bad thing—but it will probably be a good thing for the Conservative party. We oppose such charges, and that will make a tremendous difference in the forthcoming election campaign. *[Interruption.]* There was a Green Paper and a discussion paper, but we never introduced charges.

Looking at the implications, and having served on the Transport Bill, I have no doubt that the proposal is bad news for motorists, and bad news for town centres and urban areas that will be blighted by the taxation.

Mr. Brake: Would congestion charging be bad for people's health?

Mr. Syms: I do not think that congestion charging would make any difference to people's health. According to the study of road congestion charging in London, to reduce traffic by discouraging people who travel in those areas, the charge would have to be so high as to be politically unacceptable—as my right hon. Friend the Member for North–West Cambridgeshire said.

Congestion charging is another way of taking money out of people's pockets. The Government's policies have more to do with the Dick Turpin approach to politics: stand and deliver. Most people are having to pay more in tax. They stand in traffic throughout the country, no doubt wondering why the Deputy Prime Minister has not delivered what he said he would do before the general election.

There is no such thing as a painless tax rise. There is a cost to families, a cost to businesses, a cost to companies, and a cost to British businesses competing abroad. The Government have substantially added to those costs.

Last week, an article in *The Times* said that the Government were considering charging people £5 for motorway journeys of less than 10 miles. Will the Minister give some clue as to whether that story is true, and where the Government intend to implement such charges? In urban areas, where people need to commute on motorways even for short journeys, such a charge would have an appreciable effect on the way in which people travel. It could easily drive people off the motorway network into other areas where extra traffic would not be acceptable.

The road network consists of 226,779 miles. It is a great national asset, and it needs to be properly maintained because in the long term our country will benefit greatly if that asset can deliver a world-class economy. We have a road maintenance backlog on local roads alone of £5 billion. The road maintenance bill is rising by £1 billion each year for want of stitch-in-time maintenance. All that is having an impact on British competitiveness. The United Kingdom has 500 bypasses outstanding, and many communities suffer heavy through traffic. Many have been waiting many years for a bypass, and their hopes were dashed by the Government's action when they came to office and badly attacked the roads programme.

Let us consider the position of motorists in Britain versus that of motorists in Europe. The AA's great British motorists 2000 study showed that in Britain we spend more time commuting, suffer the worst road congestion in western Europe, pay the most for petrol and diesel and for cars, are more likely to have our cars broken into, are least likely to find workable alternatives such as public transport or cycling, have a lower level of car ownership than in Europe, are highly taxed and receive the lowest return on investment in roads and public transport.

The AA concluded:

> At the root of this depressing picture lies the crisis of investment. The pitifully low levels of money spent on the UK's crumbling transport infrastructure have weakened every link in the chain, from poor maintenance to bad day to day management.

My hon. Friend the Member for North Essex set out the record of the previous Government very well. We should leave a large pile of pink ribbon and some nice scissors so that when Labour Members open schemes started by the Conservative party they can go along and snip the tape, and say, "Thank goodness for John Major and Margaret Thatcher." They contributed greatly to this country. We invested more than £26 billion in motorways and trunk roads. That was an important investment, and a sign of the priorities of the Conservative party on this important issue.

As my hon. Friend has said, we introduced many schemes, including the docklands light railway, Manchester metrolink, Sheffield metro, the channel tunnel, the Heathrow express, the Jubilee line and the Croydon tramlink, the M25—I could go on and on about Conservative successes. The Labour Government are not going to match that, because, having badly cut the roads programme when they came to office, they sent any difficult or knotty problems off to be studied.

As my right hon. Friend the Member for South–West Surrey (Mrs. Bottomley) said, that has often kicked such items into touch. Many of the multi-modal studies will come back well after the next general election. The Government will have time to kick the issues into touch. Endless studies are not the solution. We need action, and action is what people will get from the Conservative party. We need not more consultants but more people building roads and making a contribution towards the future of our economy.

We have had an interesting debate. We heard an excellent speech from my right hon. Friend the Member for North–West Cambridgeshire, who posed some pretty tricky questions that the Minister will have to answer. We heard an interesting spat between the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) and the hon. Member for West Bromwich, East (Mr. Snape), who is usually wheeled out on these occasions to give the same speech that we have heard in times past. We enjoy his speeches, and he made a memorable contribution when he said that privatisation of the railways had got rid of the dead hand of the Treasury.

We heard a great deal from the hon. Member for Carshalton and Wallington (Mr. Brake), mainly about Conservative party policies. His speech seemed to owe more to the fact that he is in a Conservative-Liberal Democrat marginal seat than to anything to do with the debate. I urge his constituents to read his comments, because they only have to do so to realise that the Conservative party's attitudes are consistent with helping people and their families, and allowing people to have the freedom to make their own decisions.

9.45 pm

The Parliamentary Under–Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): This has been a short but interesting debate. My hon. Friend the Member for West Bromwich, East (Mr. Snape) brought his usual transport expertise and panache to our proceedings.

The hon. Member for Carshalton and Wallington (Mr. Brake) made some effective criticisms of the previous Government and ground a few of the usual Liberal Democrat axes about the current Administration.

The right hon. Member for South–West Surrey (Mrs. Bottomley) raised a specific issue, on the A3 through Hindhead. I appreciate that that has been a serious problem for many years—including the Conservative years, when she was a Secretary of State. It is tempting to ask her what she did about it then.

Mrs. Virginia Bottomley: Will the Minister give way?

Mr. Hill: No. The right hon. Lady has had her opportunity to speak, and I am responding to her speech. [HON. MEMBERS: "Give way."] I am responding to her speech.

The roads-based study into whether the environmental and economic benefits of the preferred scheme can be delivered by a contribution from charges on road users is on-programme to report by the end of 2000. It is inappropriate for Ministers to comment further on the way forward for the preferred scheme until the report of the study and the advice of the regional planning body is received by the Secretary of State.

Miss Anne McIntosh (Vale of York): Will the Minister give way?

Mr. Hill: I am afraid that I just do not have time. The hon. Lady has also not been in the Chamber for most of the proceedings, and I am responding to specific questions asked by those who took the trouble to stay in the Chamber and participate in the debate.

Miss McIntosh: On a point of order, Mr. Deputy Speaker. I simply wish to set the record straight. I was here until 9.10 pm and sat through the whole debate, except for 20 minutes.

Mr. Deputy Speaker (Mr. Michael Lord): That is not a matter for the occupant of the Chair.

Mr. Hill: My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) asked when a separate rail safety company will be established. The answer is autumn 2000. The Health and Safety Executive and the rail regulator have to go to consultation. The Rail Regulator's consultation will begin next week, and the Health and Safety Executive's consultation started last week. I hope that that is helpful to my hon. Friend.

Miss McIntosh: Will the hon. Gentleman give way?

Mr. Hill: I will.

Miss McIntosh: I thank the hon. Gentleman for his incredible generosity. On the roads issue, is he not embarrassed that, today, the British Road Federation said that the Government would have to spend more than 80 per cent. more than their projected spending to keep up with the rest of the Europe?

Mr. Hill: I am extremely grateful to the hon. Lady for mentioning the British Road Federation. If I have time, I intend to deal precisely with its proposals, and the effect of those proposals on the Opposition's transport policy.

We had a long speech from the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney). Although I am grateful for his flattering remarks—who would not be?—I thought his speech smacked a little of self-exculpation. It was he who, as Secretary of State, broke the growing consensus in favour of congestion charging that had developed under his predecessors and was continued by his successor, the now shadow Leader of the House. Alas, that consensus has now been broken by Opposition spokesmen, for entirely opportunistic reasons.

The right hon. Member for North–West Cambridgeshire asked me many questions. I do not have time to answer them all, but I shall summarise the answers to his most important questions. First, the purpose of congestion charging is traffic reduction, in the interests of the economy, the environment and public health.

Secondly, of course the Government—like the previous Government—have conducted studies on the level of congestion charges and their likely effects on traffic. The latest one was the road congestion charging in London study, focusing on central London, which the right hon. Gentleman can consult in the Library.

Thirdly, of course congestion charging is not a form of taxation. The Government have made it clear that the proceeds of charges will be ring-fenced for local transport investment and that there will be no cuts in Government financial support for local transport authorities.

Finally, I find it absurd of the right hon. Gentleman to accuse the Government of hating the motorist. That comes from a Tory former Secretary of State for Transport and a leading member of a Government who brought in the automatic fuel duty escalator and increased fuel tax from 7p to 42p a litre. What could be more anti-car than that? The Conservative Government invented road congestion. They started with 70 cars per mile, spent £70 billion on new roads and ended up with 100 cars per mile. That is not success; it is congestion. What could be more anti-car than that? The Conservatives cut road maintenance by 9 per cent. over four years and left Britain's motorway and trunk road network in its worst state of maintenance since records began. What could be more anti-car than that?

In 1997, we inherited a crumbling transport system that failed to provide real choice, with poorly maintained and congested roads, cowboy bus services and a fragmented, stunted rail system that lacked strategic management and direction. We inherited an endangered environment and a contempt for the concept of transport integration. The Conservative legacy was no plans, no purpose and a lack of investment because of boom-bust economic incompetence. That boom-bust incompetence led in one year, between 1992 and 1993, to a massive 25 per cent. cut in core investment in London Underground—the largest single cut in any line of Government expenditure in the 1990s. That was typical of the Tories' irresponsible approach to investment in transport. It takes years to deliver major projects and real improvements to passengers, drivers, pedestrians and cyclists. We are still suffering from that legacy of neglect.

We have heard many alleged statistics on transport spending. Let me remind the House of the real facts. There is no disputing the fact that, under the previous Government, expenditure on transport was set to fall. In their last published plans, set out clearly in the Conservative Government's transport report 1997, forecast total transport spending was scheduled to fall from £5.2 billion in 1997-98 to £4.3 billion in 1999-2000—a planned cut of £1 billion over three years. These are the real facts.

Following the comprehensive spending review, we announced an extra £1.8 billion for local and public transport and road maintenance. That included £700 million more for local authorities' local transport plans and to restore cuts in the maintenance of their principal roads; more than £400 million extra for new spending on the trunk road and motorway network, with priority given to the maintenance of the existing trunk road network, and to making better use of it; more than £300 million extra for new investment in the railway industry, including extra support for the channel tunnel rail link, on top of the annual subsidy of more than £1 billion to rail operators for existing rail franchise contracts; and £300 million more for local bus services.

That is not all. Since then, we have announced a further £517 million to modernise the London underground, a £755 million local transport plan settlement for 2000-01,

with more than £1 billion extra to come next year, and an extra £280 million for transport in this year's Budget statement.

As a result of that extra cash, in 1999-2000, more than an extra £1 billion was spent on transport than was planned by the previous Administration for the same year: £5.3 billion against a previously planned £4.3 billion. That is a fact. If I might say so, it is not a killer fact, but a living, breathing, joyous fact of which the Government are proud. It is an extra £1 billion more than was planned by the Conservatives.

Of course, that is only part of the story of growth in investment in transport in the Labour years. Because we believe in partnership—and because the private sector believes in our commitment to stability and growth in transport investment—we have given encouragement to the private companies in public transport to invest massively in better services for the travelling public. There has been a 50 per cent. growth in private sector spending on transport between 1997 and 2000 from £2.6 billion to £4.2 billion and a further 50 per cent. increase to £6.2 billion is projected over the next two years. These are the facts—the real facts.

Against this impressive record of commitment to the nation's transport system, what is the Tory alternative? What is on offer from the commonsense revolution? For enlightenment, I turn to that seminal document, "Bringing Common Sense to Your Local Council" with its "Five Key Pledges". I seem to have heard of that one before—highly original.

What is the key pledge on transport? It is No. 3—"no new taxes". That is also highly original. What do we find among the Tory promises? First, "Much better public transport"—but no new taxes. Then there are

> New park and ride schemes,

but no new taxes.

> More secure and cheaper parking places,

but no new taxes.

> New roads where they are needed,

but no new taxes. More bypasses, but no new taxes. More road-widening and improvements, but no new taxes. Last but not least, "Better road surfaces" but, of course, no new taxes.

Is it just me, or is there a problem here? Isn't there just a small problem of where the money is coming from? Even if the shadow Transport Minister, the hon. Member for North Essex (Mr. Jenkin), cannot see it, I rather suspect that his trusty sidekick, the hon. Member for Poole (Mr. Syms), can. After all, on 13 April, he launched the Conservative roads consultation programme. The news release was headed:

> Conservatives show the road ahead

—another original title.

At that launch, the hon. Member for Poole declared:

> Today I am asking everyone who has to use the road to write to me and tell me what are the worst roads in the north-east.

Why the north-east only, and how many actually wrote to the hon. Gentleman, are fascinating moot points. He continued:

> I want to hear about the roads that need widening, badly maintained roads and clogged towns and villages that need a bypass. This will allow the next Conservative Government to put together a roads programme that addresses the real needs of the travelling public.

The hon. Gentleman goes on to quote with approval the British Roads Federation which, he says, has claimed

> that the Government will need to spend an additional £4 billion per year on maintaining and improving our road network to deliver a transport system that will rival the best in Europe.

So now we know that the Opposition are committed to spending £4 billion a year extra on the roads—but no new taxes. Frankly, the sums just do not add up. They do not make sense—not even common sense. There is no way the Tories will succeed in foisting their ill-conceived and half-baked transport plans on the British public.

Mr. James Arbuthnot (North–East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 130, Noes 349.

Division No. 207] **[9.59 pm**

AYES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric

Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and Mrs. Eleanor Laing.

NOES

Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin

Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate Dr Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. Robert Ainsworth.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 308, Noes 163.

Division No. 208] **[10.16 pm**

AYES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lloyd, Tony *(Manchester C)*
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris

McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Robert Ainsworth.

NOES

Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Michie, Mrs Ray *(Argyll & Bute)*
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David

Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the fact that the Government has substantially increased spending on transport from the levels planned by the previous Government; notes that this Government ended the automatic fuel duty escalator begun by the previous Government; deplores the previous Government's record of under-investment in transport, which left an investment backlog in important areas like road maintenance, rail and London Underground; notes that under the last Government the number of cars per mile of road went up from 70 to 100, that yearly carbon dioxide emissions from road transport increased by 26 per cent. and that by May 1997 Railtrack was £700 million behind on its rail investment and maintenance programme; and welcomes the Government's approach on an integrated transport strategy which will be delivered by an integrated Department of the Environment, Transport and the Regions, and its plans to increase spending and modernise the transport system further through its Ten Year Plan for transport investment.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. The next item that we are due to consider is a consolidation Bill, under Standing Order No. 58. That, in turn, rests on Standing Order No. 140(3), which states that such Bills are considered by some mysterious Committee that apparently must have a quorum of two. Are you satisfied that such a Committee will provide the House with sufficient protection? It appears that we are confronted, on a take-it-or-leave-it basis, with a Bill that could be significant or complicated, but which may be considered by a Committee that is quorate with only two Members. Are you satisfied that that is in order?

Mr. Deputy Speaker (Mr. Michael Lord): It is not my responsibility to comment on such Standing Orders; it is my duty to ensure that they are correctly applied.

POWERS OF CRIMINAL COURTS (SENTENCING) BILL *[LORDS]*

Order for Second Reading read.

Motion made and Question put forthwith, pursuant to Standing Order No. 58 (Consolidation Bills), That the Bill be now read a Second Time.—*[Mr. Clelland.]*

The House divided: Ayes 325, Noes 6.

Division No. 209] **[10.32 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*

Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Mike Hall.

NOES

Davis, Rt Hon David *(Haltemprice)*
Nicholls, Patrick
Paterson, Owen
Robertson, Laurence
Soames, Nicholas
Swayne, Desmond

Tellers for the Noes:
Mr. Eric Forth and
Mr. Edward Leigh.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 58 (Consolidation of Bills),

That the Bill be not committed.—*[Mr. Clelland.]*

Question agreed to.

Read the Third time, and passed, without amendment.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Hon. Members: No.

Mr. Deputy Speaker: In that case, I shall put the Questions separately.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, which were laid before this House on 3rd May, be approved.—*[Mr. Clelland.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LONDON GOVERNMENT

That the draft Greater London Authority (Miscellaneous Amendments) Order 2000, which was laid before this House on 19th April, be approved.—*[Mr. Clelland.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft Scotland Act 1998 (Modification of Functions) Order 2000, which was laid before this House on 8th May, be approved.—*[Mr. Clelland.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft Scotland Act 1998 (Transfer of Functions to Scottish Ministers etc.) Order 2000, which was laid before this House on 8th May, be approved.—*[Mr. Clelland.]*

Question agreed to.

PETITIONS

Post Offices (North-West Leicestershire)

10.44 pm

Mr. David Taylor (North–West Leicestershire): As a member of a family who ran the post office in my home village for most of the last century, I am well aware of major concerns about the future of sub-post offices in communities throughout North-West Leicestershire, including those from the Meadow Lane area of Coalville and from the village of Packington. There are 822 petitioners from North-West Leicestershire who believe that sub-post offices are under threat, and could be forced to close by Government changes in the way in which state benefits are paid. The petition states:

The Petitioners therefore request that the House of Commons do take whatever action may be necessary to secure the future of the sub post office network in North West Leicestershire and the United Kingdom.

And the petitioners remain etc.

It is a pleasure and a privilege to present the petition to Parliament on behalf of North-West Leicestershire petitioners.

To lie upon the Table.

Public Swimming Pools

10.45 pm

Mrs. Louise Ellman (Liverpool, Riverside): The petition, which has been signed by approximately 2,000 people, calls for better regulation and enforcement of safety in swimming pools that are used by the public. It arises from the tragic deaths of two of my constituents, Vanessa Gregson and Tsham Kamara aged 19 and seven, at Honeycomb manor park in Cornwall on 20 May 1999. I hope that the petition results in improved safety at our swimming pools. The petition of residents of Liverpool

declares that the deaths of two Liverpool girls in a holiday swimming pool could have been prevented by a tighter regulatory framework on swimming pools and its proper enforcement.

The petitioners therefore request that the House of Commons urge the Secretary of State for the Environment, Transport and the Regions to introduce new strict regulations on swimming pools to provide for the vigorous enforcement of these laws and to establish very serious penalties for any pool owner who breaches them.

And the petitioners remain etc.

To lie upon the Table.

Gammahydroxybutyrate

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

10.46 pm

Mr. Ben Chapman (Wirral, South): I am delighted to have secured the Adjournment debate on this important subject. For some time, I have had concerns about the drug gammahydroxybutyrate, which I shall call GHB. Its use and availability represents a serious danger. It should be reclassified as a class A drug for two reasons: first, because of its possible deadly effects when used as a recreational drug, particularly if mixed with alcohol or other drugs; and secondly, because of its use as a date-rape drug.

The drug was first formulated in the 1960s by a French chemist, and was developed in the United States as a pre-surgery anaesthetic. For that reason, it was dealt with under the Medicines Act 1968, rather than the Misuse of Drugs Act 1971. It has never been licensed in the UK for medicinal purposes. Only two companies, both in Germany, are licensed to manufacture the substance in the European Union. However, it is easy to make in kitchens, garages or wherever, once the precursor chemical gammabutyrolactone is obtained.

The internet is packed with sites telling people how to mix the drug. It became more popular as a recreational drug in the 1980s. It was used by bodybuilders to promote muscle growth, and by athletes to provide a shorter recovery time between training sessions. It was also used as a sleep improver. It gained a reputation for offering a pleasant alcohol-like effect, but without a hangover. It also became known for its potent pro-sexual effects.

By the 1990s, the drug was prevalent in the night club circuit in the United States and it became widely recognised as a dangerous drug there. It was recognised as such by the American police, who believed it to be cheap, easy to make, and affording vast profits to illegal drug suppliers. Indeed, its dangers came more and more to the fore when it was popularised in the United States television programme "ER", which featured an episode with two students mixing it with alcohol. Fortunately, although they fell into a coma, on that occasion they were saved by medics.

The drug was banned in many states. It was, I am pleased to say, banned nationally by President Clinton on 18 February. He has now agreed to classify it as a schedule 1 drug, which is defined as having

a high potential for abuse and no currently accepted use in medical treatment,

yet we still regard it as a medicine. In the UK, GHB appears to be widely available on the pub and club circuit. As I have said, several internet sites detail how to make, buy and use it. Warnings are often given about the risks associated with mixing GHB with alcohol, but there are no warnings about the dangers of impurities that are often added to the illegally produced substance and can have serious side effects.

Warnings are often wrong. One site states that too high a dose can result in a "harmless coma." How devastatingly wrong such a phrase is. The drug, commonly known as liquid gold or liquid ecstasy because of its ability to produce euphoria, albeit transiently, can cause cardiac arrest and stop people breathing, especially when taken in large doses.

[Mr. Ben Chapman]

Reports of the effects of GHB are at least consistent, in that they mention nausea, vomiting, convulsions, coma and respiratory collapse depending on the amounts taken. With alcohol its dangers increase. Taken with a few pints it can result in coma and death. There have been many reports of deaths in the United States. So far only four deaths have been reported in the United Kingdom, but that is four deaths too many.

One of those deaths was that of a Wirral man, Ian Hignett, who was the son of constituents of mine. Ian was a 27-year-old working man with good prospects and a full life ahead of him. He was introduced to GHB by friends who believed that there was no danger in taking the substance. He was fit: he was a healthy sportsman. He worked hard during the week, and at weekends liked to unwind with friends with a few drinks and maybe visit a nightclub. He had had no connection with drugs before that night in December 1998 when he died. Like so many others, he just wanted a good innocent night out at the weekend with friends.

As reported at the subsequent inquest, Mr. Hignett and his friends had taken a quantity of GHB on top of four cans of lager and a shared bottle of Aussie white. Ian felt unwell, lapsed into unconsciousness and died choking on his own vomit. The forensic report concluded from toxicology tests that the level of GHB in conjunction with alcohol was sufficient to be responsible for his death. The official cause of death is recorded as gammahydroxybutyrate and alcohol toxicity.

Mr. Hignett's friends were luckier. Although affected by vomiting, they did not pass out. It is possible that Mr. Hignett took an impure dose, or that the quantity was greater than advertised on the canister. I am told that those are common occurrences.

When recording a verdict of misadventure, the Wirral coroner was moved to say:

> This is a dreadful and unnecessary loss of life. I will invite the Home Office and Department of Health to give serious consideration to having the drug reclassified under the Misuse of Drugs Act. This is a matter of some concern.

It is certainly a matter of concern to me.

Mr. Hignett's mother, to whom I spoke yesterday, shares the view that I have just expressed. Recently, she made a similar plea in a local newspaper article.

In addition to the deaths, there have been a number of near deaths across the country. The national poisons intelligence section of the Medicines Control Agency has seen calls from London to Lancashire, and from Hull to south Wales, relating to individuals who have suffered strong after effects from taking GHB, including coma. In 1998, seven people were taken to intensive care in Bolton on the same night following the usage of GHB. In my view, the evidence is clearly mounting up. The dangers of GHB as a recreational drug are becoming clearer all the time.

I want to say something about the dangers of the drug in relation to date rape. The American experience shows that GHB is in the same bracket as the already proscribed Rohypnol. One of its effects is a marked increase in libido and a lowering of inhibition. Those facts are trumpeted across the internet.

The fact that GHB is available in a clear odourless form makes it lethal for the unsuspecting victim. In the USA, and I suspect in the UK, it has been used to sedate women before they are sexually assaulted. A few drops slipped into a drink can cause unconsciousness within 20 minutes, and victims often have no memory of what has happened. It is also difficult to detect, as it metabolises quickly in the body.

A report in the January edition of *Cosmopolitan* magazine suggests that more than 1,000 women in the UK have reported being raped while drugged. *Cosmopolitan* claims that four out of five of those cases have GHB as their cause. The report highlights in disturbing interviews the horrific experiences of many victims.

The view of Detective Chief Inspector Matthews of the Wirral division of Merseyside police, an officer who has researched GHB in some depth and to whom I am indebted, adds weight to the serious concerns when he says that GHB is more dangerous and more widely available than Rohypnol. I believe that a pattern is clearly emerging from the evidence of the past few years, both here and abroad.

GHB has caused a number of deaths. There have been many near-death incidents and its use both recreational and as a date rape drug is increasing. It is slowly seeping into the consciousness of the public. Information and education to correct the misconceptions surrounding GHB must play a part. Many people who use the drug are not aware of its dangers. Ian Hignett certainly was not. Others read and believe what they see on the internet. Often, the information can be misleading or simply wrong. We must understand that the power of the medium can be marvellous when it disseminates good information, but that when it disseminates false information, it can be literally deadly. Many sites that promote GHB claim that it can improve memory, stimulate growth, reduce drug and alcohol withdrawal symptoms, reduce learning and hyperactive disability in children, relieve anxiety and even lower cholesterol. At the same time, they play down and do not mention the dangers—and dangers there are.

Concern is rising, and I know from the answers to the many questions that I have asked in the House that those concerns are shared by the Government. I understand that there has perhaps been a lack of hard evidence. Much of the evidence has been circumstantial, and that is inevitably so. I understand, too, that the Government are proceeding on the basis of science, and I am not unhappy about that, of course. However, I await with great interest the results of the three studies currently being undertaken. I understand that the Home Office review of the law on sexual offences has been completed and that conclusions are close to publication. The Metropolitan police report sponsored by the Home Office on drug-assisted rape is also complete, I understand, and the launch is scheduled for 21 June.

The recent referral, supported by the Government, of GHB to the European monitoring centre for drugs and drug addiction for a risk assessment is welcome news, and I know that its findings are expected to be concluded by mid-October. Such scientific studies are important, but there comes a time when studies need to stop and action needs to be taken, and October may be too long.

With all that in mind, I ask my hon. Friend the Minister to ensure that there is a speedy and positive response in terms of reclassification of GHB, should the results of the

studies or any other evidence suggest that such action is merited, as I am sure they will. I believe strongly that the evidence for proscribing the drug is becoming overwhelming, and that the sooner that it is banned, the better.

10.58 pm

The Minister of State, Home Office (Mr. Charles Clarke): I begin by congratulating my hon. Friend the Member for Wirral, South (Mr. Chapman) on securing this debate and on the powerful and effective way in which he has made his case this evening. I am glad to have the opportunity to respond to this debate. Drug misuse is an extremely important issue and my hon. Friend's interest in it has been substantial and long-lasting. We have corresponded on the matter for some time. He set out clearly the case that related to his own constituent.

Let me begin by setting out the background. Gammahydroxybutyrate, or GHB, is a naturally occurring substance which is found in the brain of mammals. It is a white crystalline powder which dissolves in water to give a clear liquid. It is easily produced using the industrial solvent gammabutyrolactone and sodium hydroxide, or caustic soda. GBL is used in the synthesis of several other chemicals and is also used in the printing industry.

GHB was originally developed in the United States of America as a pre-surgery anaesthetic. It has also been used for the treatment of narcolepsy, alcohol dependence and opiate dependence. It is in limited use in a number of European countries, for example France and Germany, as a surgical anaesthetic, and in Italy, to treat alcohol withdrawal symptoms.

GHB first emerged as a drug of misuse in the United Kingdom in 1994. As my hon. Friend the Member for Wirral, South said, it is also known by other names, such as liquid ecstasy, and has been promoted in this country as a psychedelic substance, an aphrodisiac, an aid to weight loss and a sleep aid. It is also popular with body builders, as it is claimed that it stimulates the body's production of growth hormones.

GHB has a stimulant effect if taken in small doses. Larger doses have a sedative effect and can cause nausea, vomiting, depressed respiration and heart rate, dizziness and unconsciousness. Combining GHB with alcohol or other drugs may, as my hon. Friend said, increase the incidence of adverse effects.

The current controls on GHB are as follows. GHB is not manufactured as a licensed medicine in the United Kingdom, but the illicit manufacture, and advertisement for the sale of the substance fall within the scope of the Medicines Act 1968. It can be lawfully supplied only by a pharmacist in response to a doctor's prescription for a patient. The Medicines Control Agency investigates reports of the unlicensed manufacture, promotion and sale of GHB in the UK. In a moment, I shall say more about the agency's enforcement activities in relation to GHB.

The Government keep drug misuse patterns in this country under review. By statute, the responsibility for providing the expert advice that informs that process rests with the Advisory Council on the Misuse of Drugs. That advisory body was established by section 1 of the Misuse of Drugs Act 1971. The Act requires that the council must be composed of not fewer than twenty members; there are currently 33.

The disciplines represented within the council include medical practitioners, dentists, pharmacists, veterinary practitioners, chemists and experts with knowledge on the social effects of drug abuse. The council promotes research and monitors changing trends in drug abuse, but has a statutory duty to advise the Government on many issues affecting the misuse of drugs, including public education and preventative action. Any proposal to change the classification or scheduling of a substance requires prior consultation with the council.

The advisory council has considered GHB on three occasions, most recently in 1998. The council found that GHB could cause acute health problems, particularly if taken with alcohol and drugs. However, the council concluded that GHB misuse was not widespread in the UK and did not present a sufficient social problem to warrant control under the 1971 Act. Nevertheless, as GHB could lead to acute health problems for some misusers, the council recommended that a number of other measures should be taken. It recommended that the Medicines Control Agency should be asked to increase enforcement action against illicit manufacturers and suppliers, and that more targeted health education material should be made available about the adverse effects of GHB. The council also recommended that GHB misuse should continue to be monitored.

Action has been taken on all of those fronts. The Medicines Control Agency, in conjunction with the National Criminal Intelligence Service, has formulated a control strategy and agreed an action plan regarding criminal activity associated with GHB. The strategy includes initiatives to increase awareness, optimise intelligence and tackle the supply and demand for the product.

I shall describe some of the actions that have been taken. First, a joint MCA and NCIS briefing document was issued to the Police Force Intelligence Bureau across the UK, to raise the profile and awareness of GHB.

Secondly, a similar briefing document was issued to trading standards and environmental health officers.

Thirdly, briefings have been given to the Inter-Agency Drugs Intelligence Group, Europol and police training courses.

Fourthly, a number of visits have been made to chemical companies to brief them about GHB. The companies were advised about suspicious orders and the potential diversion of GBL—which is the second drug that I mentioned.

Fifthly, the MCA has sought international co-operation and exchanged intelligence with the Dutch Healthcare Inspectorate and the United States Food and Drug Administration.

I shall also describe some of the actions that have been taken to reduce supply and demand. First, MCA officers have undertaken a proactive enforcement exercise involving a number of retail premises in Soho. Advice has been issued to retailers, and on-going compliance checks have subsequently been made. That has involved close co-operation with the Metropolitan Police clubs and vice unit.

Secondly, the MCA has established a special inquiry unit to assess the advertising and supply of medicinal products on the internet. The unit is initially targeting several internet advertisers and suppliers of GHB, and, when appropriate, will be liaising with overseas drug regulatory authorities tackling its importation.

[Mr. Charles Clarke]

Thirdly, in an effort to curb the advertising of GHB in various publications across the UK, the Committee of Advertising Practice, in co-operation with the MCA, released an advertising alert to its members. The alert reminded the press that it was illegal to advertise GHB.

Fourthly, since 1995, the MCA has mounted 10 successful prosecutions representing 23 charges of offences under the Medicines Act 1968.

As my hon. Friend said, drug rape has featured prominently in public debate recently. GHB is not the first drug to be associated with drug rape and there has been some irresponsible reporting in the media of what purport to be facts. Before the link with GHB, drug rape was principally associated with the drug flunitrazepam, more commonly known as Rohypnol. The publicity surrounding the possible use of Rohypnol in cases of drug rape led to it being reformulated by the manufacturer. In fact, Rohypnol has not been detected in any suspected drug rape samples submitted by the police to the forensic science service.

However, as my hon. Friend said, GHB has been identified in four samples featured in two cases in the past year. The scientific difficulty is that GHB is rapidly expelled from the body and may not be detectable beyond eight hours after ingestion, but the experience with Rohypnol warns us that it is important to be certain about the facts before seeking to react.

Rape is an extremely serious offence and it is important that the Government have a clear understanding of the extent of the drug rape problem. That is why the Home Office sponsored a Metropolitan police research initiative into drug-assisted rape, which is due to be concluded shortly. Ministers will consider the findings and recommendations of the study and the information will also be made available to the Advisory Council on the Misuse of Drugs.

There is an international dimension. I have already mentioned GBL—the precursor to GHB—which is a widely used industrial solvent. GHB and GBL exists in equilibrium, which means that taking GBL has the same effect as taking GHB. We would want any fresh controls that we introduced on GHB to be as effective as possible. That would include considering controls on GBL. The lessons of the United States, to which my hon. Friend referred, bear that out. The federal decision to ban GHB and GBL was taken only this year. Before that, GHB—but not GBL—was banned in a number of American states. Where it was banned, there was evidence that GBL was widely misused in its place. That is why it is important to tackle the two side by side.

The control of precursor chemicals such as GBL is subject to European Union legislation. At present, the manufacture and supply of GBL is monitored throughout the EU on a voluntary basis, but the issue of whether effective controls can be introduced on GBL is clearly an important consideration for us in our on-going review of GHB.

In accordance with article 3 of the European joint action of 16 June 1997 concerning the information exchange, risk assessment and control of new synthetic drugs, the European Monitoring Centre for Drugs and Drug Addiction—EMCDDA—was asked to prepare information on GHB for consideration by member states. Europol national units and national focal points were subsequently requested to provide information on GHB. The initial research showed little evidence that GHB was abused on a wide scale in any member state, but the United Kingdom, supported by several other member states, requested that GHB be referred to the scientific committee of the EMCDDA for a formal risk assessment. That decision was taken on 12 April this year and the results of the assessment are expected by the end of October. Member states will consider the findings and the information will also be made available to our Advisory Council on the Misuse of Drugs.

My hon. Friend referred to our review of sex offences, which is due to be published in the coming weeks for wide consultation on the various issues. That is another important context for the debate.

I entirely accept what my hon. Friend says about the need for speed in this matter. It cannot be delayed in the various processes. Perhaps I should not have used the word "speed". I did not realise the implications as I said it. My hon. Friend the Member for Harrow, West (Mr. Thomas), my Parliamentary Private Secretary, is more experienced in these matters. His laughter suggested that I had made a slight mis-statement that I ought to withdraw. Rapid action is very important. I assure my hon. Friend that we do not want to bog the process down in a bureaucratic morass that will take a long time to address. He rightly identified that the scientific evidence is the key. We want to be sure that we have got it right before deciding how to move forward. I know that my hon. Friend accepts that. He would not accept—and neither would I—that the need to get the scientific evidence right should be an excuse for delay in deciding how we proceed. The fact that he has brought the case to the House as he has, this evening—powerfully and effectively—ensures that the momentum in addressing this is maintained.

The Government have a reasonable record in trying to address these issues, but we need to make sure that that continues. That is why I hope that what I have said tonight will reassure my hon. Friend that the Government are actively addressing his concerns about GHB in considering a range of future options, including legislative changes.

We are concerned to ensure that any decision to introduce future controls on the drug is properly based on the evidence, and that any new controls are as effective as possible. These are complex issues, and we are considering them. When the information is available, the Government will decide on how best to proceed. I hope that my hon. Friend will continue to press as he has this evening his case for expediting these matters rapidly, and I assure him that the Government take it as seriously as he does.

Question put and agreed to.

Adjourned accordingly at ten minutes past Eleven o'clock.

House of Commons

Thursday 25 May 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

NEW WRIT

Ordered,

That Madam Speaker do issue her Warrant for the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the Borough Constituency of Tottenham in the room of Bernard Alexander Montgomery Grant, Esquire, deceased.—[*Mrs. Ann Taylor.*]

PRIVATE BUSINESS

LONDON LOCAL AUTHORITIES BILL *[LORDS] (BY ORDER)*

Order for consideration, as amended, read.

To be considered on Thursday 8 June.

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Thursday 8 June.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

Abattoirs

1. **Mrs. Ann Winterton** (Congleton): If he will make a statement on the future role of small abattoirs in the rural economy. [122400]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The Government recognise the importance of small and specialist abattoirs to the rural economy. We have therefore put in place a number of measures to help small and medium-sized abattoirs, including the deferment of charges for specified risk material controls, the freezing of Meat Hygiene Service inspection charges for 1999-2000 and an increase confined to the rate of inflation for the current year, a review of the level of inspection in low throughput abattoirs, and setting up a taskforce to explore a capping approach to meat hygiene charges for small abattoirs.

Mrs. Winterton: Bearing in mind the fact that small abattoirs are going out of business right, left and centre and that many of them will not survive another year, will the Government use their considerable influence with the Meat Hygiene Service and others to ensure that cost recovery for inspections in abattoirs is moved to a headage payment system, as happens elsewhere in Europe? That would guard against further disadvantaging small rural abattoirs, producers, animal welfare, consumer choice on organic and locally produced meat, and the preservation of rare breeds.

Ms Quin: I understand the hon. Lady's concerns and I know that there are several small abattoirs in her constituency or the surrounding area. I hope that she will welcome the reviews of meat hygiene prices and of the Meat Hygiene Service, both of which were important elements in the action plan for farming announced by the Prime Minister and my right hon. Friend the Minister at the end of March. She charges us with causing the closure of abattoirs right, left and centre, but the majority of abattoir closures took place under the Conservative Government. It would not be possible for us to close as many abattoirs as the Conservatives did even if we wanted to—which we do not—because there are not that many left.

Mr. David Drew (Stroud): May I concentrate on regulation? Anyone with connections with the trade knows that there is a problem. The tension can be seen by anyone who visits an abattoir. How will the Food Standards Agency impact on the operation of the Meat Hygiene Service, and how likely is a reduction in the level of regulation?

Ms Quin: The Food Standards Agency is taking the issue seriously. The reviews encourage a reduction in regulation. Ministers have a responsibility to negotiate with our European partners to reduce unnecessary regulation and ensure that the regulations that are necessary are as simple and straightforward as possible. As my hon. Friend knows, we are pursuing a number of initiatives on that.

Mr. Colin Breed (South-East Cornwall): I welcome the changes in the Meat Hygiene Service charges. Is it not time to quicken the pace in reacting to the reports of the red tape working parties? The Pooley report was published in December. In February, the Government announced that they accepted a large number of its recommendations. When will the pace of bringing in those recommendations be increased so that we see real action on the ground? Is there a firm timetable so that we can know when all the recommendations will be realised in farmers' daily lives?

Ms Quin: We are making a lot of progress on the measures that we announced and the timetable that we are working to. The independently chaired taskforce to look at meat inspection charges is to report by the end of this month. The red tape review, including the Pooley recommendations, was always designed to be taken forward quickly. The last thing that we wanted in setting up the red tape review was to start another long, bureaucratic procedure. The way in which the red tape review reported and the timetables that were subsequently proposed show that we are serious about addressing those issues.

Of course, some of the issues are not entirely within our control, because they involve European negotiations. On that front, too, we are vigorously pursuing the points that require further developments at European level.

Mr. Christopher Gill (Ludlow): Now that the responsibility for the Meat Hygiene Service has passed to Health Ministers, can the right hon. Lady give us an assurance that her Department will be much more robust and aggressive in defence of rural abattoirs, for all the reasons given by my hon. Friend the Member for Congleton (Mrs. Winterton)?

Ms Quin: Given the measures to which I referred in my original reply to the hon. Member for Congleton (Mrs. Winterton), the hon. Gentleman should recognise that we have already undertaken a considerable number of initiatives and important measures—for example, in terms of the deferment of charges for specified risk material controls. That is worth some £44 million—a considerable amount. However, the hon. Gentleman makes the good point that giving responsibility to Health Ministers allows us, as Agriculture Ministers, to look at the issues of how farmers and rural communities are affected, without any suggestion of a clash of interests, and therefore I welcome it.

Mr. Malcolm Moss (North–East Cambridgeshire): In order to help the hard-pressed abattoir sector, will the Minister tell the House what steps the Government are taking to relax the restrictions on the date-based export scheme? When did the Minister last raise with the French Government their illegal ban on British beef? Will she confirm that this matter will be discussed with the French Agricultural Minister in the meeting scheduled for tomorrow?

Ms Quin: As the hon. Gentleman knows, representations have been made on many occasions in private meetings at the margins of Agriculture Councils, in public and in the French media about the illegality of the action that the French have taken. However, that action is now before the courts. Commissioner Byrne has said that he wants the process to take place as quickly as possible. We believe that the French will lose the case, and those are the procedures that should be adopted.

The hon. Gentleman is wrong to accuse us of being dilatory in respect of the Meat Hygiene Service, or in our action with the French. This Government's record in promoting and getting accepted the date-based export scheme and in getting the ban on British beef lifted in a large number of countries—I recently produced figures on how many more countries have lifted the ban as a result of our efforts—bears favourable comparison with the pathetically slow progress made by the previous Government.

Pig Industry

2. **Mr. Edward Leigh** (Gainsborough): If he will make a statement on profitability in the pig sector. [122401]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): Market prices for pigs continue to recover, having risen by 25 per cent. since the end of January. With the market price at around 95p per kilogram, most pig producers will be breaking even, at least. The measures that the Government have taken to help the sector have helped to bring about this outcome.

Mr. Leigh: Twenty-four thousand jobs have been lost in this sector. The problem with the pig industry has not been that it is inefficient—it is not—but is that it must abide by animal welfare standards that do not apply to its competitors. Does the Minister acknowledge that his restructuring grant may actually lead to more jobs being lost? How does he intend to use the grant, and to what purpose? Is not the real problem with the industry the fact that imports do not have to abide by these standards? What is he going to do about it? Will he be tougher? Can he imagine the French putting up with this sort of behaviour? We want a Minister who is less nice and acts more like a Frenchman.

Mr. Brown: Bonjour, Madam Speaker. I welcome the hon. Gentleman to these exchanges, to which you have been treated at just about every Agriculture questions for almost a year now. The answers to his questions are well known. The real problem in the sector is twofold—supply exceeds demand and the classic pig cycle has plummeted, and that recession has been prolonged. To help the industry through the recession, the Government have taken a range of actions with which most hon. Members will be familiar, because we have discussed them at great length.

The one measure that the hon. Gentleman urges on the Government—economic protectionism—would be illegal and would invite retaliation and a court case that would incur considerable costs for the British taxpayer. If the hon. Gentleman doubts that, I can tell him—as most hon. Members will have heard me say before—that the best advice available to the Government has been placed in the Library for all hon. Members to see. He advocates a measure that would not work and, worse than that, would do considerable harm to the industry. The constructive approach that the Government have taken, to work with the industry to devise measures to get it through the crisis, has been widely welcomed by the industry and, as the facts show, is having some success.

Mr. Paul Marsden (Shrewsbury and Atcham): Does my right hon. Friend agree that it is good news that the price has risen and that what we should do next is reduce costs in the supply chain, add value to the British market and develop marketing in Europe? Those are not my words, but those of Mr. Mick Sloan from the British Pig Executive, reported in the *Farmers Guardian* this week. Those are the steps that are necessary, not the illegal activities promised by the Tories, which would ruin the industry.

Mr. Brown: There is no protectionist solution to the problem. The answer for the industry is to get closer to the marketplace. We have worked closely with the industry to get it to work together, rather than just as individual businesses, and to bring it closer to its real customers. I also welcome the Meat and Livestock Commission campaign which has just been launched to bring home to British consumers the real difference between the strong

animal welfare measures that we have in place and competitors' products. The battle will be won in the supermarkets.

Mr. Michael Jack (Fylde): Sadly, Winnie the pig has left Parliament square and the fount of all our knowledge and wisdom on the subject has gone. Before the pig went, a question was raised with me about research and development in the industry, and the fact that the Minister's package of help measures does not appear to include anything to assist further improvements in the way in which the British industry operates. Has he any positive proposals to put to the House on that matter today?

Mr. Brown: The industry operates efficiently and it has a good story to tell on meat and bonemeal and on animal welfare. The right hon. Gentleman is making a bid for my research and development programme. If the industry submits projects, they will be considered as other bids are considered and will take their place in the priorities. When the industry applied for marketing support, it received the overwhelming bulk of the support that was available. We are willing to consider bids from the industry across the range of the different projects that the Department sponsors.

Pet Travel Scheme

3. **Dr. Doug Naysmith** (Bristol, North–West): What representations he has received from pet owners concerning the operation of the pet travel scheme. [122402]

5. **Dr. Nick Palmer** (Broxtowe): What steps he is taking to ensure that pet owners are fully aware of the requirements of the pet travel scheme. [122404]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): We have received numerous representations on the pet travel scheme. The helpline and website are widely advertised in the national press and have been widely used. In addition, every veterinary practice has been sent fact sheets and posters.

Dr. Naysmith: I thank my right hon. Friend for that reply and for ensuring that pet owners in this country are aware of the pilot scheme. When will the full scheme be rolled out, and can she speculate as to when it will be extended to other countries?

Ms Quin: We aim to implement the full scheme by early next year and I hope that that will be achieved on time. Originally, the existing pilot was estimated to take up to three years, but the Government delivered it in half that time, so we have a good record in that respect. The last time the issue of extension to other countries was raised in the House, the question related to Cyprus. I understand that all problems have been resolved, and it will be possible to include Cyprus in the main scheme. I welcome that, because it is important for our service personnel.

Dr. Palmer: Will my right hon. Friend accept that the scheme has received very broad support so far from those who have participated in it? There is considerable enthusiasm at the fact that the Government have broken the logjam at last. Is she aware that reservations remain about the extent of the additional vaccination that is needed, and especially about the short time scale available for that before pets re-enter the country? Does she accept that a balance must be struck between the scheme and the need to protect the population against infection? Will she review these matters carefully when the pilot scheme ends?

Ms Quin: We do monitor the scheme. Before the main scheme is introduced, we shall review the results of the pilot scheme in the various areas that my hon. Friend has set out. However, the measures to which he has referred—in particular, the tick and tapeworm treatment, and the time scale available for it—have been chosen for good animal health reasons. The aim is to prevent the importation to this country of contagious diseases and of diseases that we do not have and do not want.

Mr. John Bercow (Buckingham): What is the expected administrative cost of the pet travel scheme? On the principle that Ministers ought to practise what they preach, at least in a leap year, will the right hon. Lady tell the House which Ministers have expressed an interest in participating in the scheme? Specifically, has she heard from the Secretary of State for Northern Ireland that he expects his dog Bobby to be an early beneficiary?

Ms Quin: The hon. Gentleman seems to have forgotten that Northern Ireland is part of the United Kingdom. We believe that all Ministers, as well as all citizens of this country, are eligible to benefit from the pet scheme. It is not surprising, therefore, that all people, apart from one or two Conservative Members, should have welcomed the scheme as they have. The pilot scheme has proved very effective, and we want to make sure that we learn the lessons from it.

The hon. Gentleman asked about administrative costs. Although I do not have our cost estimates with me, I shall certainly make them available to the House, as I do not want to quote a figure off the top of my head today only to have to correct it later. We believe that the scheme has been well worth while, and that the costs to citizens are far lower than the costs of quarantine. Quarantine caused a lot of misery, and was an extremely expensive system.

Mr. Bob Russell (Colchester): Would the Minister agree that the British sovereign bases in Cyprus should be included in the scheme?

Ms Quin: I do not know whether the hon. Gentleman has just come into the Chamber, or whether he was simply not listening earlier when I announced that the problems in relation to Cyprus had been resolved. We look forward to Cyprus being part of the full scheme.

Countryside Stewardship Scheme

4. **Judy Mallaber** (Amber Valley): What evaluation he has made of the value of the countryside stewardship scheme to rural conservation. [122403]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): We believe, as do most environmental organisations, that the countryside stewardship scheme is of considerable

value to rural conservation and I recently announced a significant expansion to the sector. An independent study to assess the environmental benefits of the scheme in more detail is due to report shortly.

Judy Mallaber: I agree with my hon. Friend that the countryside stewardship scheme is of great value to rural conservation. It is also a valuable source of income for hard-pressed farmers. The Ministry has told me that, at present, there is only one such scheme in Amber Valley. What steps has my hon. Friend taken to make sure that farmers in Amber Valley and throughout the country are able to have access to countryside stewardship?

Mr. Morley: The schemes are very popular, and until recently they have been heavily over-subscribed. Thanks to the measures announced under the rural development programme, we will be able to increase the number of applicants to the scheme from 1,600 last year to 3,000 in the coming year. I have emphasised the benefits of the scheme in meetings with farmers, and many farm and environmental organisations have stressed those benefits too. I have no hesitation in asserting that many more farmers will want to join the scheme, and I am sure that many will be from my hon. Friend's constituency.

Mr. Peter Atkinson (Hexham): Does the Minister accept that there is a catch in the small print of the scheme? Income is based on income forgone, which means that if the market price of cereals, for example, falls, farmers will lose money. Indeed, Strutt & Parker has estimated that farmers who enter the scheme will be worse off than those who stay out of it.

Mr. Morley: I would like to see those figures, because I do not think that that is necessarily the case. The hon. Gentleman is right to say that that the scheme is based on income forgone, although I do not think that that is the best method of calculation. Nevertheless, that is the European rule.

We are aware of the implications for farmers when their incomes fall and prices go down. Logically, the payments based on those incomes should go down with them as well. We have, however, taken a reasonable and balanced view, and tried to cushion farmers from the worst effects of the changes.

Mr. Peter L. Pike (Burnley): Can my hon. Friend confirm that this type of scheme is essential in areas of the Pennines like mine, where land is extremely difficult to farm? It is wild and rugged, but very beautiful, and farmers can be helped considerably by the scheme.

Mr. Morley: I can confirm that. Areas in my hon. Friend's constituency benefit particularly from stewardship schemes. They have the flexibility to cope with different regions, demands and areas. I am glad to say that the Government will be increasing spending in real terms by £16 million every year for the next seven years.

Mr. James Paice (South–East Cambridgeshire): It is a pity that the Minister did not say that it was the Conservative Government who introduced the stewardship scheme. We are very proud of the way in which it has developed.

Will the Minister confirm that, as of next year, many of our hedgerows will be under threat from the 2 m rule, which still stands to be implemented for the next cropping year? Would it not be better to amalgamate the set-aside scheme with the country stewardship scheme in terms of headlands, allowing a narrower width for set-aside, so that all farmers could be encouraged to convert their headlands to conservation set-aside, and bring some simplicity to arrangements that confuse many farmers trying to work out which way to go forward?

Mr. Morley: On the first point, the Government are increasing spending on agri-environmental schemes by £1 billion over the next seven years. We could perhaps have increased it even more, were it not for the fact that the European Union contribution towards the rural development programme is 3.5 per cent., based on historically low levels of spending on countryside programmes by the previous Government.

On the hon. Gentleman's second point, there is a real threat to field boundaries from the Commission's proposals. Thanks to the intervention by my right hon. Friend the Minister with Franz Fischler, we have managed to get a year's grace in which to put forward proposals to deal with the point from the auditors that the area of land that was cropped is less than that which is being claimed for arable aid payments. That is because of historical cropping patterns in this country.

We want to look at a number of options, such as a more flexible use of set-aside land. We invited Commissioners to look at our proposals in March. They have been over, and we await their response to our ideas.

Mr. David Taylor (North–West Leicestershire): It is true, as the Minister says, that the doubling of funding for countryside stewardship from the niggardly levels bequeathed us by the previous Administration has been warmly welcomed by such organisations as English Nature and the Council for the Protection of Rural England, of which I am a member. Does he agree that this a worthwhile step towards obtaining modern and efficient financial support for farming and countryside development? Is he hopeful that we can take more substantial steps by thoroughgoing reform of the common agricultural policy in similar ways?

Mr. Morley: I agree with my hon. Friend that, under this Government, spending on countryside programmes has increased by 60 per cent., compared with under the previous Government. In relation to the common agricultural policy, there is no doubt that we need to move funds away from production-based support into agri-environment-based support and support for the wider countryside and rural economy. That is our objective. We have made some progress by putting in place the rural development programme, but we recognise that there is more to do in relation to reforming the CAP, and we are committed to doing that.

Madam Speaker: Question 6.

Mr. James Clappison (Hertsmere): Has the Minister seen the letter in today's—

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): Thanks for the clue about the supplementary question, but I had anticipated it.

Arable Farming Subsidies

6. **Mr. Clappison:** What recent representations he has received about the use of subsidies for arable farming.
[122405]

Mr. Brown: A number of representations have been received about the position of arable farmers in the United Kingdom. Arable farmers receive more than £1 billion in direct aid payments each year. The arable market continues to be supported by intervention and export refunds. In addition, arable farmers have just received £170 million in agrimonetary aid and will receive a further £57 million in the autumn.

Mr. Clappison: Has the Minister seen the letter in *The Times* today from a farmer who sowed a crop of rape seed that, unbeknown to him at the time, was GM-contaminated? When he sowed that crop, the Government had already known for several weeks that there was GM-contaminated seed, but it was several more weeks before that was eventually made public. He has now destroyed the crop and resown, but obviously at additional cost to himself and with a lower yield. In view of that farmer's experience and, no doubt, that of other farmers at sowing time, was the Minister for the Cabinet Office right to say that the Government probably made a mistake in delaying that announcement for so long?

Mr. Brown: When the company discovered what had happened, it was its responsibility to be candid with its suppliers and customers, so the responsibility is on it. Important issues of civil law are involved, which the Government are considering carefully. There are other issues that relate to the Government's legal responsibilities, which I also have under active consideration, along with my right hon. Friend the Minister for the Environment. It would be unwise to say more now, but as soon as I can tell the House about the legal issues involved, I will.

Mr. Alan Simpson (Nottingham, South): Will my right hon. Friend agree to consider the possibility of extending the subsidy system to include farmer cover, were we to go down the path that the Swedish Government announced yesterday? They instructed all their farmers to plough up their fields of contaminated oilseed rape by 7 July. Will he also extend that examination to the implications that that may have for GM-contaminated maize? The subsidy system that I hope he will consider ought not to preclude the primary responsibility, under the "polluter pays" principle, of returning to the seed suppliers and ensuring that they are not able to corrupt the food system where they have not been able to persuade consumers, farmers or retailers that that is the wisest course of action.

Mr. Brown: Knowingly to corrupt seed products is of course an offence in this country, as is knowingly releasing them into the environment. That remains the case. I intend to raise the issues about oilseed rape to which my hon. Friend refers with Commissioner Fischler when I meet him on Monday. It is an informal ministerial meeting so we shall have a chance to discuss those issues as Ministers with the Commission. My hon. Friend mentions maize. The Government have had no indication that any conventional maize seeds imported to the United Kingdom contain modified varieties.

Mr. David Curry (Skipton and Ripon): Does the Minister accept that, irrespective of whether one generally supports GM technology or is hostile to it, there appears to be an incoherence in the British Government's response to the issue not merely because it is divided between two Departments but because the Cabinet Office has a role as well? The producers of rape seed, negotiators in the Commission and overseas companies need to know which door to knock on, and where the buck stops and where it starts—preferably in the same place. Will the Minister review with his colleagues whether there is not a strong case for a much clearer system of governance of the issue so that people know where they stand and where to go in case of problems?

Mr. Brown: It is not the process that is at fault. The issues are these: is there any danger to the public, or is there a risk to their health? The Government found the answer to that early on—it is clearly no, and no-one has alleged anything different. Is there any danger to the environment from what has happened—an accident which should not have happened—with oilseed rape? The answer to that question is also no. Does the matter raise wider questions about seed purity? Yes, it does. As we have said in our answer, as my right hon. Friend the Minister of State said in her written answer, and as I amplified in my statement to the House last week, on a range of fronts the Government are taking those issues forward as a matter of urgency.

Joan Ruddock (Lewisham, Deptford): Does my right hon. Friend agree that the only way forward now on seed purity is for him to work with his European colleagues to establish a proper protocol whereby these matters may be determined? Will he also accept that while our farm-scale trials are under way a 1 per cent. contamination of conventional crops with genetically modified crops is absolutely unacceptable? Frankly, Advanta must have known that when it was willing to sell suspect seed in Europe.

Mr. Brown: I cannot comment on the last matter. We have not agreed contamination levels for the United Kingdom. My hon. Friend is right to say that European Union Ministers should discuss these matters and, if we can, agree a common approach. Certainly, I am willing to play my part and I discussed the matter with my colleague Jean Glavany, the French Minister, on the telephone yesterday. His view is similar to mine.

Mr. Tim Yeo (South Suffolk): The Minister believes that contaminated oilseed rape crops are so environmentally safe that he did not think it necessary even to consult English Nature—and the issue is not even on the published agenda for today's meeting of the Advisory Committee on Releases to the Environment. Why did he take a whole month to warn farmers and consumers that these crops are now being grown extensively in Britain? Will not farmers whose crops have been damaged, communities whose environments are threatened and consumers whose ability to choose a

GM-free product have been jeopardised all rightly blame the Minister for keeping that information secret for a whole month and failing to take any action?

Mr. Brown: I am not keeping any information secret. I have gone out of my way to be candid with the House. I put the technical note in the Library and I have now also put the advice from ACRE and from the Food Standards Agency there, so that hon. Members may see it for themselves. They will find that it confirms what I have told the House. I notice that the hon. Gentleman is concentrating on the process, which is, of course, because he has nothing to say on the substance.

Mr. Yeo: Is the Minister saying that today's reports that large areas of GM-contaminated maize are growing in Britain are not true? Has his Department not received any warning that they may be true? Should not farmers who may have unwittingly planted a GM-maize crop at least be contacted about the possibility? Does he agree with the Environment Minister that the 1 per cent. threshold for GM contamination of seeds proposed by the European Seeds Association is totally unacceptable to consumers and potentially dangerous to the environment?

Mr. Brown: I have already answered the question of whether I agree with the Environment Minister; yes, I do. The hon. Gentleman seems to be suffering from what I can only describe as Liberal Democrat disease, because I also answered his main question. However, for the avoidance of doubt, let me repeat the answer word for word. We—meaning the British Government—have no indication that any conventional maize seeds imported into the United Kingdom contain modified varieties. The hon. Gentleman asked whether we had any warning. I think that he is referring to a letter circulated by the seed industry—he can correct me if I am wrong—dated 22 May to agriculture departments and other public representatives throughout the European Union. If he is referring to that, it is a letter that all hon. Members should be entitled to read and on which they should be able to make up their own minds, so I am placing a copy in the Library. The letter does not bear the interpretation that the hon. Gentleman suggests.

Set-aside

8. **Mr. Derek Wyatt** (Sittingbourne and Sheppey): What his priorities are for the next round of reforms of the common agricultural policy with respect to set-aside. [122408]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): The Agenda 2000 agreement provides for a further review of the cereals regime by 2002. Subject to what the Commission proposes, we will use the opportunity to press for an end to obligatory set-aside.

Mr. Wyatt: I am interested in my hon. Friend's comments on obligatory set-aside—I am sympathetic to that. However, one thing about set-aside that I do appreciate is the number of lapwings, skylarks, buntings and curlews that are now breeding. If there is a change, how will we cope with the fact that nature prefers some aspects of set-aside?

Mr. Morley: My hon. Friend makes a good point about the benefits of set-aside—especially for farmland birds. The Ministry has given free guidance to farmers on how they can maximise the nature conservation benefits of set-aside. We have no objection to voluntary set-aside being used for nature conservation—that fits with our broader approach on the management of agricultural land for environmental use as well as for food production. However, as a mechanism for food production control, it is expensive and inefficient. The way in which the measures are applied causes a bad image of farmers in the public eye.

Miss Anne McIntosh (Vale of York): Will the Minister give us an assurance that set-aside will not be used as part of the bid game between northern member states such as Britain, Denmark and Ireland and the Club Med countries? What assurance will he give the House that the future of British interests will be seen in the next common agricultural policy reform?

Mr. Morley: The Government have always put the interests of our country to the fore in negotiations on changes in the CAP. We are not alone in that; we have supporters because we have tried to find consensus and common ground. That contrasts greatly with the policy of the previous Government.

Match Funding

10. **Mr. Paul Burstow** (Sutton and Cheam): What is the total amount of unclaimed match funding relating to agricultural support available to the UK since 1997. [122410]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): A total of £2,155 million in agrimonetary compensation has become available from January 1997 to date, in several three-year packages. Of that total, £595 million has been or will be paid, of which £584 million is EU funded and £11 million UK funded. However, because of the Fontainebleau abatement, the UK Exchequer contributes about 71 per cent. of the cost—and the total cost to the UK taxpayer is therefore about £426 million.

Mr. Burstow: Can the Minister confirm that, last year, about £224 million was available through the agrimonetary compensation scheme but only of that £66 million was allocated and drawn down to provide compensation for hard-pressed farmers? Why was the Ministry unable to guarantee that 100 per cent. went to the farmers who needed it, so that they received support when they needed it and were not put out of business because they had not received it?

Mr. Brown: The regime is permissive; we have the option of drawing down those sums. As I have just said, an overwhelming part of the cost of doing so falls on the UK taxpayer, so any use of that instrument must take its place among competing claims for public expenditure. I have to fight hard in Government the case for making use of that instrument. For the longer term, because agrimonetary compensation is being phased out, the industry—all sections of agriculture—must become more oriented towards the marketplace. There is no future for the industry in continuing to call for supply-side measures to help it from one crisis to the next.

Mr. Lawrie Quinn (Scarborough and Whitby): Returning to the real purpose of Question 6, which was about subsidies for arable farming—

Madam Speaker: Order. We do not go back to other questions. If the hon. Gentleman is prepared to ask a supplementary on this question, I shall listen to him.

Mr. Quinn: It is a supplementary question, Madam Speaker.

On Friday evening, I attended a meeting of the National Farmers Union in Scarborough, where there was much concern about the effect of agrimonetary compensation and the impact of the weak euro. Can my right hon. Friend find time to come with me to meet members of the NFU in Scarborough to talk about that subject?

Mr. Brown: I am more than willing to meet members of the NFU; indeed, I think I have met most of them personally over the past few years. If I have not done so, it certainly feels like that. The Government have made use of agrimonetary compensation to try to provide some short-term support for the industry, but that is not the long-term answer to the industry's problems. I am more than willing to join my hon. Friend to discuss the way forward with local farmers in Scarborough.

Mr. James Gray (North Wiltshire): At the recent No. 10 summit, the Minister made great play of the fact that he was giving £66 million in agrimonetary compensation to farmers. However, he should surely have also said in the same statement that he was taking away £110 million of exactly the same agrimonetary compensation. Is it not a classic case of taking away rather more with one hand than he is giving with the other? The agriculture summit was a classic public relations con.

Mr. Brown: That is completely unfair. The agriculture summit, which pulled together from right across government a wide range of issues that affect farmers, was broadly welcomed by the industry and received a positive response—the more so when people have had the chance to consider the details. The fact that we do not make use of a permissive instrument to spend British public money does not mean that we have taken it away from people who might have been the beneficiaries. One could take that argument to an absurd degree if one wanted, and I suspect that the hon. Gentleman might want to.

SOLICITOR–GENERAL

The Solicitor–General was asked—

Criminal Courts

28. **Mr. Lawrie Quinn** (Scarborough and Whitby): What contribution the Crown Prosecution Service will make towards the Lord Chancellor's review of the criminal courts system. [122430]

The Solicitor-General (Mr. Ross Cranston): The Crown Prosecution Service is playing its full part in Lord Justice Auld's review of the criminal courts. An experienced CPS prosecutor, Nasrin Khan, has been seconded to the secretariat to Sir Robin Auld for the duration of the review. Staff from across the CPS are attending the seminars being organised by Lord Justice Auld and there are other contributions to his deliberations.

Mr. Quinn: Is my hon. and learned Friend able to tell the House what have been the key topics and priorities discussed with Lord Justice Auld about the work done by the Director of Public Prosecutions?

The Solicitor-General: One of our main concerns is listing in the courts. The CPS has found in the past that magistrates courts often adopt listing procedures that do not take into account the need for an efficient operation of the CPS. Appeals in cases of judge-directed acquittals is another important topic. In some cases, judges have decided on abuse-of-process grounds that charges should be dismissed and we take the view that that matter should be subject to review. The Home Office has referred it to the Law Commission, but a whole range of features involving management and other aspects of the operation of the courts is being considered.

Mr. Edward Garnier (Harborough): May I be assured by the Solicitor-General that the CPS will tell the criminal courts review the wholly uncontroversial point that the Government's plans for the reform of the jury system will lead to court delays, increased appeals, loss of public confidence in the criminal justice system and a great deal of extra expense?

The Solicitor-General: The matter will be subject to some examination by Sir Robin Auld. He is considering the whole procedure of the courts, and the operation of the jury system is one aspect of that. Our proposals will certainly not have the consequences that the hon. and learned Gentleman suggests. On the contrary, they will lead to a more efficient operation of the courts, which is one aspect of the review.

Drugs Cases

29. **Mr. Bob Blizzard** (Waveney): If he will make a statement on the application of the public interest test by the Crown Prosecution Service in drugs cases. [122431]

The Solicitor-General (Mr. Ross Cranston): The Crown Prosecution Service lawyers are guided by the code for Crown prosecutors in relation to offences involving controlled drugs, as with any other offence.

Therefore, they must decide whether a prosecution should be brought in the public interest. First, a Crown prosecutor has to be satisfied that there is sufficient evidence to provide a realistic prospect of a conviction. Once that test is satisfied, the public interest test must be considered.

Mr. Blizzard: I thank my hon. and learned Friend for that answer. May I suggest to him that it is very much in the public interest to continue the fight against all kinds of drugs and not to ease off in any way? May I urge him not to be enticed by the arguments pushed and pedalled by those who make the case for legalisation or decriminalisation? Does he agree that, at a time when we are trying to ban smoking, it makes no sense to take a softer line towards people who mix tobacco with cannabis and then smoke that?

The Solicitor-General: As I said, the CPS acts in accordance with the code. There must be evidence before consideration of the public interest test can take place. Parliament has not decriminalised cannabis, so the CPS will prosecute those offences. In some circumstances, of course, the police will simply issue a caution and the cases will not come to the CPS. When cases do come to the CPS, public interest factors may sometimes militate against prosecution. For example, in areas in which prosecution for possession of cannabis may lead to adverse community relations, the CPS may decide that it is not in the public interest to prosecute. However, possession is a criminal offence and the CPS proceeds on that basis.

Mr. John Bercow (Buckingham): Where there is sufficient evidence to prosecute a repeat drugs offender, in what conceivable circumstances could it be against the public interest to do so?

The Solicitor-General: Repetition of behaviour is one factor that would be taken into account and would certainly point towards prosecution.

Vexatious Litigants

30. **Mr. David Drew** (Stroud): How many applications with regard to vexatious litigants the Law Officers have dealt with over the past 12 months. [122432]

The Solicitor-General (Mr. Ross Cranston): In the past 12 months the High Court has considered 11 applications made by the Law Officers under section 42 of the Supreme Court Act 1981. Of those 11 applications, nine resulted in orders being made, one application was refused and one, although heard, awaits judgment. In the same period, the employment appeals tribunal made two orders under section 33 of the Industrial Tribunals Act 1996, which prevents applications to the tribunal.

Mr. Drew: I thank my hon. and learned Friend for that reply. Obviously, it is not without interest for the House, given this week's proceedings.

What are the implications for the individuals concerned? Clearly, if an order is served on someone, that can lead to considerable restriction of his or her activities. Is that compatible with the European convention on human rights?

The Solicitor-General: The Attorney-General and I give these applications close consideration when they come before us. One of my constituents is a vexatious litigant, and he constantly reminds me, in the nicest possible way, of the implications that the order has for him.

We carefully consider such applications, which must then be considered by two High Court judges sitting in the divisional court. On the human rights aspect, Strasbourg has considered the matter on two occasions and said that the orders are compatible with the ECHR. The test is very high. The statute requires habitual and persistent behaviour, and it must be reasonable in the circumstances for the court to make that order. As the figures that I gave my hon. Friend indicate, the number of applications is not significant.

An order does not prevent vexatious litigants from litigating, but they have to seek the leave of the court to bring an action.

CPS (Racism)

31. **Mr. Andrew Dismore** (Hendon): If he will make a statement on the findings of Ms Sylvia Denman in her interim report on racism within the Crown Prosecution Service. [122433]

The Solicitor-General (Mr. Ross Cranston): Sylvia Denman presented her interim report on race discrimination in the Crown Prosecution Service to the Department on 10 May 2000. The report recognises that some of the most glaring deficiencies in race equality in the CPS have been remedied recently, but concludes that there is evidence that some forms of race discrimination and institutional racism have operated to the disadvantage of black and Asian staff within the service. The report recommends various areas for future work, which will now be addressed by the CPS in consultation with Sylvia Denman and the Commission for Racial Equality.

Mr. Dismore: I am grateful to my hon. and learned Friend for his reply and recognise his personal commitment to dealing with racism in the CPS. Does he agree that Ms Denman has clearly identified a trend within CPS management to downplay the possibility of racism, look for innocent explanations when those may not exist, and indeed, on occasion, blame the victim? Does my hon. and learned Friend agree that something must be done to change the culture at the top of the CPS so that it recognises that there is a real and immediate problem to address?

The Solicitor-General: As I have told the House on previous occasions, we take the matter seriously. A number of steps have been taken, which I have explained to the House. One matter that I have not mentioned is the fact that all CPS area plans must now set out clearly what is being done to address issues of diversity. There is no doubt that the report makes uncomfortable reading for those at the top of the CPS and those in senior

management positions. Something must be done. There is not a sufficient number of black and ethnic minority persons at senior management levels. Now that benchmarks have been established, the CPS must meet them and ensure that the problem is remedied.

Miss Anne McIntosh (Vale of York): Can the Solicitor-General confirm that Ms Denman's final report will review the impact on the CPS of the change in the burden of proof imposed by Labour MEPs voting in the European Parliament last week?

The Solicitor-General: That has nothing to do with the law in this country. We operate under the Race Relations Act 1976. We have made it clear that internally, the CPS must lift its game. With regard to the external behaviour of the CPS and the prosecutions that it undertakes, the recently published Mhlanga report showed clearly that there was no racial discrimination.

CPS

32. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on measures to improve the efficiency of the Crown Prosecution Service. [122434]

The Solicitor-General (Mr. Ross Cranston): The Crown Prosecution Service has a number of initiatives in place to improve efficiency within the service. A major programme of IT modernisation will provide basic IT tools and enable staff to be connected electronically to each other, the police and the Government secure intranet.

The CPS is developing joint administrations with the police—criminal justice units—to prepare magistrates courts cases more efficiently. Similar arrangements are being developed for the establishment of trial units, which will focus on and raise the standard of preparation of Crown court cases.

The CPS, working closely with the police and the courts, is playing a significant part in the effective implementation of the provisions of the Crime and Disorder Act 1998. In many cases offenders are brought to court the day after charge. Across much of England and Wales, 60 per cent. of cases are now completed at the first hearing.

Mr. Paterson: The Solicitor-General missed out the victims of crime. Who measures whether they are happy with the efficiency of the CPS?

The Solicitor-General: As I have said on previous occasions, victims are central to the policies that we are adopting. We take into account the role of victims. We have instituted pilot studies so that the CPS can operate more effectively with victims and with witnesses. I confess to the House that the pilots have revealed some difficulties in the CPS adopting a more central role, but we are working on that. We hope that, with more resources, we will be able to put the CPS at the centre of a more victim-oriented criminal justice system.

Mr. Paul Flynn (Newport, West): Would not the efficiency of the CPS be improved if there were fewer vexatious prosecutions, such as those that I listed to one of my hon. and learned Friend's fellow Ministers? I refer to prosecutions against people who use natural cannabis for severe pain. Of the last prosecutions, every one has been thrown out by the juries, who exercised good sense and decided that people who were seriously ill and seeking relief from pain should not be regarded as criminals, prosecuted and imprisoned. When will there be a simple change in the law to allow natural cannabis to be prescribed in the same way as heroin is prescribed legally now?

The Solicitor-General: I refute my hon. Friend's suggestion that there are vexatious prosecutions. The CPS acts in accordance with the code for Crown prosecutors. There must be evidence, and public interest considerations must be taken into account. As I explained in an earlier answer, the law provides certain offences in relation to drugs. My hon. Friend knows that clinical trials are being held and that money is going into research on the problem that he raises. I refute the notion of vexatious prosecutions.

My hon. Friend also raises the issue of the jury. In serious cases, juries obviously have an important role to play in the British criminal justice system, and in some cases juries acquit defendants. That does not mean that the prosecutions should not have been brought. The evidence suggested that there was a realistic prospect of conviction and a public interest in bringing a prosecution, but a jury took a different view. So be it.

Madam Speaker: If the hon. Member for Newport, West (Mr. Flynn) seeks an Adjournment debate, he might get a shorter answer.

Mr. John Burnett (Torridge and West Devon): Last Tuesday on Second Reading of the Crown Prosecution Service Inspectorate Bill, the Solicitor-General told the House, at columns 885-86, that the Attorney-General was making great efforts to improve the funding for the Crown Prosecution Service and that in that endeavour he was being supported by the Home Secretary and the Lord Chancellor. It would assist the collapsing morale of the CPS to know exactly when those negotiations will be over. Furthermore, it would assist the House and the CPS to be assured that the rolled-forward deficits will not continue to be rolled forward in future years.

The Solicitor-General: I said the other day that I hoped to bring good news to the House very soon. The Chief Secretary to the Treasury is dealing with those matters expeditiously.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): Will the Deputy Leader of the House give us the business for the week after the Whitsun recess?

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The business for the week after the Whitsun recess will be as follows:

MONDAY 5 JUNE—Supplemental Allocation of Time Motion followed by consideration of Lords amendments to the Financial Services and Markets Bill.

TUESDAY 6 JUNE—Second Reading of the Police (Northern Ireland) Bill.

WEDNESDAY 7 JUNE—Opposition Day [12th Allotted Day]. There will be a debate on a motion in the name of the Liberal Democrats. Subject to be announced.

THURSDAY 8 JUNE—Opposition Day [13th Allotted Day]. There will be a debate on an Opposition motion. Subject to be announced.

FRIDAY 9 JUNE—Private Members' Bills.

I regret that I am not in the position to give full details of the business for the following week, but the provisional business is as follows:

MONDAY 12 JUNE—Debate on European Affairs.

FRIDAY 16 JUNE—The House will not be sitting.

The House will also wish to know that on Wednesday 14 June there will be a debate on European Document No: 6230/00: the White Paper on Environmental Liability, in European Standing Committee A.

Details of the relevant documents will be given in the *Official Report*.

[Wednesday 14 June 2000:

European Standing Committee A—Relevant European Community Document: 6230/00, White Paper on Environmental Liability. Relevant European Scrutiny Committee Report: HC 23-xiii (1999-2000).]

Sir George Young: The House is grateful for the business for the week after the Whitsun recess, and for a hint of the business for the following week.

The Deputy Leader of the House has announced a guillotine motion on the Lords amendments to the Financial Services and Markets Bill. How long does he plan to allow for debate on those amendments? He will be aware that 1,450 amendments to that Bill have been passed, that it has been rewritten since Second Reading in this place, and that 238 amendments were tabled on Report in the upper House. He will also be aware that the Opposition have assisted the Government by agreeing to carry the Bill over from the previous Session, and I hope that that generosity will not be met with a less than generous timetable. One day is simply too ambitious if the amendments are to be properly scrutinised.

Will the Deputy Leader of the House confirm that the debate on European affairs on Monday 12 June will be the usual pre-summit debate, not a substitute for a proper whole day's debate focused on the intergovernmental conference White Paper, for which I have been pressing for some time?

The hon. Gentleman also announced a debate on the Police (Northern Ireland) Bill on 6 June. The next few days are likely to be crucial for Northern Ireland. Will it be in order during the debate on that Bill to discuss the outcome of the Unionist vote and the consequences for Northern Ireland? If not, the House may well want a proper debate on Northern Ireland. As the hon. Gentleman has two or three days blank in our second week back, might we pencil in the much delayed debate on the Wakeham report and a debate on foreign affairs, which has not been held for some time?

Finally, there is widespread concern on both sides of the House about the dome, which I hope the Government will recognise by finding time for us to debate it.

Mr. Tipping: I am grateful for the right hon. Gentleman's comments, and for his help with the Financial Services and Markets Bill. As he says, there has been a great deal of co-operation on that; there has also been a great deal of debate. I am keen to keep the consensus going, and there will be further discussions through the usual channels about the allocation of time motion.

The right hon. Gentleman asked about the debate on European affairs. The details are not yet firm, but I imagine that IGC issues and concerns could be raised—as, of course, could other matters.

As the right hon. Gentleman says, the situation in Northern Ireland is critical and fast-moving, and I do not think that we should prejudge it. If circumstances change there may well be a case for a statement to the House, but I think it entirely possible that a number of wide-ranging issues could be raised in a Second Reading debate, as long as they remained within the scope of such a debate.

The right hon. Gentleman asked about the Wakeham report. As he said, there is space for a debate on that in the second week. I remind him that we had a date pencilled in, but changed it for the convenience of the House.

I have not lost sight of the need for a debate. There has been change in the House of Lords; we have delivered on that, and we are determined to deliver on the Wakeham report. We are determined to build consensus, and to move to a second phase. Consensus between the political parties would help.

I note what the right hon. Gentleman said about foreign affairs. There is a possibility of a debate at a later stage.

I hope that the right hon. Gentleman will visit the dome during the Whitsun recess. If he does, he will join the two and a half million people who have already been there. [HON. MEMBERS: "Is that all?"] The dome is the most popular attraction in the United Kingdom, and I think that those who have been to "do the dome" will want to do it again.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): As my hon. Friend will know, many Labour Members are proud of our ethical foreign policy, and think it essential for Governments to maintain a clear and moral stance on many foreign policy issues. Will my hon. Friend therefore tell our right hon. Friend the Foreign Secretary that it is essential for Britain not to be seen to support countries in which show trials take place? I am thinking of the 13 Jews who are being tried in Iran.

Mr. Tipping: My hon. Friend has been interested in these matters for many years. I knew of the concerns that

she has raised, and my right hon. Friend the Foreign Secretary is also aware of them. I will pass her comments on to him.

Mr. Paul Tyler (North Cornwall): May I reiterate my weekly plea for an early debate on reform of the House of Lords? We delayed effective reform of the other place throughout the last century; I hope that it will not take the whole of this century for Governments to get off the fence and give us a firm statement of their intentions for full reform.

I understand that the Deputy Prime Minister is holding a rail summit today. Can the Minister give an undertaking that, as soon as we return after the Whitsun recess, a full statement will be made about the important issues that are apparently being discussed—issues that were alluded to in the "Today" programme today? That might enable various former Secretaries of State—including the right hon. Member for North–West Hampshire (Sir G. Young)—to apologise both to the travelling public and to shareholders for the disasters that they caused.

Mr. Tipping: After a hundred years of struggle there has been reform of the House of Lords, and the current Government have brought it about. We intend to go further. We have published the Wakeham report, and have considered it. We support it in principle, and we shall have an opportunity to discuss it here. Let me simply say to the hon. Gentleman that we shall go forward on further reform.

The hon. Gentleman asked about a statement on the rail summit. I am afraid I cannot give him the commitment that he seeks, but I can give him another commitment. In July, we will make a statement on the 10-year strategy for transport that will do away with the fragmentation to which he referred, and will bring extra and much needed investment to the railways.

Mr. Dale Campbell-Savours (Workington): The usual.

Mr. Tipping: There is some secrecy about this matter, but I have to tell my hon. Friend and the House that I have nothing to report.

Mr. Peter Brooke (Cities of London and Westminster): Will the hon. Gentleman pass on to the Leader of the House my appreciation of her characteristic courtesy in sending me a copy of the Government's response to the Liaison Committee's report? However, did the Government deliberately intend that response to make them appear, in the Prime Minister's definition, arch-apostles of conservatism?

Mr. Tipping: I will of course pass on the right hon. Gentleman's comments. We need to remember that the Liaison Committee's report was published just a week ago. I understand that the Committee has just met and issued a press release, which has been drawn to my attention. It is a far-reaching matter with consequences for the House.

Mr. Edward Garnier (Harborough): And for the Government.

Mr. Tipping: Yes—and for the Government. I have no doubt that there will be opportunities for further debate.

Ann Clwyd (Cynon Valley): Given the concerns expressed by Richard Butler, the former head of the arms inspectorate in Iraq, that Saddam Hussein may be rebuilding his arsenal of chemical and biological weapons and be within months of having a nuclear capability, I ask my hon. Friend for an urgent debate on Iraq. Those matters are of concern, particularly as the United Nations resolution, which the UK was prominent in pushing through the UN last December, has still not been accepted by the Iraqis.

Mr. Tipping: I understand my hon. Friend's obvious concern and real interest in that important issue. A number of hon. Members have taken the opportunity recently to initiate foreign affairs debates in Westminster Hall, and that may be a possibility. I will convey my hon. Friend's comments to the Foreign Secretary.

Mr. Christopher Chope (Christchurch): Will the Government provide time for an early debate on the park homes working party report, which is of great significance to large numbers of constituents? It has been some two years in the preparation and is well worth a debate.

Mr. Tipping: I share the hon. Gentleman's real interest, and had some input myself into the park homes working party. There is a need to amend the legislation. The report has only recently been published and it needs to be considered carefully. Like the hon. Gentleman, I hope that we can make real progress with that issue.

Mr. David Winnick (Walsall, North): I shall initiate a debate in Westminster Hall on 6 June on compensation for former prisoners of war of the Japanese. Would it be possible for the Ministry of Defence to hurry its decision? In view of the intense brutality and outright killings involving prisoners of war, those who managed to survive—including at least three of my constituents—deserve some recognition and compensation for all the terrible things that occurred to them. I hope that when my debate takes place, a fresh and positive approach will be taken by the Government.

Mr. Tipping: The Prime Minister and Defence Ministers met leaders of the Royal British Legion and undertook to look at the matter. That undertaking has also been given to the House. I hope that some progress will be made in my hon. Friend's debate on 6 June.

Rev. Martin Smyth (Belfast, South): I understand the points made earlier by the Deputy Leader of the House, but in the light of reported press comments from America, will the House be free in its own place to debate and decide on the Police (Northern Ireland) Bill, or will there be a USA veto?

Mr. Tipping: I am delighted to tell the hon. Gentleman that, as is often the case, press reports of discussions between the Prime Minister and President Clinton are a complete fabrication.

Ms Rosie Winterton (Doncaster, Central): Will my hon. Friend find time for a debate on Government measures to assist young unemployed people? That would be particularly welcome in my constituency because it would provide the opportunity to draw attention to the

[Ms Rosie Winterton]

start of a foyer scheme to provide housing and training for young people—who not only need a roof over their head but assistance with finding a job.

Mr. Tipping: The new deal has offered a very real deal to young people both in Doncaster and throughout the country. The example of the foyer movement shows that joined-up government can not only work in Westminster, but be delivered on the ground in the middle of an important coal field.

Mr. Stephen Day (Cheadle): Will the hon. Gentleman find time for the House to discuss the Government's apparent renewal of plans to introduce regional assemblies to England? May I make it clear yet again to him and to his colleagues that in the constituency of Cheadle, and, in my experience, throughout the north-west, there is no demand whatever for yet another pointless tier of government?

Mr. Tipping: Some regional development agencies have made real progress. The issue of assemblies will, I think, appear in the next Labour manifesto—and I am sorry to say that the hon. Gentleman does not have much chance of contributing to that debate.

Mr. Alan Simpson (Nottingham, South): I draw the attention of the Deputy Leader of the House to early-day motion 782:

[*That this House is alarmed to discover that up to 100,000 hectares of this year's maize crop in Europe may be subject to GM contamination; is concerned that this is on a larger scale than the recently admitted GM contamination of oilseed rape; believes it is grossly dishonest of the European seed industry and EU officials to respond by demanding a reversal of current European zero contamination rules rather than tackling the central issue of genetic pollution; and calls on Her Majesty's Government to follow Sweden and France in destroying GM-contaminated seeds and crops, to arrange compensation for farmers, to hold seed suppliers fully liable for contamination under the polluter pays principle, and to halt seed imports which lack comprehensive verification as being GM-free.*]

Has my hon. Friend also seen the letter from the European Seed Association that was referred to by the Minister of Agriculture, Fisheries and Food at Question Time. Will it be possible for the House to have either a statement or a debate that clarifies the United Kingdom position on proposals to change the current European position, which is that there should be zero GM contamination? The European Seed Association suggests that 1 per cent. should be allowed. May I also ask him to convey to the Minister the degree of alarm that that causes Members, and society? The reassurance that there is just a little bit of genetic contamination is no more comforting than the idea of being a little bit pregnant.

Mr. Tipping: I have seen early-day motion 782. As my hon. Friend rightly says, the Minister of Agriculture, Fisheries and Food has seen it, too. Our policies on safety and science are drawn. We have looked at the claims of the European Seed Association. If any evidence is forthcoming, we will act on it and report to the House.

Mr. Eric Forth (Bromley and Chislehurst): The Minister is well known as a consensual sort of chap. Today, he again took refuge in that idea in replying to my right hon. Friend the Member for North-West Hampshire (Sir G. Young) about the debate on reform of the Lords. The Minister is looking for consensus on the matter before it can proceed. Can he help the House, and, indeed, my right hon. Friend, by defining consensus in that context?

Mr. Tipping: The right hon. Gentleman is—I am sure that he will not mind me saying—not a consensual politician. Indeed, I sometimes think that it is difficult for his own Front-Bench team to agree with anything that he says, but the Wakeham report defines a way forward. It is the best show in town. It is the vehicle to go forward. I know that he does not agree. I understand that he takes the view that if there is an elected upper House, it will have the same rights as the House of Commons. I do not agree. I do not believe that that is the mood of the House.

Mrs. Linda Gilroy (Plymouth, Sutton): Did my hon. Friend have the opportunity on Monday to read *The Guardian* and the article in it headlined, "Firework safety law was wrecked by pro-hunt plot"? If so, did he note in particular the comments of John Woodhead, who has long service in the firework industry? He said:

> If this bill had become law it would certainly help ministers now to deal with any regulation changes that might be necessary after the disastrous fireworks warehouse explosion in Holland.

Will my hon. Friend make time available for the House to debate that important issue? Does he share my concern at the actions of some Opposition Members, which appear to put the interests of those who kill foxes for fun before sensible measures such as the Fireworks Bill, which would have kept from harm children, human beings and animals?

Mr. Tipping: I have seen the report in *The Guardian*. I am also well aware of the tremendous interest that my hon. Friend has taken in the matter over a number of years, and of the support that she has received right across the spectrum, from those who are concerned with safety issues to those who manufacture and work with fireworks. It seems that the measure did fall, and the right hon. Member for Penrith and The Border (Mr. Maclean) said that the measure did not go forward as a punishment for letting Back Benchers play around with hunting. That seems to me an example of the legitimate but silly games that give the House a very bad name.

Mr. John Wilkinson (Ruislip–Northwood): Can the hon. Gentleman reassure the House that the absence of a debate on London in the next two weeks' business does not mean that the Government believe that the establishment of a Greater London Authority precludes our debating London issues, particularly those that are the responsibility not of the hon. Member for Brent, East (Mr. Livingstone) or of the London Assembly, but of Ministers? Can he reassure us that we are not precluded from debating issues such as the dome—on which £89 million of public money has recently been spent—and the priority that the Government accord to it, and Harefield hospital, in west London, which is due to close, thanks to the Government's parsimony?

Mr. Tipping: Of course London remains a seriously important issue for the House, just as transport, social security policy and the relief of poverty are issues for the

House. The dome, too, is a matter for the House. The hon. Gentleman will remember that the Government took powers to change the lottery legislation so that money could be spent not only on a dome in Greenwich, but throughout the country. Many projects in London and right across the country are benefiting from that. He also asked about lottery money being used for health. He will remember that this Government—unlike the previous Government—legislated to make it possible to put money into health.

Mr. John Cryer (Hornchurch): My hon. Friend will be aware of early-day motion 742, which states:

[*That this House considers that sufficient parliamentary time has been allocated to the City of London (Ward Elections) Bill; and calls upon the promoters of the Bill to withdraw this Bill in its current form and to resubmit proposals for a genuine democratic reform of the City of London Corporation.*]

My hon. Friend will also be aware that the Bill is the first extension of the business vote since 1832, and is a straightforward attack on democratic accountability. Although the vote on the Bill is unwhipped, as it is a private Bill, I have noticed that, in the past, our helpful friends from the Government Whips Office are always on hand to guide hon. Friends into the pro-Bill Lobby. Have we not wasted enough time on that disgraceful Bill, and is it not about time that the promoters withdrew it or the Government decided not to allocate any more time to it?

Mr. Tipping: I know that my hon. Friend has taken a real interest in that matter, and has spoken at great length about it. However, withdrawal of the Bill is a matter for its promoters. I should also like to reinforce a point that the Leader of the House made not long ago: the Bill is unwhipped business; it is a matter of private business. I should also say that the Whips have not caused me to stray any which way on that particular Bill.

Mr. Owen Paterson (North Shropshire): The right hon. Member for Hartlepool (Mr. Mandelson), who is now Secretary of State for Northern Ireland, once said that the dome would be absolutely dramatic and fantastic. When he said that, none of us realised that he was referring to the grotesque squandering of £538 million of lottery money—which, as every one of us knows, could have been spent on better lottery projects in our own constituencies. As the issue has developed such a head of steam, both within and outside the House, how can the Minister come here and say that he cannot give us a debate on this national scandal in the next week's business?

Mr. Tipping: I do not know whether the hon. Gentleman has been to the dome—

Mr. Paterson: I have.

Mr. Tipping:—but 80 per cent. of those who go to it come out saying that they have enjoyed the experience—which is dramatic and fantastic. The fact is that 6 million people will visit the dome—twice the number who will visit Alton Towers in the same period. Alton Towers is dramatic and fantastic; so is the dome.

Mr. Clive Efford (Eltham): It is more than a year since Back Benchers had the opportunity to discuss the activities of Ofsted. A few weeks ago, four of Her Majesty's inspectors entered one of the largest comprehensive schools in the country—it is in my constituency—and, after an inspection spanning only eight school periods, placed the school on special measures. My discussions with the Department for Education and Employment have revealed that only the House can hold Ofsted to account. Therefore, will my hon. Friend consider setting aside some time for us to discuss Ofsted's activities, which, as I said, have not been discussed for more than a year?

Mr. Tipping: I may not be in a position to offer a debate in the House, but the issue warrants discussion. I hope that my hon. Friend will apply for a debate in Westminster Hall. There are some serious issues to consider, including how we improve public services. Many of us believe that they can be improved by praise, reward and good example. That message has been passed to Ofsted.

Mr. Graham Brady (Altrincham and Sale, West): May we have an urgent statement from the Government, preferably as soon as we return from the Whitsun recess, on Labour's policy of closing the remaining grammar schools? On Tuesday of this week, Education Ministers in the Standing Committee considering the Learning and Skills Bill claimed that it was the Government's policy that parents should decide. None the less, a letter that has come into my possession from the Labour leader of Trafford borough council, signed also by the education spokesman, and citing one David Blunkett in support, calls on all members of the Labour party—it begins "Dear Labour party member"—to campaign by stuffing envelopes, delivering letters, canvassing door to door, telephone canvassing and collecting signatures at the school gate. It is now certain that the Labour party is getting involved in a campaign to destroy some of the best schools in the country, despite what Ministers pretend in the House. That is not acceptable. It is time that the Government came clean.

Mr. Tipping: I am delighted that the hon. Gentleman takes such an interest in the fortunes of the Labour group in Trafford, who trounced his party at the May elections. Labour remained in control of Trafford. The Government's policy is clear: it is a matter of choice for parents.

Mr. David Chaytor (Bury, North): I reiterate the concern raised by my hon. Friend the Member for Eltham (Mr. Efford) about the activities of Ofsted. I draw the attention of my hon. Friend the Minister to this week's Ofsted report on three local authorities that are deemed to be underachieving, one of which—Rochdale—is adjacent to my constituency. Last year, Bury local education authority was praised by Ofsted as one of the leading authorities in the country.

Rather than contracting out to external consultants the responsibility for the management of education in underachieving authorities, would it not be logical to use the expertise that already exists in the public sector, particularly if adjacent local authorities are performing remarkably well? Does my hon. Friend agree that that raises important constitutional issues relating to the

[Mr. David Chaytor]

fragmentation of the responsibilities of local education authorities? Will he find time in the near future for a debate on the future role of local education authorities?

Mr. Tipping: The canvas for a useful and wide-ranging debate in Westminster Hall has been set. It is important to look at the roles of Ofsted and of local education authorities. A great many local authorities do valuable and important work. We ought to promote the standard of the best and bring the others up to it. What is important is what works. If the private sector can contribute, it should have a role.

Mr. Stephen O'Brien (Eddisbury): Head teachers have confirmed that many schools in my constituency and throughout the country greatly value the ethos and the culture, the identity and the pride in their school uniforms. When will there be time for a debate on the Floor of the House about the cost of implementing the Human Rights Act 1998, which derives from Europe and is coming into force in this country in October? It is causing great concern among head teachers about what they have to do to review their rules as a matter of urgency. It could have a serious and potentially damaging effect on the culture that they have so successfully created in good schools.

Mr. Tipping: I was not aware of the point that the hon. Gentleman raised, which is a serious one. I understand that the Human Rights Act will not have the effect that he spells out, but in view of his concerns, I will draw his remarks to the attention of the Secretary of State for Education and Employment.

Mrs. Louise Ellman (Liverpool, Riverside): In answering the points raised by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), will the Minister draw to the attention of the Foreign Secretary an article that appeared in the *Teheran Times* on 12 April which stated that the holocaust was a zionist conspiracy aimed at defrauding the west? Does he consider that this House ought to have time to consider the advisability of this country cementing its relations with Iran at a time when anti-zionism and anti-semitism are being fomented, and when a show trial of 13 Jews—who are facing a possible death penalty—is being pursued?

Mr. Tipping: I must confess that I have not had the opportunity to read the *Teheran Times*, but I will procure a copy and make sure that the Prime Minister and the Foreign Secretary have the opportunity to look at it. I reassure my hon. Friend that in January, the Prime Minister and the Foreign Secretary pressed those matters extremely hard. I know from discussions this morning that they intend to pursue the issue further.

Miss Anne McIntosh (Vale of York): Will the Minister give our best wishes to the Leader of the House, who, even as we speak, may be winding her way on a caravanning holiday for the recess? Will the Minister confirm that he will make Government time available for a debate in the House on road safety? Will he express his concern about the poor record in North Yorkshire in terms of deaths and injuries—165 per 100,000 population—about which I feel most strongly? Most of the traffic involved emanates from, and is destined for, areas outside North Yorkshire. At the start of the Bank Holiday weekend, will he promise to make time for such a debate?

Mr. Tipping: I say gently to the hon. Lady that the Leader of the House is diligent—almost religious—in her attendance at this House, and takes these matters seriously. For personal reasons, she cannot be here today, and she regrets that. The hon. Lady has made an important point about taking care when we go on holiday, and there is a responsibility on all of us as individuals. There is a view that we ought to spend more on road safety than on the development of new roads and new transport structures. I think that that is a lively issue, and one that will continue to be debated across the House.

Mr. Paul Marsden (Shrewsbury and Atcham): Will my hon. Friend find time for a debate on a small but important issue—the availability of hearing aids in the national health service? I am delighted that today, my right hon. Friend the Secretary of State for Health has announced a £4 million pilot to provide new digital hearing aids to the deaf and hard of hearing, and I am proud that the Royal Shrewsbury hospital is one of those pilots.

Mr. Tipping: The extra 35 per cent. real-terms money for the national health service will give people—particularly those with a hearing impediment—new opportunities. I agree with my hon. Friend that there ought to be more choice of equipment for people with a disability.

Mr. Andrew Stunell (Hazel Grove): May I draw the attention of the deputy Leader of the House to the report issued by his boss in response to the Liaison Committee's report entitled "Shifting the Balance"? The response might well have been entitled, "Not on your Nellie". Does the hon. Gentleman agree that it is urgent that we have a debate on this matter? There cannot be much difficulty, bearing in mind that the response of the Leader of the House suggests that the Government see no backlog of Select Committee reports coming to this House for debate. There are serious issues here about holding the Executive to account, and, frankly, many of us believe that the document does not provide an adequate response from the Government.

Mr. Tipping: I am delighted that the hon. Gentleman has looked at the Government's response. "Shifting the Balance" is an important report and has consequences across the House and for the Government. The Liaison Committee met this morning to discuss the response, and there will be further opportunities in due course to take the matter further. On Select Committee reports, the measures that we have taken so far—in which the hon. Gentleman has been involved—allow for three times the number of Select Committee reports to be discussed. A lot has been achieved, but much remains to be done.

Gillian Merron (Lincoln): Will my hon. Friend find time for a debate on the issue of financial support for pensioners, so that we can have an open and honest debate to compare the differences between this Government, who are committed to reducing pensioner poverty, and the Opposition, who plan to offer a small amount with one

hand and take much more with the other? The Opposition's plans would turn the clock back for many of the more than 16,000 pensioners in Lincoln, especially the poorest among them.

Mr. Tipping: I am tempted to promise a debate on pension issues. It is clear that the only part of the pension policy that has just been announced by the Opposition that has any resonance with the pensioners is the removal both of free television licences for the over-75s and of the winter fuel allowance of £150. I would also be keen to discuss pension mis-selling, because we have never had a real apology for that. Part of that debate could also address the issue of concessionary eye tests for pensioners, which the Opposition removed, but which we are restoring. That is lively and fruitful ground for debate, and I will bear my hon. Friend's comments in mind.

Mr. Robert Syms (Poole): Can we have an urgent statement on the Government's reorganisation of NHS cleft lip and palate units? Rumours have been going around for several months. The Poole unit is threatened with closure, and we now hear rumours about a centre at Bristol or Oxford. The issue is of great concern to parents and we need some guidance on it.

Mr. Tipping: The hon. Gentleman is making the point that uncertainty is difficult to live with. People can sometimes live with bad news better than with uncertainty. It is important to hear such concerns, and I shall ensure that Health Ministers are made aware of them.

Mr. Paul Flynn (Newport, West): May I further encourage my hon. Friend to arrange a debate on early-day motion 1:

[*That this House welcomes the Government's decision to raise income support for pensioners annually in line with average earnings, but regrets the widening gap between the basic pension and income support; notes the Treasury's estimate that by April 2002 the National Insurance Fund's balance will be £8.43 billion above the minimum recommended by the Government Actuary; and urges that part of that surplus should be used to restore the link between the basic pension and average earnings for the remaining years of this Parliament, thus ensuring that all pensioners share in the nation's increasing prosperity and preventing a further increase in the number receiving income support.*]

That would give us a chance to expose the hollow opportunism of the Conservatives in trying fraudulently to gain support from pensioners by repackaging existing allowances and taking money from single parents. We could also draw attention to the fact that a major increase in pensions is now affordable, because the national insurance fund contains, above its contingency sum, some £8.8 billion this year, and will have £10.5 billion unallocated next year. We could promise pensioners future increases that are fair and based on genuine increases in inflation. Could we not make a start by linking the level of the basic pension with increases in the wages of Members of Parliament?

Mr. Tipping: My hon. Friend has campaigned on that issue for many years, not just with early-day motion 1. He will know that he was successful in persuading the Government to adopt a take-up campaign for the minimum income guarantee, and I know that he will continue to campaign for a link between pensions and earnings. We have made a start with the minimum income guarantee, and it is clear from exchanges in the Chamber today that the debate will continue.

Mr. Oliver Letwin (West Dorset): Will the Minister give us an early debate on Government codes of practice? The Government recently conducted a consultation on double taxation relief, but unfortunately they consulted on a proposal that was the opposite of what they then did without consultation. I consulted the Cabinet Secretary, who told me that the judge of whether the Government have obeyed their codes of practice is the Government. The Government, not surprisingly, have adjudged that they did obey the code in that case. In the light of that situation, may we have a debate on how we should enforce Government codes of practice in future?

Mr. Tipping: The hon. Gentleman makes his point in a charming way. He is a member of the Standing Committee considering the Finance Bill, where I understand that he has been making that point very strongly.

Mr. David Watts (St. Helens, North): Does my hon. Friend agree that one of the facts to emerge from the Rover saga is that British banks will not support British industry or jobs? Will he find time for a debate on how we can change the UK banking system so that it supports jobs and industry?

Mr. Tipping: I cannot promise time for a debate on that subject, but one of the matters that has come up today is the role of regional development agencies. I know that the RDA in my hon. Friend's constituency is working hard to ensure that funds are available for the long-term development of companies with a prosperous future in the north-west.

Mr. Nick St. Aubyn (Guildford): In evidence given to the Select Committee on Education and Employment earlier this week by the Secretary of State for Education and Employment, it emerged that the Government are prepared for secondary school class sizes to increase as a result of the abolition of the assisted places scheme. Today is the final day of the Standing Committee on the Learning and Skills Bill, and proceedings have been thrown into disarray by the tabling of a slew of amendments concerning city academies.

It is obvious that the Government do not understand how to involve the dynamism and innovation of the private sector in raising standards in our schools. May we have a debate on the Floor of the House on the role of the private sector in our education system? The Government have much to learn from what the previous Conservative Government achieved in improving standards in schools by positively involving the private sector. City academies, and what is happening in Surrey county council and elsewhere, are examples of that.

Mr. Tipping: I cannot promise the hon. Gentleman that debate, but I can promise that the Government will achieve our targets. Places will be provided for all three and four-year-olds who want them, and we are achieving

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our targets in infant schools and junior schools. Much has been achieved, although work remains to be done in secondary schools. The Government are achieving our target of raising standards for all children, right across the country.

Mr. Gordon Prentice (Pendle): Is my hon. Friend aware that I have tabled an amendment to the Countryside and Rights of Way Bill to ban hunting with dogs, and that it is attracting awesome levels of support? I anticipate that the Bill will come back on Report in the week beginning 12 June. Are the Government addressing the possibility of introducing a multi-option Bill, along the lines of the 1994 Bill on Sunday trading? If the Government introduce that alternative, I would be minded not to press my amendment to a vote; if they do not, I might just have to press it.

Mr. Tipping: My hon. Friend has pursued this issue over many years. I have a feeling that he is trying to hunt me down as his prey. I shall not negotiate with him over the Dispatch Box, but I will say that I shall not anticipate when the Countryside and Rights of Way Bill will return on Report, nor when the Burns inquiry report will be published. That report will be received and published shortly, and the Government will then make their position absolutely clear. We are confident that an overwhelming majority of hon. Members in the House of Commons support a ban on fox hunting.

Mr. John Bercow (Buckingham): Can we have an urgent debate in Government time on ministerial responsibility? Given the saga of delay, incompetence and profligacy that has characterised the millennium dome, would not such a debate afford hon. Members the chance to explain that, now that Mr. Stephen Bayley, Miss Jenny Page and Mr. Bob Ayling have carried the can and been booted out, it is time that Ministers accepted responsibility for the dome? Would not such a debate give the House the opportunity to tell the Secretaries of State for Culture, Media and Sport and for Northern Ireland that they should do the decent thing, either through the tried-and-tested method of a glass of whisky and a revolver, or by submitting their letters of resignation without delay to the Prime Minister?

Mr. Tipping: I think that the hon. Gentleman should himself do the decent thing, and acknowledge that the dome was planned by the previous Government, and that Cabinet Ministers from that Government were involved in the plan. He should then come clean, and remind the House that he advised Cabinet Ministers in the previous Government.

Mr. Tony McWalter (Hemel Hempstead): Is my hon. Friend aware that a miracle happened this week, in that Conservative Front Benchers produced a report that was costed, reasonable and worth serious consideration? As an increase in motorcycle use would reduce some of the pressure on our transport infrastructure, will my hon. Friend draw the report to the attention of the Minister for Transport, as well as reminding him that in our integrated transport policy we tried to give motorcycles an important role? Will my hon. Friend do that in the very near future, so that the political kudos that Conservative Members might otherwise obtain will not be long in the tooth?

Mr. Tipping: I always rejoice when miracles are announced, particularly when sinners repent and manage to get their sums right. I think that what my hon. Friend is asking me to do is to ensure that Conservative Members have a chance to get on their bikes and off to a well-deserved holiday. I will bear his comments in mind.

Mr. David Taylor (North–West Leicestershire): Am I right to be charitable and to think it a mere coincidence that the Government's contentious waste strategy is to be published today, just before the recess? As the Minister will be aware, many mining and quarrying areas in the east midlands are particularly susceptible to the attentions of landfill operators. We must drive down the amount of waste in landfill sites and increase the amount that is recycled, so that communities such as Boothorpe and Breedon in North-West Leicestershire are not so damaged by what is likely to happen to them. Can my hon. Friend reassure me that there will be a statement on this strategy shortly after the recess, so that there can be a full debate on these important matters?

Mr. Tipping: My hon. Friend raised the matter in the House last week, and, miraculously, the report was published at 11 o'clock this morning.

Mr. Taylor: Post hoc ergo propter hoc.

Mr. Tipping: I hope that my hon. Friend will get a copy. The report was announced, properly, in a parliamentary answer. The target in the report is to drive down landfill by 85 per cent., to 1998 levels. That is a big step forward, and it could be a win-win situation for all of us if we behave properly. If we recycle and use compost, we will lift the landscape and reduce public taxation. I am very keen to have a debate on that subject.

Orders of the Day

Electronic Communications Bill

Lords amendments considered.

Clause 2

ARRANGEMENTS FOR THE GRANT OF APPROVALS

Lords amendment: No. 1, in page 2, line 13, leave out—

("subsection (3) applies in that person's case") and insert

("the condition for the grant of an approval to that person is fulfilled in accordance with subsection (3)")

1.18 pm

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): I beg to move, That this House agrees with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendments Nos. 2, 3 and 10 to 14.

Ms Hewitt: This group of amendments largely stems from a commitment that I made in Committee and on Report when I undertook to see whether the drafting of the clause could be simplified while preserving the necessary powers of the approvals authority. The amendments do that by expanding on the cross-references between subsections (2) and (3).

It was also drawn to our attention that the description in clause 6(3) of cryptography support services being provided in the United Kingdom related only to clause 2. It therefore seemed sensible that the description should be moved from clause 6 to clause 2. The amendments accomplish that.

Amendments Nos. 11, 12, 13 and 14 simply correct some grammatical errors in the original drafting. I assure the House that this group of amendments does not change the legal effect of the Bill in any way. I therefore commend the amendment to the House.

Lords amendment agreed to.

Lords amendments Nos. 2 and 3 agreed to.

Clause 4

REGULATIONS UNDER PART I

Lords amendment: No. 4, in page 5, line 3, after ("prescribed") insert ("public")

Ms Hewitt: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendments Nos. 5 and 6.

Ms Hewitt: The three amendments to clause 4 deal with the recommendation that was made by the Select Committee on Delegated Powers and Deregulation in another place. It saw the need for the power conferred by subsection (2)(c), but considered that it was too widely drawn. The amendments mean that any additional gateways for the disclosure of regulatory information must relate to public functions.

Lords amendment agreed to.

Lords amendments Nos. 5 and 6 agreed to.

Clause 5

ELECTRONIC SIGNATURES AND RELATED CERTIFICATES

Lords amendment: No. 7, in page 5, line 29, after ("instrument") insert—

(", which (except in the case of the initial regulations) shall be")

Ms Hewitt: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendments Nos. 8, 9 and 22.

Ms Hewitt: Amendments Nos. 7, 8 and 22 meet two further recommendations of the Select Committee on Delegated Powers and Deregulation. They deal with the parliamentary control that would be exercised if the Government's preference for self-regulation could not be achieved, and, therefore, we decided to implement the statutory regime under part I. Amendment No. 22 would mean that part I could not be implemented unless each House had approved the commencement order. Therefore, it would include in the Bill the undertaking that I gave during earlier stages to return to Parliament before commencing with part I.

Amendments Nos. 7 and 8 are closely related. They would mean that the first time that the Secretary of State exercised his resolution-making powers under part I, they would be subject to the affirmative procedure. On subsequent occasions, they would be subject to the negative procedure. Taken together, the amendments strike a sensible balance between ensuring parliamentary control over a decision to implement part I and ensuring that, if we introduced a statutory approvals scheme, it could be operated flexibly and sensibly.

Amendment No. 9 meets a commitment given in another place to include in the Bill our decision to consult on the approvals criteria.

Mrs. Angela Browning (Tiverton and Honiton): I welcome what the Minister has said and especially her honouring of a commitment made to my noble Friend Baroness Buscombe in another place.

On amendment No. 9 and the need—and the Government's willingness—to consult those affected, a pattern has developed in consultations on secondary legislation, especially those involving business. I urge the Minister to consider the lead times necessary for business to be consulted. Businesses increasingly find that little time is allowed for consultation, especially given the other pressures on their time. I hope that, in recognising the need for consultation under amendment No. 9, the Minister can assure the House that the Department will set realistic timetables for business consultation.

Mr. Richard Allan (Sheffield, Hallam): I, too, welcome the Government's commitment, which was expressed by Lord Sainsbury of Turville in another place,

[Mr. Richard Allan]

to respond to issues that we raised in Committee. The Minister will know that the Opposition remain concerned about the prospect of part I being implemented. Therefore, an extra block on that, such as having to undertake another parliamentary procedure, is welcome. I should be interested to know whether the Minister could give us an update on the progress of the Government's negotiations with industry on the Tscheme proposals. I understand that they represent a way in which to avoid implementing part I and even the commitment that has been made to bring such matters before Parliament.

On amendment No. 9, to which the hon. Member for Tiverton and Honiton (Mrs. Browning) referred, can the Minister tell us whether the Government have any idea of the time scale that they will set themselves to work with industry? Amendment No. 9 refers to consultation with industry, but such matters would not be dealt with unless and until comprehensive consultations and negotiations on the Tscheme had been undertaken with industry. I hope that the Minister will tell us about the Government's intended time scales for seeking parliamentary approval for the regulations under the amendments, and for laying them before the House and consulting on them. Such matters are important for Britain's future in electronic commerce.

Ms Hewitt: I am grateful to the hon. Member for Tiverton and Honiton (Mrs. Browning) for supporting these and earlier amendments. My right hon. Friend the Secretary of State and I are well aware of business concerns about the need to allow proper time for consultation on this and other matters. I confirm that we are considering that matter and seeking to ensure that there are both adequate consultation periods and adequate periods between the introduction of regulations and their coming into effect. Certainly, if we brought part I of the Bill into effect, we would ensure that there was proper time for consultation.

On the matter raised by the hon. Member for Sheffield, Hallam (Mr. Allan), I am pleased to say that the industry has been making excellent progress in establishing the Tscheme—the voluntary, self-regulatory scheme that we debated in some detail in Committee. Indeed, the second board meeting of members of the scheme was held earlier this week. At this stage, I am confident that the progress which is being demonstrated, and which will, I am sure, be maintained, should make the introduction of part I unnecessary.

Lords amendment agreed to.

Lords amendments Nos. 8 to 14 agreed to.

Clause 8

POWER TO MODIFY LEGISLATION

Lords amendment: No. 15, in page 8, line 30, at end insert—

("( ) any such provision in relation to electronic communications or electronic storage the use of which is authorised otherwise than by an order under this section as corresponds to any provision falling within any of the preceding paragraphs that may be made where it is such an order that authorises the use of the communications or storage.")

Ms Hewitt: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendment No. 16.

Ms Hewitt: These amendments are technical and amplify the power contained in clause 8. Amendment No. 15 is intended to ensure that the clause works in the same way when an order facilitates electronic communication as when it authorises such communication. The clause 8 power can operate on both primary and secondary legislation. Amendment No. 16 makes it clear that clause 8 could also operate by modifying a power to make secondary legislation.

I commend the amendments to the House.

Mr. Allan: Again, I welcome the amendments. The Minister will be aware that in Committee hon. Members on both sides—including Labour Back Benchers, who made some important contributions—strongly expressed the view that the clause 8 powers should be put in place as swiftly and effectively as possible to facilitate the Government moving towards the use of electronic communications and storage of data. Clearly, the Government took that feeling on board and are trying to do so.

We welcome the fact that the amendments would facilitate that process and would enable the Government not to find unnecessary blocks further down the road to moving from traditional paper-based methods to electronic methods. In that context, the Liberal Democrats certainly see the amendments as an important addition to the clause. However, I reiterate our desire for the Government to move ahead with clause 8 powers as quickly as they can once the Bill becomes law.

Lords amendment agreed to.

Lords amendment No.16 agreed to.

Clause 9

SECTION 8 ORDERS

Lords amendment: No. 17, in page 9, line 6, at end insert—

("and section *(Modifications in relation to Welsh matters)*(1)")

Ms Hewitt: I beg to move, That this House agrees with the Lords in the said amendment.

Madam Speaker: With this it will be convenient to discuss Lords amendments Nos. 18 to 21.

Ms Hewitt: This group of amendments is designed to ensure that the National Assembly for Wales can exercise the order-making power in clause 8 to authorise or facilitate electronic communications for functions that are exercisable by the Assembly.

Clause 9 (7) already gives powers to Scottish Ministers. I trust that hon. Members on both sides of the House will want consistency in the application of devolution. The amendments would give effect to that principle. Therefore, I commend them to the House.

Mr. Allan: Again, we welcome the amendments. On a small note of concern, however, let me say that the Minister will know that we are fully in favour of the devolution process that has taken place and see an important role for the National Assembly for Wales, but the trend seems to be for Welsh provisions to be tacked on to legislation late on. A similar process happened with the Learning and Skills Bill when systems that would put in place a comparable system to those in the Bill for England were added on later.

We are concerned that we did not see the comparable provisions for Wales in this Bill until this week, late in its passage through another place. I understand that that may be because of the time required to consult with Members of the Welsh Assembly and we certainly want consultation to take place in that way. Members of the Welsh Assembly should have a good look at the proposals before they are put on the amendment paper here. However, I should be interested to know if there are particular reasons why the Minister could not produce the amendments when the Bill was passing through its major stages in this House. Why did we have to wait until the Bill went to another place to see the Welsh provisions? It should have been fairly obvious at an early stage that they were necessary.

Lords amendment agreed to.

Lords amendments Nos. 18 to 21 agreed to.

Adjournment (Whitsun)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Pope.]*

1.30 pm

Mr. Gareth R. Thomas (Harrow, West): I am grateful for the opportunity to speak in the debate. I was lucky enough to be one of the first Members to take part in the NCVO—National Council for Voluntary Organisations—secondment scheme, which mirrors the work of the Industry and Parliament Trust. As part of my stint, I spent two days with Alcohol Concern, including visiting alcohol misuse counselling services in my constituency. It became clear to me that we urgently need a strategy to deal with alcohol misuse.

I know that the Government are very committed to such a strategy, but I hope that my hon. Friend the Parliamentary Secretary, Privy Council Office will impress on Ministers at the Department of Health the urgency of the matter. If we are serious about wanting to improve our public health, we must tackle alcohol misuse. It crops up in many places—either as a direct cause of ill health or as a key contributory factor.

The impact of alcohol misuse on the national health service and on the family is well known; it also affects teenage pregnancy statistics and vulnerable people. The effects can be seen in exclusions from schools and in social exclusion in the wider sense. The impact is felt in the workplace and in accidents and crime. One in six people attend accident and emergency units as a result of alcohol-related incidents or problems. About 31,300 hospital admissions are due to alcohol dependence syndrome; there is a huge impact on the NHS.

In relation to families, between 60 and 70 per cent. of men who are convicted for assault on their partner committed the assault while under the influence of alcohol. Heavy drinking by parents is a factor in more than 50 per cent. of child protection case conferences. It clearly has a powerful impact in cases of child abuse.

Alcohol misuse affects the vulnerable. About 65 per cent. of suicide attempts are linked to excessive drinking. There are implications for pregnancy—especially teenage pregnancy. About one in five men and one in six women admit to having unsafe sex after drinking too much. That is another strong reason for the urgent introduction of a strategy to deal with alcohol misuse.

It is surely tragedy enough that 11 to 15-year-olds are drinking, but the mean weekly consumption of alcohol among that group rose from about 5.3 units in 1990 to 9.9 units in 1998. About 20 per cent. of excluded pupils were suspended for drinking at school.

Between 20 and 30 per cent. of all accidents are alcohol related; 15 per cent. of drownings and about 39 per cent. of deaths from fire are linked to alcohol. Another alarming statistic is that about 50 per cent. of rough sleepers are alcohol dependent.

I know that the Government are committed to a strategy to deal with alcohol misuse. I hope that my hon. Friend the Minister will apply some gentle pressure in the way that only he can do to ensure that the strategy is brought forward as a matter of urgency.

I want briefly to raise two other key issues. The first is the siting of mobile phone masts, an issue that is of great concern in my constituency. I praise Harrow council for

[Mr. Gareth R. Thomas]

the way in which it has sought to ensure that all mobile phone mast applications are carefully considered. Many residents in Salisbury road in the Headstone South ward of my constituency have argued vociferously against the planned siting of a mobile phone mast close to their homes, and the Montesole Court residents have liaised with me about a particular aspect of the process by which mobile phone mast applications are considered. Members of the Pinner Green residents association are also greatly concerned about an application for a mast to be located in their area.

As a matter of urgency, we need to implement the recommendations of the Stewart inquiry. Members on both sides of the House will be frustrated on occasions by the fact that they cannot stop or overturn decisions to grant planning permission to such masts. I share that frustration given the number of masts that have been sited in my constituency. Rather than assuming that the masts are a good thing, we need to ensure that full and proper consideration is given to the siting of the masts through the normal planning process. When permission has been granted for a mast, we should consider whether residents should not be able to appeal against the decision that has been made.

I hope that my hon. Friend the Minister will stress to the Department of the Environment, Transport and the Regions the need for one of the recommendations of the Stewart inquiry to be implemented. It concluded that, for all base stations including those with masts under 15 m, permitted development rights should be revoked and that the siting of all new base stations should be subject to the normal planning process. I hope that that point will be identified as a matter for the immediate attention of planning Ministers.

The final issue that I want to raise is the need for Ministers to encourage the promotion of corporate social and environmental responsibility. In that context, I praise the Co-operative bank, which won an award—the first such award—on the 4 May for the quality of its social reporting. The award was presented by my hon. Friend the Minister for Competition and Consumer Affairs and the bank summed the issue up nicely when it said:

> A social reporting award for the UK is long overdue—the process of producing a "warts and all" report can at times be a painful experience, particularly when competitors produce glossy PR brochures which focus on style over substance.

The Government should place additional pressure on businesses, particularly large businesses, to follow the auditing and reporting standards set out by AccountAbility—the institute of social and ethical accountability—in its AA1000 standard.

With those few remarks on three entirely different subjects, I hope that my hon. Friend the Minister will be able to encourage action by the Ministers responsible for the issues that I have described.

1.39 pm

Mr. Stephen Day (Cheadle): I believe that the House should consider three matters before rising, all of which are of vital interest to my constituents. Two of those matters are not contentious, merely unaddressed.

First, aircraft noise regulations would give airports statutory authority to fine airlines whose aircraft stray from the official approach and departure flight paths. That matter is of great interest to many of my constituents. I am sure that the Minister is aware that Manchester airport is a great asset to the area that I am privileged to represent, and is an important employer and wealth provider. However, it causes many of my constituents grave concern, given the disruption that aircraft noise can create.

Many people in my constituency support the idea that the Government should give such powers to airports like Manchester. That would be of great help in reducing the detrimental environmental impact that unnecessary aircraft noise can cause. From experience, I know that the previous Government approved of such regulations in principle. That is also true of the present Government, and, although I am not totally certain, I believe that such regulations exist in draft form. Perhaps the Minister will enlighten me and confirm that that is so. I cannot believe that such a beneficial and non-contentious measure would be opposed in the House, so I hope that the Government can find time to introduce it.

The second issue that I wish to raise on my constituents' behalf relates to existing regulations and a promise made in a public inquiry that took place as part of the inquiry on the central section of the Manchester airport eastern link road. That section of the road has been built, although the remaining two sections have not, as I shall discuss later. Residents of Chester's Croft live in homes that are classified as mobile homes, although they are permanent, having been in existence for at least 40 years and possibly even longer. The homes have gardens and are raised on bricks, with no wheels in sight.

Chester's Croft is a very pleasant place to live, but it is right next door to the new road. If its residents lived in normal brick-built residential dwellings—permanent homes, as the law would have it—they would have the right to claim compensation for noise generated by the new road running alongside their homes. However, they do not have that right because of the way in which their homes are classified. The Government agree with me that they should have that right, and the Under-Secretary of State for the Environment, Transport and the Regions in the other place sent me a letter apologising for the fact that the promised regulations have still not been introduced. The residents have waited for at least six years for such regulations, so, again, I hope that the Government can find time for something that they accept will bring only benefit to my constituents and, I suspect, other hon. Members' constituents as well.

My understanding is that probably since the noble Lord wrote to me to apologise for the delay, the regulations have been and are still being checked by the Department's solicitors. What on earth are they checking? The regulations exist; they simply need to be applied to mobile home owners. I hope that the Parliamentary Secretary will be able to give my constituents some sight of light at the end of a long, dark tunnel as they wait for the promises to be delivered.

As hon. Members can see, there are in my constituency a number of outstanding problems of serious concern to the people who live there. The third matter is the Manchester airport eastern link road, a subject that I have raised so many times in the House that I have almost lost count, but I shall persist until that motorway is completed.

The central section of the Manchester airport eastern link road is in existence. It runs from the A34 south of Cheadle through to the Woodford road between the villages of Bramhall and Woodford. A junction exists between those villages that was never intended to exist.

A large campaign was mounted, and more than 7,000 people in my constituency signed a petition. The petition was left in post offices; it was not taken around and people were not asked or pressurised to sign it while they were out shopping. People who went into their local post office willingly signed it, asking the Government to help to complete the road.

The Manchester airport eastern link road, one would think, should join the airport. It does not. The main route south of the M56 to Manchester airport means that through Finney lane and Heald Green, where the missing western section should be, there is a narrow road through the village of Heald Green. My constituents there cannot get their cars out of their driveways and on to Finney lane during rush hour.

The eastern section should link up to the A6M Hazel Grove bypass. I see that the hon. Member for Hazel Grove (Mr. Stunell) is in his place. I shall not say too much about what is, strictly speaking, a matter for him as the local Member of Parliament. I know that he shares my view, and that I will not be expressing any view with which he does not agree. The many hon. Members representing the area want the motorway network completed. What have we got in its place? I am sure that the hon. Member for Hazel Grove would be willing to tell us, perhaps less politely, outside the Chamber.

We have a study. Wowee! A road network for which my constituents have waited 30 years is again being studied, after umpteen public inquiries into the need for the roads to be completed. That is basically a mechanism for the entire issue to be kicked into touch.

The petition that I mentioned, with more than 7,000 signatures voluntarily given, was presented to the Department of the Environment, Transport and the Regions. The previous Government gave a starting date for completion of the western section through to the airport and for completion of the eastern section from Woodford road between the villages of Bramhall and Woodford through to the A523. The A6M is a slightly different story in terms of progress on public inquiries and so on.

My constituents suddenly found that when the Government changed, the new Government took away everything that had been promised to them. I do not wish particularly to get angry or annoyed with the Government, although many of my constituents would. I know that I am not the only Member of Parliament and my communities are not the only communities in the country to have suffered similarly from such decisions.

I merely plead with the Parliamentary Secretary on behalf of my constituents to ensure that the study is real, even though I would prefer a decision. We just need the road built. Matters get worse and worse. There is to be a second runway at Manchester airport, and traffic, we know, will increase. We have well over an additional 20,000 to 30,000 car movements a day from shopping centres built alongside the existing section. The pressures are enormous.

I wish that the House could have debated and voted on the matter before we rose. If hon. Members came with me—all would be welcome—to Bramhall and Woodford at one end and Heald Green at the other, and, while they were there, went to Hazel Grove, at the invitation of hon. Member for Hazel Grove, they would see that what I am saying is nothing less than the truth, and it is the message that my constituents desperately want to be heard.

1.50 pm

Mrs. Ann Cryer (Keighley): It is appropriate that the hon. Member for Cheadle (Mr. Day) should have spoken about a long, dark tunnel because I want to talk about our railway heritage. I thank my hon. Friend the Parliamentary Secretary for being here today to listen to the debate. Unusually for an Adjournment debate, I shall not ask him or his ministerial colleagues to do anything in particular, other than to give moral support to our railway heritage.

First, I should say that I have five £10 shares in the Keighley and Worth Valley Railway Company, which is a non-profit-making company, so I do not receive a dividend. I am also president of the Keighley and Worth Valley Railway Preservation Society and vice-president of the Keighley bus museum and the Friends of the Settle to Carlisle railway.

I want to say a few words in praise of railway preservers or preservationists—I am not sure what to call them, but not, as they are sometimes described in the media, railway buffs, anoraks, amateurs or people playing at trains. I dislike such terms intensely. I am talking about men and women with the many skills needed to run a railway professionally in accordance with the precise and high requirements of the Health and Safety Executive. They simply want the pleasure of preserving the nation's industrial, transport and, often, architectural heritage, so that we and future generations can understand and appreciate what went before.

The wonderful assistants in the Library have provided me with a list of UK heritage railways. It starts with the Alford valley railway, the Amberley museum and the Appleby Frodingham Railway Preservation Society, and finishes with the Wensleydale Railway Association, West Clare railway, West Lancashire light railway and West Somerset railway. I do not know a great deal about those railways, but there are approximately 100 railway preservation societies, all staffed by men and women who are dedicated to the preservation of railways, locomotives and carriages.

The preservation society that I know best is the Keighley and Worth Valley Railway Preservation Society so I shall dwell on that, not to the exclusion of all else but, because what has happened during the more than 30 years of that society's history is typical of how railway preservation in Britain has progressed. My late husband, Bob Cryer, started the Keighley and Worth Valley Railway Preservation Society in 1961 as a result of the Beeching closure of the line from Keighley to Oxenhope. He called a meeting which was attended by more than 100 local people. The original idea was that the line should be preserved as a public service, but that was found to be too difficult so the preservation society was established, and still exists.

At that time, only one other railway was operated by volunteers, and that was the Bluebell railway in Sussex. The Keighley and Worth Valley railway was the second

[Mrs. Ann Cryer]

in the country to take on the responsibility of running a railway. I think it is fair to say that the Bluebell railway made the mistake of appointing a "fat controller" or "Sir Topham Hat" to run the railway, and arguments developed between him and the volunteer force. Volunteers like to be treated as what they are—talented, skilled, capable people. I am afraid that what happened with the Bluebell railway did not suggest that that was appreciated, and, subsequently, things started to fall apart fairly quickly. However, the railway changed its schemes later, and I believe that Sir Topham Hat—he was not really called that, of course—was disposed of.

In the Worth Valley railway society, we learned from that mistake. My husband recognised that the railway needed to be run more like a local authority, or a co-operative. Accordingly, a number of committees were formed to run the various departments. The committees have representatives on the railway's central council, and it operates in the same way to this day. It is a highly democratic organisation: those who do the work make the decisions. I do not think there can be any better demonstration of democracy than that.

Things have changed during the railway's history. As I said, we took it over in 1961, but I think that about four years passed before we had the right to run trains over the Worth valley metals. The Worth Valley railway society purchased the line from British Railways on the basis of a sort of hire-purchase agreement, and it opened to traffic in 1967. For the first few years it ran trains only occasionally, but the traffic gradually increased. Currently, we run trains throughout July and August, during bank holiday weeks and at Christmas, and we run plenty of special trains. For instance, in a couple of weeks we shall have a "Thomas the Tank Engine" special day or two. Such events attract many people to the railways.

We need support, but those who give their time and talents to running the railway can do so only if they too are supported by people who pay fares to go on it.

The Government have supported us indirectly, through the heritage lottery fund. The fund has just given the railway money to build sheds at Oxenhope to house the many locomotives and carriages that we now own. It is not only a rare but a large collection, and it needs to be protected from the severe weather that we have in the Worth valley. We hope that the sheds will eventually be erected at Oxenhope; I thank the Minister for Tourism, Film and Broadcasting for helping us with advice on applying for lottery support.

We also need places to put our engines and carriages during the railway's redevelopment at Oxenhope. They are very old and will need protection. We expect them to be moved to aircraft hangars and other sites across the country.

I hope that what I have said will encourage hon. Members and those outside the House to visit, support and possibly even join railway preservation societies. They can be assured of a warm welcome on the Worth Valley railway and, I am sure, many others.

I thank my hon. Friend the Parliamentary Secretary for listening, and, as I say, I hope that my speech will encourage hon. Members on both sides of the House to visit and become involved with their local railway preservation societies, wherever they are.

1.59 pm

Mr. Mark Oaten (Winchester): I want to raise an issue that I am constantly warned not to raise on the Floor of the House. I am told that raising it seems like self-interest and whingeing, and sends a signal that whoever raises it does not really want to be a Member of Parliament.

The issue that I want to raise is modernisation of the House of Commons, and changing the role of Members of Parliament. I am aware that it is once more a topical issue, following last week's decision by the hon. Member for Gloucester (Ms Kingham) to announce, quite publicly, that she would not stand at the next election. That prompted considerable concern about the workings of the House of Commons. In my maiden speech, after I was elected three years ago, I made some observations about being a Member of Parliament. I was told by a colleague that that was most unwise, it was better to put up with the situation—not moan or complain—and my constituents would not understand if, having worked so hard to get here, I started complaining about the process.

There is a reluctance among some hon. Members in all parts of the House to raise the matter because it makes them seem unhappy with the job. I love the job and enjoy being the Member of Parliament for Winchester—but I am deeply dissatisfied with the process by which we serve. I want that changed not out of self-interest but because I genuinely believe that the manner in which we operate is not good for the country. Other hon. Members will follow the hon. Member for Gloucester, and prospective parliamentary candidates may be discouraged from standing for election.

Over the past week in particular, there has been much press focus on women MPs, who are said to be fed up with the working hours. I believe that there is cross-party disquiet among hon Members of both sexes. If male Members do not argue the point, it will be said that the Blair babes are revolting on the issue when concern goes much wider.

Much time has been spent studying why the electorate are turned off politics. In the mayoral and local council election a few weeks ago, many attempts were made to improve turnout. Watford, example, tried holding elections on Saturday or Sunday, with polling in Asda or Tesco. I welcome those innovations but the evidence is that turnout did not increase in many cases. I believe that one factor turning off the electorate is the workings of Parliament that they see on television every night of the week.

Those who argue for a change in our working hours are not doing so to get to lie in bed longer in the morning or take longer holidays. It is a question of using the time that we have more effectively. I am arguing that we should work not fewer hours, but more sensible hours, and that we should structure the parliamentary week in a much better way. When the Modernisation Committee considers the matter the week after we return from the recess, I hope that it will look carefully at the radical options, which include a fixed working week with fixed hours. We could debate for ever what those hours should be. My personal preference is for a guaranteed finish at 7 o'clock, with a change in the hours of Select Committees, with some sitting in the evening.

In one sense, time is not the issue. The critical factor is predictability, so that one knows what is going to take place. I do not mind staying here until 2 am to debate emergency situations in Kosovo and Sierra Leone or major domestic issues but I object—

Mr. John Cryer (Hornchurch): Does the hon. Gentleman agree that one of the few weapons available to the Opposition—I will not say whether I approve—is time? Does he propose taking that weapon away from the Opposition?

Mr. Oaten: No, but I do not believe that that weapon is used by the Opposition. It is used by a couple of hon Members who want to throw the business of the House into chaos. Speeches made by those hon. Members at 1, 2 or 3 o'clock in the morning contain no points of substance. I am not convinced that they are a serious challenge to the Government on key issues. Such speeches are designed to play public schoolboy games. I do not believe people have any time for hon Members who do such a thing at that time of night. I am more than happy to be here if the Executive is being held to account. It is not.

When I tell constituents about the time scale that we work to, sometimes going through to 1 or 2 o'clock in the morning, they cannot believe that the Government are making critical decisions at that time in the morning. What other sensible organisation would make its most important decisions at 1 or 2 o'clock in the morning, when hon. Members are tired and often tetchy?

The House of Commons Library has produced a number of figures on how Parliaments operate throughout the world. I have not had a chance to read that in detail, but I believe that we are the Parliament that works longest and that sits until the latest hour, apart from Australia, which sits until 11 o'clock on Mondays, so the Modernisation Committee needs to look carefully at the issue of hours.

I want to move on to some of the other issues, because we are in danger on getting hung up on thinking that modernisation is just about hours. It is about many more things, too. The tag on to the hour issue is electronic voting and the way in which we physically vote in the House of Commons.

I know that the issue has been looked at in the past and that Members have rejected it. I think that the various options confused many Members. That was probably one of the reasons why there was no clear vote in favour of electronic voting. If there is a cut-off point of, say, 10 o'clock, when business is guaranteed to end, because of the voting system, the House can often go through to 11 o'clock or 11.30, if there are four or five votes after that time. Again, that is nonsense.

The argument that we need to have pushing and shoving down two corridors because it is an opportunity for hon. Members to bump into other hon. Members, or indeed to rub shoulders with the Prime Minister and the Chancellor of the Exchequer, does not seem credible. Their voting records suggest that those right hon. Members are not in those corridors anyway, so there is not much chance of bumping into them.

Divisions are one of the rather amusing anecdotes that we can tell in after-dinner speeches. During a tour of the House of Commons, one of the amusing moments is when constituents are made to push and shove through the corridors. Everyone has a good laugh. It is all very funny when we are showing constituents around in the morning. It is a lot less funny and seems very silly when it is done at 11 and 12 o'clock at night. I see no reason why we cannot quickly move to electronic voting to speed up that process.

The image of the House of Commons itself raises wider concerns about why we find it hard to engage the public in politics and to encourage young people in particular to get involved in the political system. If we step back and look at the image that comes across on the television screens, what do we see? For example, there is the issue of whether we can clap in the Chamber. If someone makes a good point, instead of clapping—which is universally accepted throughout the world as the way of showing support and appreciation—we all have to go, "Hear, hear, hear" and we sound like a bunch of farmyard animals. When people watch that on television, they do not understand. They cannot understand why that sort of noise is coming from grown men and women. That turns people off from looking at politics.

There is also the issue of attracting your eye, Mr. Deputy Speaker. Again, when people are looking at the House of Commons, they do not understand why it is that we are all bobbing up and down trying to catch your eye. They write to us asking whether we can make a point on the Floor of the House, raise a question or try to participate in a debate. They do not understand when we say, "I will bob and up and down, but there is no guarantee that I will be called in that debate."

One of the problems is that, often, not many Members are in the Chamber itself. The difficulty is knowing whether they will be able to catch the Speaker's eye during a debate. There must be a better system of guaranteeing fairness, so that both sides can take part in the debate, obviously allowing for spontaneous interest and for interventions to take place in the debate. Surely, there must be a more formal way in which we can guarantee that Members will get individual slots, rather than having to try to catch the Speaker's eye in the rather old-fashioned way of bobbing up and down.

I add another thing about image: the issue of calling hon. Members "hon. Members" and not being able to use the word "you" in the Chamber—I am glad, Mr. Deputy Speaker, that you have not just picked me up on that. There are occasions when the word "you" is used and is not meant to be a deliberate phrase against an individual, but the amount of times that I have been picked up on that in Committee is immensely irritating, and it stops the flow of thought. I find it very difficult. I am amazed at how Members and Deputy Speakers can do it, but I cannot remember the names of the constituencies of hon. Members. I would like to refer to them more often, but feel held back from doing that because we have to call them "hon. Members."

I had hoped to speak for only 10 minutes—to make the point that one of the ways in which the House could be improved would be for hon. Members to speak less—but I beg the House's indulgence to allow me quickly to make two more points, the first of which is on the resources and facilities provided to hon. Members.

[Mr. Oaten]

Like other hon. Members, I have found it extremely difficult to work within our office cost allowances. Although my bank manager would tell me that I have always been bad with money, I have to say that, as evidence shows that more than 100 Members of Parliament overspent their most recent office cost allowance, we cannot all be bad with money. The allocation that we are given to run our offices is simply not adequate.

By the time that I have paid £12,000 for my rented office in Winchester—where one cannot find a cheaper office—and a similar amount to a researcher and to a secretary, in Westminster, to a dictation secretary, in my constituency, and for computers, I have nothing left. If hon. Members are going to be proper, democratically accountable Members of Parliament, providing a good service, they have a serious problem if they are not being provided with adequate resources to do the job properly.

I believe that the solution lies in having fewer and better-resourced—but also much more accountable—Members of Parliament. That is why I argue that there should be a legal requirement for hon. Members to produce an annual report, which would go to all their constituents, list what they have done, show that they are accountable and try to restore the link between the public's election of someone to this place and their knowledge of what those individuals are doing here, other than disappearing for four or five years.

If we made more resources available to hon. Members, but required them to be accountable, we would also help to restore the role of Members of Parliament, which is not highly valued in many constituencies.

I hope that the Modernisation Committee does not limit its work to narrow changes and to tweaks at the edges. I accept that, in this Parliament, we shall perhaps make progress only on hours and electronic voting. However, I believe that there is an enormous opportunity for the Government—a modernising Government who want to reconsider issues and be positive about creating a new democracy—to do some significant work, to bring in some consultants and to consider examples from around the world, to make real change in the way in which we run democracy.

My hope is based not on self-interest, but on a genuine belief that the way things are being run is not good, that we are turning off good people from coming into politics, and that we are turning off the electorate from the work that we do.

2.12 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I agree with some of the concerns expressed by the hon. Member for Winchester (Mr. Oaten). I agree with his concern about the House's long hours—working, as he said, until 2 am or 3 am—which certainly do not deliver better government. I do not agree with everything that he said, but I agree with some of the sentiments that he expressed. I am sure that my hon. Friend the Parliamentary Secretary will reply to them.

I should like to raise an issue only briefly, although it is very important issue for one of my constituents—Mr. Whittaker, of Guisborough, which is a market town in my constituency. He is one of a number of now elderly gentlemen who served this country in uniform in a now largely forgotten episode. He served, between 1952 and 1955, as a corporal in the Royal Electrical and Mechanical Engineers, based in Abusultan. I should like to concentrate on the circumstances in which he served this country, and on the national service men who served in Egypt and the canal zone between 1950 and 1955.

Their service was largely overshadowed by the fact that, at the same time, the Korean war was raging, and, later, by the wars in Malaya and Borneo and the onset of the Suez crisis. I shall not attempt to argue against, or to justify, their presence in Egypt. They were there as a result of the colonial past meshing with the need to protect something that—in the days when there was still an east of Suez dimension to defence and trade policy—was regarded as a key strategic asset: the Suez canal. The bases were established to protect the canal.

As I said, Mr. Whittaker and his colleagues were national service men, and they probably hoped that their three years in that role would be quiet ones—spent square-bashing or potato-peeling in Aldershot or Catterick. Instead, the then Egyptian Government's abrogation of treaties made between Egypt and the United Kingdom—because of disagreement over management of the canal, and the rise of Nasser's young officers group—resulted in political tension spilling over into riots and guerrilla activity. That activity was intense, involving pitched battles and, sometimes, an armoured response.

In January 1952, for example, C company of the 1st Battalion Lancashire Fusiliers had to storm a police barracks in Ishmaelia. Under intense sniper fire, they had to have the support of Centurion tanks from the 4th Royal Tank Regiment, which had to shell the complex. Five British service men were killed in that one episode.

Similar incidents occurred across the canal zone and throughout the complex of British forces bases in the country. Military historians have argued that the intensity of the conflict mirrored the conflict in Palestine—where, some years before, British troops again had to hold the line.

The incidents were, sadly and inevitably, not without casualties. Officially, it is estimated that 55 to 60 British service men were killed by enemy action. The total death loss, however, was far higher. The Suez veterans group estimates that the total number of service dead reached more than 300, with many deaths being caused by accidents, handling live ordinance or mine clearing.

I am speaking in this debate for a simple reason: unbelievably, despite this history, those deaths and the fact that Mr. Whittaker and his colleagues were conscripts in what was essentially a war zone, they have never received official acknowledgement of their service and bravery by the award of the General Service Medal.

I understand that the reason for not making the award was that, in 1952, the Army Council did not consider the canal zone to be a fully fledged active service area. The council's judgment, however, was made in that period and without the benefit of historical oversight, and that view was contradicted by later military judgments, after the Army had had to respond to events as they unfolded. The contradiction has been admitted.

In a letter from the Under-Secretary of State for Defence, my hon. Friend the Member for Kirkcaldy (Dr. Moonie)—who was replying to my request for the award of the General Service Medal to Mr. Whittaker and his comrades—I was told:

I am aware that service personnel were on declared active service during the certain periods whilst in the Canal Zone.

Active service is active service, whether it is spent in a regular campaign between opposing forces or in combating undercover and sporadic guerrilla activity. There is also an analogy with Northern Ireland, as my hon. Friend admitted in his letter to me. He went on to say that

members of the Armed Forces who serve in Northern Ireland are eligible for the General Service Medal with clasp Northern Ireland.

My hon. Friend, to compound the issue, went on to say that service men in Northern Ireland have

never been formally placed on active service.

That seems to be pure, absolute rubbish.

Let us consider other post-war flashpoints in which British service men have been involved, such as: Kenya, where 10 service men were killed; Malaya, where 509 were killed; Palestine, where 223 were killed; Cyprus, where 73 were killed; the 1956 Suez invasion, in which 12 were killed; Borneo, where 79 were killed; and Aden, where 24 were killed. All those operations were seen as eligible for award of the General Service Medal, and the officers and men who fought in those campaigns can wear their medal ribbons with great pride. Mr. Whittaker and his colleagues are not being allowed to do the same.

I think that it is a matter of total oversight. I believe that the omission is morally wrong. I realise that the line taken by the Ministry of Defence is that the issue has been reviewed, and reviewed by senior military advisers, but those advisers saw no reason to dissent from the Army Council view that contemporary judgment is sounder than retrospective judgment. I beg to disagree with them: I believe that retrospective judgment often is better than contemporary judgment. Retrospective judgment allows for comparison and for historical oversight—which includes matters such as the campaigns that I have listed.

There is a view—to which I do not necessarily subscribe—that the 1952 decision, in the context of that time, was perhaps militarily and politically expedient. It is time for the Ministry of Defence to do some serious research into the reasons for that decision and for all the papers to be produced.

One issue above all should be looked at. I have been told that the one person who, above all others, should have been listened to—the then commander in chief of British forces in the middle east, General Sir Brian Robertson—was of the firm opinion that service men in the canal zone should qualify for the general service medal. The issue should be cleared up once and for all. If General Robertson made such a view clear in correspondence, it alters the entire picture and my constituent, Mr. Whittaker, and his colleagues should get the official recognition that they so richly deserve.

Finally, I urge my hon. Friend the Minister to ask the Ministry of Defence to unlock and dust down the archive files from the Army's historical branch and to undertake a full review. I am not alone in making this request. My hon. Friends the Members for Wentworth (Mr. Healey) and for Denton and Reddish (Mr. Bennett) have also raised the issue of justice for canal zone veterans. I am sure that my hon. Friend agrees that we all want this historical injustice to be rectified. I urge him to speak to the Ministry of Defence and press as strongly as he can for the changes that I have asked for. Thank you for allowing me to raise this important issue, Mr. Deputy Speaker.

2.21 pm

Mr. David Atkinson (Bournemouth, East): On Wednesday 12 April, I sought to catch your eye to speak in the debate on asylum seekers, Mr. Deputy Speaker, but I failed to do so. I am glad that I failed, because I can now add to what I had proposed to say on that occasion to reflect an alarming situation concerning asylum seekers in my constituency and elsewhere in Bournemouth.

At least 10 per cent. of asylum seekers in this country come from countries that are free of persecution. They have minimal grounds for seeking asylum, and instead of a lengthy period awaiting assessment of their claim, followed by a further period for appeal, they should have the fastest of fast-track procedures consistent with international law. There continues to be a case for maintaining a white list of safe countries from which any asylum seekers would more appropriately receive automatic detention.

I am referring to member states of the Council of Europe. The citizens of most of those countries enjoy the best human rights protection in the world. I am pleased to see the hon. Member for Keighley (Mrs. Cryer) in the Chamber. Like me, she is an active member of the Parliamentary Assembly of the Council of Europe. The human rights protection in member states is legally provided for by the European convention on human rights, which all member states have to ratify and which is enforced by the findings of the European Court of Human Rights in Strasbourg, which Governments and member states are obliged to honour. Most member states have adopted the convention as part of their domestic law, as we are now doing.

A majority of member states have signed and are ratifying the torture convention, the European social charter, the European cultural convention and the new framework convention on the protection of national minorities. It is therefore reasonable to start from the premise that those who seek asylum on the grounds of a well-founded fear of persecution from member states of the Council of Europe are the least likely to have a case. Our procedures should reflect that.

I exclude from my arguments those who come from the former Yugoslavia and the former Soviet Union, whose recent and current ethnic conflicts provide justifiable grounds for the fear of persecution. However, most of those countries have yet to join the Council of Europe.

Last year, there were 10,000 applications from Council of Europe member states—3,000 more than the previous year. That figure does not include dependants, so the real figure is much higher. The applications come from citizens of Bulgaria, Hungary, Poland, the Czech and Slovak Republics, Turkey and other member states. It may not be widely appreciated that each of those countries is subject to a procedure that monitors in the greatest detail the commitments and obligations that they have entered into upon accession to the Council of Europe. That monitoring is done by the Parliamentary Assembly, through its monitoring committee, and separately by the Committee of Ministers.

[Mr. David Atkinson]

Apart from the regular fact-finding visits of the rapporteurs, those procedures take the fullest account of reports and submissions from Human Rights Watch, the Helsinki Foundation, Amnesty International, Christian Solidarity Worldwide and other non-governmental organisations, including those in the countries concerned. There is no doubt that there is no persecution in Poland, Hungary, Romania, the Czech and Slovak Republics or Bulgaria, and there are very few grounds for their citizens to seek asylum elsewhere, yet they represent 10 per cent. of the total coming to this country—7,000 last year—costing local authorities £30 million, which is equivalent to nearly 1,000 new police officers.

The Government should introduce the most efficient procedures possible to deal with asylum seekers from Council of Europe member states, in which, as our embassies will confirm, there is no persecution. That should also apply to the backlog of those already here from those countries.

Before someone reminds me, I am aware that there are a lot of dissatisfied Romas—or gypsies—in many of those countries, who complain about police brutality and harassment, the hostility of those who live in their neighbourhoods and an inability to assert their cultural identity. However, those are not grounds for seeking asylum, or for being accepted as seekers of asylum.

The House may be aware that the issue of the failure of Governments to protect their gypsy citizens is awaiting a ruling in the other place, in response to the appeal of a Slovakian gypsy, Mr. Milan Horrath, who arrived here in 1997 seeking asylum for himself and his family. He claimed persecution not by the state that he had left, but by skinhead thugs.

If the House of Lords supported the argument of the Refugee Legal Centre, which is backing Mr. Horrath's appeal, that someone who is threatened with being beaten or killed by skinheads can be a refugee, it would open the floodgates to such claimants. If that happened, I hope that the Government would urgently pursue the issue in the Committee of Ministers of the Council of Europe, because there would be many member states that were, in effect, violating the European convention on human rights, and against whom appropriate action would need to be taken, as well as many other member states that would need to be prepared for many more seekers of asylum.

I conclude by describing what is happening in one road in my constituency on the way to the Southbourne Overcliff and beach. The road contains 17 hotels and guest houses among its 79 households, as well as three houses in multiple occupation—HMOs.

A couple of weeks ago, a resident from the road shared with me at my surgery her concerns about what has been happening since those HMOs started accommodating asylum seekers. She told me that the atmosphere has changed for residents and visitors, who are mainly young families, from one of tranquillity, relaxation and contentment to one of threats, fear and alarm. That has been confirmed by many other residents who have phoned my office during the past two weeks, at my suggestion, to share their concerns.

The picture is the same for all of them. Residents are being woken up or kept awake during the night by loud music, shouting, drinking, partying and cars revving and screeching at all hours. During the day, men, many of whom have mobile phones—my constituents do not know how they can afford them—stand around leering at passers-by, especially young women. There are tales of drinking, shouting and spitting, and of residents having to walk through sick and urine. Windows in the street have been broken by stone-throwers and boarded up.

Many cars are parked on the street; they are old, battered and wrecked—many are without road tax, and, presumably, are also uninsured. If they were abandoned, no one could tell. There is also a report of someone being taken out of one of the HMOs in a body bag.

My constituents are feeling threatened. They can see in their street a decline into seediness and squalor. They fear not just the anti-social behaviour of their new neighbours, but the crime that might just follow. They do not complain for fear of being branded racist, or worse, of being accused of retaliation.

Those who run the 17 hotels and guest houses have every reason to fear that their businesses and livelihoods are now at very real risk. Their regular clientele, built up over years, can be lost through one bad experience. Passing trade will pass on. People's livelihoods are now at risk.

It is understood that Bournemouth has taken more than 300 asylum seekers in a number of hotels and HMOs used by Kent and the London boroughs. Two weeks ago my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) and I received a letter from the chairman of the Bournemouth tourism advisory board, Councillor Jacky Harris, emphasising that while Bournemouth wants to play its part in the national dispersal scheme, it is essential for the council to have local control of where asylum seekers are accommodated; it is essential for them and for the community.

It is particularly crucial that nothing is done to discourage visitors and holiday makers from coming to the hotels and guest houses in the designated tourism core planning zones in seaside resorts such as ours where the local economy and jobs rely on tourism.

My hon. Friend the Member for Bournemouth, West—who wishes to be associated with these remarks—and I have made representations along those lines to the Minister of State, Home Office, the hon. Member for Hornsey and Wood Green (Mrs. Roche). I was not encouraged by her reply to me on 18 May, telling me that there is no requirement for one local authority to notify another before placing asylum seekers in accommodation in another local authority area. That has to be changed. Local authorities—particularly those such as Bournemouth, which rely on tourism—must have control over the location of HMOs that take in asylum seekers.

My hon. Friend the Member for Bournemouth, West and I will now write to the Prime Minister, seeking his personal interest and intervention. Last October, we in Bournemouth welcomed the Prime Minister and his party conference and we were pleased to do so. However, they may not return if they find that their hotels and guest houses are in the same streets as HMOs whose residents are behaving as I have described today.

I look forward to the Minister's response to my constituents' concerns.

ROYAL ASSENT

Mr. Deputy Speaker (Sir Alan Haselhurst): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Armed Forces Discipline Act 2000.

Nuclear Safeguards Act 2000.

Powers of Criminal Courts (Sentencing) Act 2000.

Electronic Communications Act 2000.

Adjournment (Whitsun)

Question again proposed, That this House do now adjourn.

2.33 pm

Mr. John Cryer (Hornchurch): Like other hon. Members, I wish to raise a particular constituency issue, which was also raised by my hon. Friend the Member for Harrow, West (Mr. Thomas)—the erection of telecommunications masts for the burgeoning mobile phone industry. This issue has received a great deal of attention in the House. There have been three Adjournment debates, and, more recently, the hon. Member for Harrogate and Knaresborough (Mr. Willis) tabled two early-day motions on the issue. In March, the hon. Member for Buckingham (Mr. Bercow) proposed a ten-minute rule Bill on the matter, and raised many of the issues that I want to raise today.

We now have the Stewart report, produced by the Stewart group, which deals with the problem of mobile phone masts. On the issue of the medical risks that might or might not be entailed by the erection of masts, the Stewart report equivocates to some extent. However, there are some interesting passages in it.

In the foreword, Sir William Stewart states:

> the balance of evidence does not suggest that mobile phone technologies put the health of the general population of the UK at risk. There is some preliminary evidence that outputs from mobile phone technologies may cause, in some cases, subtle biological effects although, importantly, these do not necessarily mean that health is affected.

Without wishing to be alarmist about the issue, that is enough to create doubt in people's minds.

The report also states:

> Exposure to radiofrequency radiation below guideline levels does not cause adverse health effects to the general population.

However, the Stewart group concludes that

> there may be biological effects occurring at exposures below these guidelines. This does not necessarily mean that these effects lead to disease or injury but this is important information.

The prevalent fears of medical risks have led to 39 states in the United States banning any further development of mobile phone masts, while in Australia there are exclusion zones of 500 metres around hospitals, schools and residential areas, within which masts cannot be erected.

In most cases there tends to be a presumption that we will allow things to develop to some extent until there is some evidence to show that there is a medical risk. In Australia and the United States, however, there tends to be the reverse presumption: that such developments will not be allowed—at least, not where people are living, going to school or in hospital—until there is evidence to conclude that there is no risk attached to the erection of this kind of technology.

I have many constituency cases concerning the erection of mobile phone masts. One example involves Towers junior school in Hornchurch. Orange—a big corporation, as these corporations tend to be—plans to erect a mobile phone mast a few yards from the school. Understandably, that is causing some alarm. I do not wish to be alarmist, because there is no substantial evidence of a risk, but there are fears and suggestions that there may be risks.

There are also fears that there may be particular risks to the young. It is ironic that Orange wishes to put the mast near a junior school. The brains of young children under 12 are still developing and their skulls are less resistant to radiation. The Stewart report mentioned that, saying:

> If there are currently unrecognised adverse health effects from the use of mobile phones, children may be more vulnerable because of their developing nervous system, the greater absorption of energy in the tissues of the head and a longer lifetime of exposure.

That suggests that there should be some changes in the way in which we treat mobile phone technology.

The Government's response to the report contained some welcome elements. For one thing, they plan extensive research into the medical risks. I would like to ask them to consider sending the relevant Minister to the House to make a statement explaining what kind of research will be done, how long it will take and what its nature will be. The statement could suggest what the Government's intentions for the research were.

More immediately, there are planning issues in connection with the erection of mobile phone masts. At present, as my hon. Friend the Member for Harrow, West pointed out, masts lower than 15 m do not require planning permission. In their response to the Stewart report, the Government said that they were minded to change that, so that masts under 15 m would need full planning permission. That is extremely welcome, but PPG8 gives a presumption in favour of giving the go-ahead. I should like PPG8 to be made more neutral so that communities' concerns could be taken into account.

Mr. Oaten: The Government, in their response to the report, felt that they should err on the side of caution and advised that youngsters should not use mobile phones, even though there is no evidence that they are harmful. Would the hon. Gentleman recommend the same cautious approach to positioning masts near schools, even though there is no evidence that they are harmful?

Mr. Cryer: The hon. Gentleman is right about the advice on the use of mobile phones. I have said that there should be exclusion zones around hospitals, schools and residential areas and that mobile phone masts should be placed in more isolated positions.

There are problems with planning permission for mobile phone masts because the companies behind the telecommunications industry tend to be extremely large, often multinational, corporations. Although councillors on a planning committee may feel inclined to reject a planning proposal, they will not do so because that would go against council officers' advice that there are no legal grounds for rejection, and the corporation could take its

[Mr. Cryer]

case to a higher court, which might lead to the council being surcharged. It is unlikely that such action would be taken, but that fear has led councillors to give masts the go-ahead when they would rather reject the application until there is more evidence about the precise effects of the mobile phone industry.

I turn now to the recent announcement by the Ford motor company that it is to end car assembly at Dagenham, where there has been a Ford plant since 1931. Henry Ford had the marshes drained and created that plant, which covers a large area. Ford's land is mainly in the Dagenham constituency, but some of it is in my constituency.

Ford has announced that car assembly will end, but the diesel engine plant will remain. I have talked at length to trade union officials, many of whom were instrumental in negotiating the deal that seems to have saved Longbridge. Their fear, and that of the work force, is that in the modern car industry it is highly unlikely that a stand-alone engine plant will survive for long. They fear that if car assembly disappears from Dagenham, the engine plant will eventually go, and everything else with it. Those fears may turn out to be unfounded, but I think that they are probably right.

I have talked about this many times to my hon. Friends, including Ministers, and expressed my fears. Pressure must be put on the Ford motor company to introduce new car assembly to Dagenham, perhaps through Mazda, which Ford now effectively owns, or Volvo, which has recently closed a plant. There may be other avenues, which the unions are exploring. It does not bode well for the plant that Ford has recently taken over Land Rover, which gives the company access to another diesel engine plant in Solihull. One has to ask why a big company, which previously had only one such plant, now needs two.

The matter involves global issues and more fundamental questions about how the economic system works. The car industry may start to move eastwards over 10 or 20 years, to central and eastern Europe, and, perhaps, the Pacific rim. That is a separate matter that can be dealt with only by Governments and international bodies, but it is the underlying fear of the trade unions and work force at Dagenham and elsewhere.

I also want to respond to the comments of the hon. Member for Winchester (Mr. Oaten) about how the House conducts itself. I have some sympathy with the idea of programming legislation, particularly at 3 o'clock in the morning when we are hanging around waiting for the next vote. However, Members' views tend to change when they move from opposition into government and vice versa.

There is a very good quote from the right hon. Member for Bromley and Chislehurst (Mr. Forth), when he was in government, in which he says that programming is a marvellous idea. He thought that all legislation should be timetabled because that would stop all the whingers and time-wasters on the Opposition Benches. That is ironic when one considers how he behaves these days—although he used to be a supporter of the Common Market and a member of the Communist party, so he has not been averse to changing his mind on several issues over time.

When we are in government, we think that the Opposition should not delay and that legislation should be passed—and on the whole, that is the right attitude. I remember that our first all-night sitting was on the National Minimum Wage Bill. The Tories had stayed up all night to do their best to delay that Bill, but at 6 o'clock in the morning, when the final vote happened, we were able to rub their noses in it, which was brilliant because that legislation is one of the best things that we have done since we came into government.

On the other hand, in the early 1990s, the Tories were passing the poll tax legislation. Obviously, I was not in the House at the time, but I have many friends who were. Labour Members were up night after night trying to delay that Bill, and we were right to do so because it was one of the most iniquitous pieces of legislation that any British Government have passed, certainly since 1945. Programming therefore involves the consideration of many issues.

I shall always be opposed to electronic voting because it would encourage hon. Members to feel that they could stay away from the House, and there would be less participation in its business. We are here to scrutinise the Executive, and I certainly hope that the hon. Member for Winchester, as a member of the Opposition, would say that that is why he is here.

Turnout at elections has very little to do with the behaviour in this place. We could introduce electronic voting, change the procedures of the House and programme every piece of legislation, but I bet that there would not be a significant increase in turnout in any of the elections that followed. The real reason for the fall in the number of people voting during the 1980s was the enormous increase in deprivation and unemployment caused by the previous Administration, which led people to feel alienated from the electoral process.

I remember reading in a national newspaper, about two years before the last general election, about a man in Wales who was prosecuted for pinching four lumps of coal to keep his family warm. It is difficult to imagine that one could convince people living in such poverty that they have a direct connection with the democratic and political process.

I think that such deprivation and unemployment were deliberately created by the previous Administration, because they tended to affect Labour areas. The closure of the pits and the steelworks and the complete decimation of the shipbuilding industry were politically motivated because they helped to undermine the base of the trade unions and the Labour party, and removed the traditional avenues into political activism. At one time, Hornchurch, and parts of the east end such as Beckton and Canning Town, had many dockers. When the docks went, the basis of political activism disappeared, and the same is true in mining and steel areas. A conscious effort was made to remove that basis.

Those are the issues that we must address. What can be done by people in Beckton, Barnsley, Glasgow or Liverpool, who might be the third unemployed generation in their family? The Government have started to tackle those issues, and there have been moves in the right direction, particularly in the redistribution of wealth. However, we still have a long way to go before we bring the people who suffered enormously during the 1980s and 1990s back into political participation.

2.49 pm

Mr. Andrew Stunell (Hazel Grove): We have had an interesting debate so far, and I am sure that it will continue in that way. Many demands have been made for Government replies and action, and I am sure that the Minister will have plenty of excuses and explanations to offer.

During business questions earlier, my neighbour, the hon. Member for Cheadle (Mr. Day), raised the matter of north-west devolution. Many people in the north-west want that project to go ahead, and I am sure that the same is true in other parts of the United Kingdom. I can illustrate the need for devolution by the failure that I have experienced in persuading the Government—or, more accurately, their agencies—to install a right-turn filter at a set of traffic lights on the A6 trunk road in my constituency.

That is a small example of how my constituents cannot get what is manifestly needed in their area because the necessary powers are exercised 200 miles away by people who do not know that the A6 is a trunk road, that it goes through Hazel Grove, and that it lacks a right-turning lane. The matter is not trivial: there have been several serious accidents in the area in the past six months, and one fatal accident, when a pedestrian was knocked down and crushed by a heavy goods vehicle.

It would be simple to make the road safe, but my constituents cannot secure the small change needed because it does not fit with the criteria set in London. I acknowledge to the hon. Member for Cheadle that I do not receive long petitions demanding devolution for the north-west, but constituents and relatives of the person who was tragically killed have asked me why the straightforward safety measures that I have described have not been put in place. I believe that ensuring that power is exercised nearer to where it makes a difference will be an important change.

Mention has been made already in the debate of the problems associated with mobile phone masts, and I doubt that any Member of Parliament has not had difficulties in that regard. The original relaxation of planning guidelines was designed to accelerate the development of the technology, but it has also caused problems.

The Orange company has erected a mast in Station road in Hazel Grove. The company claimed that the mast was less than 15 m in height and that therefore no permission was needed for its erection, but subsequent investigation found that it was taller than 15 m. The mast is situated in what I can only describe as a courtyard formed by the back yards of four streets of terraced houses, and it causes local residents a good deal of concern and anxiety.

The council has placed an enforcement notice on Orange because of the height discrepancy. The company—rather cheekily, I believe—has accepted that the mast is more than 15 m tall and has said that it is prepared to chop a bit off, but it has pointed out that the antennae on the mast would then be closer to the first-floor bedroom windows of the surrounding houses.

The company is challenging the council to say whether it wants to stick to the letter of the law in the matter, with a possible increase in hazard. The alternative is to let Orange get away with having a mast that is taller than the law permits.

The mobile phone companies have a poor reputation. They are losing the battle to convince residents that the development rights and relaxations that they enjoy are justified. I support the hon. Members for Hornchurch (Mr. Cryer) and for Harrow, West (Mr. Thomas) in hoping that the Minister will emphasise the importance that the Government attach to the matter.

Modernisation of the House, is a matter that has been raised a number of times. As my hon. Friend the Member for Winchester (Mr. Oaten) said, it is almost impossible to debate this matter, in the House or elsewhere, without appearing to whinge about terms and conditions of employment for Members of Parliament. That inhibits some hon. Members with more moderate and considered views, who keep silent as a result. The more strident voices are the ones that get heard, which reinforces the impression that we give to the outside world.

I hope that the Minister will accept that, in my three years of service on the Modernisation Committee, I have tried to suggest some ways in which we might improve the House's procedures. Some improvements have been made, and I believe that they are to the benefit of the House.

On the assumption that there is a wider audience outside the House, however, I want to stress that modernisation is not about acting as a trade union for Members of Parliament. Our aim is not to ensure that hon. Members eventually only need to vote on Wednesdays before 7 o'clock, and that we can do so from our constituencies. Rather, we want to improve the efficiency and effectiveness of Parliament. It is not about working shorter hours, or getting lots of money, or having access to lots of computers and assistants. Our goal is to ensure that Parliament's procedures are strong enough to enable us to hold the Government to account, to pass sensible legislation, and to represent our constituents effectively.

Many people, both in the House and outside, believe that Parliament is not effective in any of those ways. The Minister is a seeker of consensus and is, I know, concerned about these matters. I hope that he will reassure the House that the appearance that the Government's initial burst of modernisation has petered out over the past 18 months is deceptive and that the Government will support further modernisation.

I said earlier today that the Government's response to "Shifting the Balance", the report of the Liaison Committee on the work of the Select Committees, was extremely disappointing. I hope that the Minister will reassure hon. Members that the paper written by his boss, the Leader of the House, was just the opening shot in a process of negotiation, and that the House will be able to reclaim some more powers from the Government.

Finally, I must mention the plea made by the hon. Member for Cheadle about road schemes in our area. He and I fight shoulder to shoulder on this matter. The review of transport problems in the region is called the multi-modal study of the south-east quadrant of Greater Manchester. That title is a mouthful—if an acronym of it were possible, it would have eight letters—and it is a replacement for a policy.

As was noted earlier, the second runway at Manchester airport will open early next year. It is projected that the number of passengers using the airport will more than double between now and 2015, rising from 17 million to 40 million. An extra 30,000 jobs are forecast to be created at the airport, and a significant proportion of passengers and workers will travel to the airport on the existing road network through my constituency of Hazel Grove.

[Mr. Andrew Stunell]

That network cannot support the traffic that it has to carry at present. There is an urgent need for the multi-modal study to reach a favourable conclusion about investment in roads and other transport options, in my area and more generally in the borough of Stockport.

I hope that the Minister, when he answers the debate, will reassure the hon. Member for Cheadle and me that the problem will not be relegated to the "too hard to do this year" tray. I hope that the problem has not been palmed off on to a study as a way of deflecting pressure and aggravation. The consequences and impact for my constituents and constituents across Stockport are severe. The existing congestion problems will become worse with the expansion and development of the airport.

Thank you very much, Mr. Deputy Speaker, for giving me the opportunity to raise these matters in the debate.

3 pm

Ms Julia Drown (South Swindon): I wish to raise four issues on behalf of my constituents.

South Swindon has had significant problems with bus services over a number of years. Of course, many services are fine and a huge proportion of drivers do all that they can to meet their timetables. However, I frequently receive letters and comments from constituents about buses that do not turn up on time, or are dirty, or have drivers who are not sensitive to the fact that my older constituents take time to get to their seats. Such problems put people off using the buses. Unless we can ensure that our bus services are reliable and pleasant, with fares that are easy to understand, we will not deliver on our huge transport agenda which relies on buses as a main form of public transport.

I welcome the Transport Bill, which gives local authorities powers to strengthen their control over local bus companies. However, I am concerned about whether those power go far enough. We should not be shy about giving maximum powers to local authorities. It is clear that the market does not work when it comes to many local bus services. It is in the interests of two competing bus companies to ensure that their bus gets to the bus stop 30 seconds before the other company's to pick up the passengers. The more powers local authorities have to deal with bus services, the better the bus services will be in my constituency, and the more likely we are to be able to try to get rid of the worst ones. Dealing with the problems will make the buses work in the interests of our constituents—the passengers. I should like the Government to look at whether we have done everything that we can on fare policies and frequency of services so that we can deliver the services that our constituents need.

I have regular talks with my local bus companies. I think that they are doing everything that they can to make services more reliable, but they are very concerned about the competition authorities, which virtually tell them that they should not co-operate to deliver the services that our constituents need. The bus companies feel the push from the Department of the Environment, Transport and the Regions to deliver a service, while the competition authorities are ready to slap them down if they are seen to co-operate too much in the market.

There remain real difficulties, which I hope that the Government will consider as we follow the Transport Bill through to delivery in our constituencies. Unless we can have really good-quality bus services, we will not be able to deliver the whole of the transport and environmental agenda.

The second issue is child care. The impact of the working families tax credit has been incredible. Family after family has told me what a huge difference it has made. When a bill comes through their door, they do not need to go into a panic or a sweat, because, for the first time, they are being rewarded for being in work, and it is making a huge difference.

I have had a few letters from constituents who have looked to the working families tax credit to help them with child care costs. They were very pleased that the Government launched a national child care strategy and delivered more child care places in my constituency. However, many of my constituents who are in low-paid work, particularly shiftworkers, want to use nannies, because they want their children to be looked after at home. Not many child minders are willing to look after children at night, which is what shiftworkers need. They are disappointed that, when they look into the detail of the working families tax credit, they find that it does not cover those costs. The Government should look at that problem. I know that the Government are concerned that if they are putting public money into supporting child care, it should be regulated in some way, and I understand that concern. But how much difference is there really between child minders and nannies? Is it not just a case of whether children are looked after in their home or in their neighbours? Surely we can come to a compromise to help low-paid workers in my constituency, particularly shiftworkers, who cannot use child minders. Some people want to have their children cared for at home, and they should have Government support for child care so that they can benefit from the working families tax credit as so many other families are.

My third point also comes from my constituents. There are strong environmental groups in Swindon, and people have an environmental focus to their thoughts. They want to see much more recycling and much greater emphasis placed on the environment. I know that they will be pleased that the Government published their waste strategy earlier today. It emphasises the need to increase recycling and composting, and to reduce waste at source.

There is one section of the strategy that immediately raises concerns with me and I know that it will with my constituents, and I hope that we will be able to debate it in the future. It has put the recovery of energy, as it is described—incineration, in other words—on an equal footing with recycling and composting in the waste hierarchy. That has watered down the Government's desire in the consultation paper "Less waste more value" to move away from the previous Government's approach of putting energy recovery on a par with recycling.

We know the problems that can occur with incineration, such as hazardous emissions, an increase in traffic going to the incinerators and disputes over location. No one wants an incinerator in their back yard. Given those problems, and the huge enthusiasm for recycling, I hope that we can look at the issue further. Recycling creates jobs and contributes to our global environmental aims of carbon dioxide reduction targets. I hope that we will have a chance to debate that in more detail to focus more on recycling.

There has been some debate about Members of Parliament, and what happens in the House. A while ago I did some research on what happened to the waste from

the House. I started it at a time when, unbeknown to me, the House authorities were reconsidering the contract for waste. When I started my research, it was fantastic: all our waste was sorted and, sure enough, the paper went off for recycling. I thought that this was great, and that we were leading by example.

A little later, I was very disappointed to hear that the contract had changed, and that now all this paper—what some people might regard as all the hot air that is produced in the House and recorded—goes to contractors who make more hot air out of it by incinerating it. I hope that there will be a change in the House and at a national level. We are incinerating our waste and creating energy out of it rather than recycling it in the first place. That is an important issue for the House and the country.

My fourth and final point is an international one. International issues feature largely in my postbag at the moment. The debt campaign is still alive and kicking, and I am pleased about that. It is a really big issue affecting many countries. I know that the Government have done a lot, but we need to do much more, particularly with the summit in July coming up.

A number of constituents have also written to me about arms exports and the need for further arms controls. Yesterday, my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) presented an excellent ten-minute Bill that would stop British people and companies being involved in selling arms to countries where arms embargoes apply. We must take a responsible attitude to arms sales, which do huge damage—often to civilians—that can rarely be repaired. Arms sales fuel conflicts, and we should minimise our involvement in them. We should use our talents in more productive engineering and manufacturing, and promote reconciliation and development, not arms sales. I know that the Government recognise the need for further legislation. Four years ago, the Scott inquiry recommended urgent legislation. We should register arms dealers and licence all the deals that involve United Kingdom companies and nationals.

My constituents have made it absolutely clear to me that dealing with arms sales is a priority. We must find time to take action now. The issue is not only of concern in Swindon but has widespread support in the House. An early-day motion on the subject has attracted support from 153 Members.

I hope that the Government will continue to look at those four issues, which are regularly raised by my constituents, who look forward to further progress on all of them.

3.11 pm

Mr. Alan Hurst (Braintree): I am pleased to have an opportunity to address the House before it adjourns for a short break. I shall declare an interest; everyone does so these days. I am a member of the Essex wildlife trust. I say that because I intend to speak about its marvellous venture at Abbots Hall farm in Essex, which stems from a former constituent of mine—Miss Elliot. Those who are not intimately familiar with the Braintree division may not have heard of Lake and Elliot's major engineering works in Braintree—a major employer. Alas, it left the scene some years ago, but Miss Elliot continued to live in the town and left more than £1 million in her will to promote nature conservation in the county.

Having been interested in such matters since I was a boy, I am amazed how rapidly the awareness of nature conservation has grown during the past 40 or 50 years. I was tempted to join a natural history society when nine years old, under the fine example of a teacher at Westleigh school in the constituency of the hon. Member for Southend, West (Mr. Amess). I was enthused by the prospects that it holds for people. At that time, the Royal Society for the Protection of Birds had 7,000 members; it now has more members than all the major political parties added together, which shows its popular appeal.

I originally come from Southend, which had the claim to fame of having one of the first municipal nature reserves in the county. A Southend Member and a former Southend Member are in the Chamber, but, in 1938, some far-sighted citizens had a tremendous battle on the borough council to acquire about 50 acres of ancient woodland on the edge of the town and preserve it for posterity before developers expanded estates over it.

The accounts of that great battle show that it was not easily won. The same arguments were used. Those who were opposed it as an absolute waste of public money said, "I went to those woods; all I saw was a crow." On that basis, they would have bulldozed the woods. That was not done, and the far-sighted borough councils expanded the woodlands to 100 acres after the war.

I mention that not because I come from Southend originally or because I represent a different part of Essex, but because it shows the tremendous strides that we have made. In Essex alone, the wildlife trust, which is now 40 years old, has 16,000 members. There are 92 nature reserves and 7,000 acres under nature conservation management in Essex, and it is not unique in such matters. The importance of conserving natural heritage is appreciated across the country. The late Miss Elliot's bequest is especially appreciated because she left so much money in her will to further that cause.

Abbotts Hall farm takes nature conservation a step further forward because it will never be entirely successful in our country unless there is a partnership between agriculture and nature conservation. Some 80 per cent. of Essex is arable farmland. Unless farmers and conservationists can co-operate we shall not preserve the flora and fauna.

We often read about the decline in common birds. The English partridge—so called to distinguish it from the French, but now called the grey partridge—has declined by 80 per cent. in the county. The skylark has also declined. People say, "I saw a skylark yesterday." No doubt, they did, but the point is that a few years ago they would have seen 10 or 20 skylarks.

We must be mindful that common birds are declining at an enormous rate. The only way to reverse that trend is to have a co-operative partnership between conservation and farming. That is why the scheme at Abbots Hall farm, which is on the Essex coast, is so farsighted. The money originally came from Miss Elliot's will, but the lottery and the World Wildlife Fund have put money forward and the Environment Agency is co-operating in the scheme, which raises every important issue in agriculture today.

The first issue is the managed retreat or managed realignment of coastal defences. The proposal is to adjust the coastline in co-operation with the Environment Agency, which is working closely with the Essex wildlife trust to create lagoons, cattle marsh and salt marsh, the effect of which on bird life is immense.

Secondly, the Essex wildlife trust intends to run 300 acres of arable land, mindful of the factors that can be used to improve nature conservation, enhance the

[Mr. Alan Hurst]

environment and make a profit. That is a bold test to take upon itself. It could be a beacon—a word that I dare not use normally—or, to put it in English, a way forward as to how it may be possible for farms to make a profit if they are farmed in a conservation-friendly way.

Those of us who are not farmers should not say, "Yes, we want nature conservation and all the wonders of wildlife, but we want you, Mr. Farmer, to pay for it." If we are genuinely to make great strides in nature conservation and enhancing our farmlands, the state must be more generous in the grants and support given to the farming community for such projects. I hope that the Essex wildlife trust can lead the way at Abbots Hall farm and show how that can be done. If it is successful, I would urge the Government and the European Union to be more broad based and generous in the grants that are available.

We often hear stories of doom and complaint, but I have referred to a story that, thanks to Miss Elliot's generosity and the co-operation of various agencies and the foresight of people in Essex, is an enormous contribution of which we can all be proud. Some people in the Braintree division say that the reserve should have been created in Braintree. Some earlier parliamentary redistribution took away our coastlines, but Braintree people are nevertheless more broad minded than to say that everything should stop at the Chelmsford boundary. In fact, the scheme will be benefit the people not only of Essex but of the whole country, and I am pleased to have had the opportunity to bring it to the attention of the House.

3.19 pm

Mr. David Kidney (Stafford): I shall take this opportunity to mention two matters that affect my constituency but that have a national application. As that is the case, I appeal to the House to give them support. I appeal to my hon. Friend the Parliamentary Secretary and to the Government whom he represents, as well as to the right hon. Member for North–West Hampshire (Sir G. Young), who is on the Opposition Front Bench. I am sorry that my parliamentary neighbour the hon. Member for South Staffordshire (Sir P. Cormack) is not with us for today's debate, but he has a happy, family engagement to keep him away from us. He always enjoys such debates and I hope that the right hon. Gentleman enjoys this one in his place. Finally, I appeal to hon. Members who are present for their support—I am content for them to express it by saying, "Hear, hear" at the appropriate moment.

The first matter concerns the magnificent response to the sad job losses in Stafford. The second is a national project that is planned for Stafford, a national centre for food.

First, ALSTOM, the power company—a great international company which has 100,000 employees throughout the world and has a base in Stafford dealing with the electrical power industry—unfortunately announced the loss of 730 jobs in Stafford in one go, which is one third of the total work force in the town. The company is the largest private sector employer in Stafford, so the House can imagine the devastation and sadness that that caused. There was a great dip in morale in the town because of the announcement.

Stafford has a proud history of connections with the power industry. At the beginning of the 20th century, the Siemens brothers established a factory in Stafford. They moved out with the first world war and English Electric took over, making a great business of it. At the peak, 14,000 people in Stafford worked for that company. With modernisation, the General Electric Company became the owners. It started a joint company with Alcatel, called GEC-Alstom, and eventually sold its share to that company. The business was then floated on the stock market as ALSTOM, with headquarters in Paris, and it remains the owner of the site.

Transmission and distribution equipment is sent around the world from those premises in Stafford. Recent contracts have been completed in Canada, China, India, south America and south-east Asia. Stafford has a great reputation in the power industry throughout the world, which brings me to the first national application.

The state of manufacturing in this country takes up much of our time at the moment. The business in Stafford was the sort that we are proud of, with highly skilled, value-added work and a reputation to match any in the world. However, the company has laid off a third of its work force in the town because of difficulty in securing overseas contracts. That is partly due to the present oversupply in the industry, but many of its major competitors are based in euroland countries and are benefiting from the mismatch between the euro and sterling. They have a huge price advantage in every competition to win contracts throughout the world. That is the heart of the difficulty.

I happen to agree with the Government's argument that there is nothing that we can do in this country to solve the problem of the weakness of the euro. Other organisations and other countries must take the decisions to solve that part of the problem. The job of our Government is to give practical support to manufacturing and to the other sectors that are exposed to the problem—farming and, increasingly, tourism—to get them through this difficult time. That means measures such as setting up British Trade International and giving support with exports, modernising export credit guarantees as we are doing, tax changes, giving capital allowances and research and development tax credits. All those are to the good and we must be determined to target them at our manufacturers.

When jobs have, sadly, to go owing to restructuring, as we are witnessing in Stafford, it means giving help to the poor people who lose their jobs—giving them the opportunity to find other jobs in their locality. We must not waste the skills that these ALSTOM employees have. Again, that brings me to the national application of the Stafford problem: how do we get those people jobs? There is not a huge number of other employers in the power industry near Stafford, but we have a great reputation in electrical power.

My vision is that we should carry forward that reputation into a new generation of power. The Government are trying to re-balance our energy demands and supply so that we use more new and renewable energy sources. I would like Stafford to take its part in that agenda of re-balancing the country's energy supplies. I want to make Stafford a centre of excellence for new and renewable energy sources.

To that end, I have taken the advice of my right hon. Friend the Secretary of State for Trade and Industry, rolled up my sleeves and approached local people to establish a project to do just that. Between us we have arranged for business people, a solicitor and an accountant to give their time for free and for a banker to give free banking for the project, which is proceeding under the company name Renew Stafford. Our aim is to establish Stafford as a centre that is recognised throughout the world for this century's power needs and demands. I hope that in due course we will receive some Government support—after all, it is their policy to promote new and renewable energies—to get that project off the ground.

The management of ALSTOM throughout the United Kingdom have been extremely co-operative. The company is sad that it has had to dismiss a third of its work force in Stafford and it wants to help, so it is working co-operatively with the directors of the new company, Renew Stafford. I have no direct interest in the company as the business men who are giving their time for free are the directors. I praise ALSTOM, which has given the new company such enthusiastic support, for its responsible attitude. I hope that together we will be very successful.

Another national dimension of the job losses in Stafford is that the local authority, Stafford borough council, has also accepted its obligation to do something to help and has produced an exceptionally good-quality bid for the sixth round of the single regeneration budget. Its aim is to try to improve business services to link up more businesses in Stafford to the most modern information and communications technologies and to draw in new enterprises along those lines. It has had discussions with me and with the directors of Renew Stafford about how the SRB bid can link in with promoting Stafford's reputation as a centre for modern energy sources. I am pleased that the SRB bid and our proposal for a centre for new and renewable energy seem complementary. I am optimistic that the bid will have a successful outcome when it goes to the Government later this year.

Therefore, the first item was a sorry story that, I hope, will have a happy ending—we will find out later this year. The second item that I wish to raise is the proposal for a national centre for the culinary arts to be located in Stafford. Clearly, the national application is obvious—it is a national centre and will be the one and only showcase for British food and catering. It is a tremendously ambitious project and I am proud of the people who have had the vision to embark on it—mainly, the board of the British Food Trust. I do not know how many hon. Members know that Prue Leith, the famous cook, chairs the trustees. Having met her, I am delighted with her vision for the scheme, her enthusiasm for it and the breadth of her knowledge and contacts. I hope that she will be successful in locating the scheme in Stafford.

Stafford has been chosen because of its location in the centre of the country, with good communications by road and by rail. Also, it is in a beautiful part of the country, on the edge of Cannock Chase, with the Staffordshire moorlands to the north. It is an industrial heartland, with Stoke-on-Trent to one side and the black country to the other. Therefore, the site is excellent and premises have been located. English Partnerships, as it was, bought the site of the old St. George's hospital, which covers 28 acres and is in talks with the trust to deliver the project.

If it is successful, we will have a place in Britain that we can all visit and that will have exhibitions and displays about British food that is produced and cooked in this country. There will be exhibitions of catering, food processes and kitchens through the ages. People will be able to attend courses on the production, preparation and cooking of food. Related activities will include conferences and displays. There will be hotels and eating places on site, as well as retail outlets linked to the theme of British food.

I am sure that many Departments will want to support the scheme: the Ministry of Agriculture, Fisheries and Food; the Department of Trade and Industry; the Department for Culture, Media and Sport because of the tourism aspect; and the Department of Health because of its responsibility for food safety. The scheme offers endless opportunities to attract their interest and support. Indeed, hon. Members too will want to visit this new and exciting development in Stafford. The scheme has tremendous potential.

Dr. Kumar: *rose—*

Mr. Kidney: I shall be happy to give way to my hon. Friend as long as he is not about to tell us that there are plans to build such a centre in Middlesbrough.

Dr. Kumar: Is my hon. Friend asking for cluster development support from the Government? From his description, the scheme would seem ideal for that form of development, which the Government promoted strongly in the competitiveness White Paper.

Mr. Kidney: I thank my hon. Friend for that suggestion.

I mentioned new and renewable energy sources. We are certainly trying to get support from the DTI for a cluster of power-related industries and suppliers. I know that there is Government money to support such development.

However, the national centre for food will stand alone. It will attract visitors from all over the country and will offer a superb showcase internationally for British food and catering techniques. I am not sure about cluster development for that scheme, although as I live in my constituency, I am optimistically looking forward to the great new eating places that are going to open there. That will be superb.

In relation to funding and to the point made by my hon. Friend, I think that the food industry, which is extremely successful in the UK, will be interested in supporting the project. I should like to see other developments around Stafford as a result of the industry's support for the national centre. If there is a cluster of locations and jobs, that would be an excellent development.

There will be much private investment because the idea is unique; it has exciting potential and there will be obvious gains for investors. However, it is intended that entry would be free to the centrepiece of the scheme—colloquially known as the great British kitchen. There would be no fee for displays of, and an education in, the history of British food—the public parts of the scheme. There is no doubt that that aspect will not be so attractive to private sector developers. The trust is concerned about whether the Government would consider the scheme worthy of public support if there were a gap between what

[Mr. Kidney]

those developers would pay for and the overall funding needs of the project. However, I have mentioned so many Departments that it is inconceivable that there would not be some support.

The one difficulty that has arisen in my discussions with the trust, with Advantage West Midlands—our regional development agency—and with the Government office of the west midlands is that Stafford has never featured on any map of areas of deprivation or those in need of assistance. Sometimes, that is the key to obtaining investment. The Government may need a little ingenuity to justify investment in Stafford.

I hope that they will show such ingenuity for the following reasons. I described how well Stafford responded to a great shock recently. I am proud to represent an area whose people show such a great can-do attitude. We have never been an area of great deprivation because we have always managed for ourselves. However, at present, we have hit some choppy water and we shall be in some difficulty if we cannot pull through it. We have the right attitude; we want to overcome the problems. A helping hand from the Government at the right time will help us, so that we never appear on a map as an area in need of extra assistance. I hope that a little bit of preventive action from the Government will help us to continue to be the successful area that I am delighted to represent.

3.34 pm

Mr. David Amess (Southend, West): The Minister will notice a difference in my tone on local matters. That is because on the first Thursday in May there was a political sea change in Southend. The council moved from Labour-Liberal control by one to Conservative control with a majority of 11. Every Labour candidate was defeated—as were all but two of the Liberal candidates.

The Conservative party campaigned on several issues; now, it is up to the party to deliver. The Minister will recall that, on occasions such as this, I often share my feelings on such issues with the House. I am, therefore, delighted to tell the House that the new Conservative council has decided to stop the ridiculous idea, introduced by the previous Lib-Lab council, of bus lanes all along the London road. They would have destroyed businesses and damaged the general environment of the area.

I am also delighted that the Conservative council has decided to change the ridiculous proposals for double yellow lines on either side of Hainault avenue, and that an especially vindictive action of the previous council—charges for people with learning disabilities—has been overturned. If the Minister can come up with a solution to how the Conservative council can defeat graffiti, I should be only too happy to pass it on.

Two weeks ago, I was privileged to be invited to the Barbican centre to attend the presentation of a bronze award to my constituent, Mr. John Foster. The event was organised by the Royal National Lifeboat Institution. It was the first time for 20 years that a Southend lifeboat man had received such an award. Mr. Foster was supported by helmsmen Michael Whistler and Ian Rees.

I shall not go into the full details of their heroic actions on 24 October, when they set sail in the Lady Jane. However, they were undoubtedly responsible for saving the lives of three people. We heard two magnificent speeches at the presentation. The first was from the Princess Royal, who shared with us her experiences of the bravery of lifeboat men. Apparently, she launched the boat that rescued the three people—that was a nice touch. The second speech was given by the lady who has presented "Songs of Praise" for the past 13 years; she made a wonderful speech.

On that occasion, I was struck by the crazy circumstances in which the general public go out to sea—although I am not referring to the events that led to the award for my constituent. I am not a sailor. As soon as the water gets choppy, I feel desperately ill. However, when I learned from private conversations how some members of the public risk not only their own lives but those of lifeboat men, I could hardly believe it. In my extreme ignorance, I did not realise that one could buy any boat and immediately set out on the water. I knew that there was no test such as those for driving cars and motorbikes, but I thought that at least people received some training and a certificate before they could be in charge of a reasonably sized craft.

I heard of people going out in rough weather—despite all the warnings—without wearing a life-jacket. That is crazy. Will the Minister reflect on that point? If he does not have time to deal with it when he sums up the debate, perhaps he could write to let me know whether the Government have any plans on that matter. Although I applaud the bravery of all our volunteers, it is extraordinarily irresponsible of members of the public to risk not only their own lives but those of others.

My second point, which is about mobile telephones, has already been touched on. As a result of what I shall say, I will never ever be offered a consultancy by a mobile phone company. I am proud to say that I loathe the things. When I go on a train, I hear members of the public use their mobile phones. Their conversations are not private and they tell so and so—one cannot help listening—that they will be home in 10 minutes or that they have got on to the train. I do not know what their loved ones can do about the fact that they have got on a train. One cannot help listening to inane conversations, which presumably cost money.

I often wonder whether things are so desperately important that we have to be immediately accessible to a person at the other end of a phone. I have to admit that I own a mobile telephone, but that is because I won it in a raffle. I suppose that I could have given it to someone else, but I thought that it would be churlish to do that. I am not running up a telephone bill, but I buy units and use the phone in a mean fashion just in case someone genuinely thinks that he needs to contact me urgently.

I do not understand the technology, but, like the technology for fax and other machines, it is wonderful. However, our constituents are alarmed by what is going on. The Minister will probably say that it was all the fault of the Government whom I supported that companies are allowed to put up telephone masts. I must have had my eye off the ball, because I would have been more vocal if I had known that that was happening. If they did, I do not know why this Government cannot intervene to stop the process.

I wish to share with the House the flavour of the correspondence that I have had on the issue. In Cottesmore gardens, a mast was installed on 16 May.

The residents received late notice of its installation and the possible dangers of transmission of electromagnetic radiation. Although there is no evidence available that shows that such masts damage health, it is reported that

> children have been seen as most vulnerable to mobile phone radiation because they are still growing and their immune systems are not fully developed.

The letters that I have received were triggered by an article that appeared in the *Daily Mail*. It said:

> The Stewart Inquiry, led by Professor Sir William Stewart, is also expected to advise that mobile phone transmission masts should be kept away from schools, hospitals, and residential areas.

I have been inundated by letters, but I shall quote from just two of them. The first says:

> I understand that the Stewart Inquiry is expected to advise against the installation of mobile transmission masts in residential areas. If this is indeed the case, surely any morally responsible and reputable company would not have continued with such a plan.

The second asks:

> Is this really necessary? If it is dangerous to the health of our youngsters, we do not want it.

Other letters make similar points. I genuinely do not understand the technology of mobile phones; it might be marvellous. However, if it is true that the way in which they work somehow endangers people's health, we need to consider the issue carefully.

The masts are monstrosities. They look like rocket launch pads, they are being erected all over the country and they are hideous. On that count alone, we should unite against them. That might make us very unpopular with the companies, but so what? The matter is out of control, but I hope that the Minister will offer me some encouragement on that point.

I notice that hon. Members are beginning to twitch, so I shall make three final points. I asked my secretary to look up constituency correspondence that highlights policies that the Government have failed to deliver or that are unfair. Two of my constituents are happy for me to quote them, but the other one will have to be known as Mr. X.

The first letter is about Mr. Bowden's jobseeker's allowance. I was contacted by Mr. Bowden who wished to travel out of the country with his wife to attend his sister-in-law's funeral in Paris. However, as he was claiming jobseeker's allowance, he was informed by the Benefits Agency branch in Southend that, on leaving the country, he would have to provide it with a letter stating the dates that he was going and the reasons why. He would then have all benefit stopped while he was out of the country—in his case for a day, because he was going there and back on Eurostar—and, on his return, he would be asked to submit a completely new claim for jobseeker's allowance. The whole application process would begin from scratch. Goodness, that is ridiculous. Anyone with common sense would hope for discretion. Because Mr. Bowden had to travel to a bereavement, surely the behaviour of the agency was unreasonable.

My constituent contacted me because he thought that he was penalised for being honest. He honestly contacted the Benefits Agency to inform it that he would be absent for a day and because he thought that it could not be reasonably argued that attending a funeral in a close European country, such as France, makes one less available for work—perhaps, he could have had a wretched mobile phone if he needed to be called urgently for an interview—than if he had had to attend a funeral in the United Kingdom.

I wrote to a Minister, but I shall not name that Minister. However, I will quote the letter that I received in reply. It said:

> Decisions on availability for work, or whether restrictions placed on availability are reasonable, are made by the decision makers, who make decisions fairly and impartially on behalf of the Secretary of State. No one, including Ministers, can interfere with the decision making process.
>
> The decision maker is the first tier of the decision making process. Their decisions carry the right of apply to The Appeals Service with a further right of appeal, on a point of law, to the Social Security Commissioner.

My constituent was obviously deeply comforted by that ministerial reply.

Sometimes we are guilty of hurriedly passing on by phone the covering letter that goes with such ministerial replies. However, that reply was not a very good one. Apart from the fact that it endlessly repeated the word "decisions", the answer was crazy. If the Minister gets a chance, I hope that he will send a message to the Department of Social Security and that, if he has the time, he will write to me about this issue.

I have the correspondence in which Mr. X wrote to me about television licences for the over-75s. He was concerned about the concession and he pointed out that when a married couple have enjoyed the benefit and the elder partner dies before the younger one reaches the age of 75, the concession will be taken away from the widow or widower until that person reached that age. As the survivor, particularly a widow, will almost certainly be worse off financially, it seems unfair that he or she will have to start paying the cost of the television licence on the death of a loved one. Before Labour Members ask about what the Conservative party suggested yesterday, may I say that I recognise that point? However, we have a Labour Government and it was their idea for television licences. I hope that the Minister will lean on the Department in the hope that we can have a sensible reply to my constituent's point.

My final point is about a concern expressed by Mrs. Day, a teacher at West Leigh school. This is what has happened to her over the past few weeks. She took up the Government's offer of the computers for teachers scheme in February this year. In order to take advantage of the offer, Mrs. Day borrowed the money from a friend. She paid £1,000 for the computer and duly sent off the completed form, expecting her £500 to be forthcoming.

The application form states:

> Please allow one month from despatch for receipt of payment.

It is almost June and Mrs. Day has not received the payment, nor has she been contacted by the Department, despite more than 20 telephone calls. Not one of them has been answered by a human being—just the usual answerphone. She has tried telephoning at all times of the day.

Finally, on the 21st attempt, the phone call was returned. However, that was in the middle of a teaching day, and Mrs. Day, who did not have a mobile phone with her, was not available to take the call. The lady left two numbers on the answerphone but—surprise, surprise—calls to those numbers have not been acknowledged.

[Mr. David Amess]

In April, Mrs. Day wrote to Caxton house. To date she has not received a response. Shortly afterwards, undeterred, she e-mailed and finally got a response. "Thank goodness!", I hear everyone cry. Unfortunately, the response to the e-mail bore no relation to the query that she raised. She has since found out that it was simply a standard reply.

We heard the hon. Member for Braintree (Mr. Hurst) mention West Leigh school earlier. Besides Mrs. Day, six other teachers there took up the offer and are still waiting for their money. Without my pouring poison on the situation—I have no idea what the politics of those seven teachers are—I can report that they feel let down by the scheme.

I have found that locally, since the first Thursday in May, things are improving, but nationally, there are still matters that trouble my constituents, and I hope that the Minister will have good news for them.

3.52 pm

Mr. Harry Barnes (North–East Derbyshire): Before I outline the main item that I intend to raise, I shall comment on one or two of the contributions made so far.

My hon. Friend the Member for Stafford (Mr. Kidney), who discussed the employment problems and potential in his area, developed a theme that many of us could expand in relation to our own areas. I find that in North-East Derbyshire, although we are doing quite well in terms of economic growth and development, new jobs coming up, and the new deal, dramatic problems continue to arise.

Two major firms in the area have gone into receivership. One is Brian Donkin, a foundry at Renishaw, with the loss of 180 jobs. The foundry industry is particularly affected by the problem of sterling, which my hon. Friend mentioned. The second firm is Dema Glass at Chesterfield, which also affects North-East Derbyshire. A third firm that has gone into receivership, although that has not led to any unemployment, is Westwood Care, which runs five nursing homes in the north of Derbyshire. Whether receivership arrangements should apply to nursing homes, whose collapse could create a major problem for social services, is a matter worth considering.

In response to economic trends, there are moves by an outside firm to take over Biwaters of Clay Cross and Stanton plc in the Staveley area in my constituency. Both companies produce pipes, which are much needed for the movement of water in the third world, and both firms have had good contracts there. Both firms should have great potential, but instead there is considerable worry about what the change and rationalisation will mean. The level of sterling is not helpful. If that were tackled, the picture would be one of steady progress, rather than of steady progress associated with particular problems.

My hon. Friend the Member for South Swindon (Ms Drown) spoke about the bus service problems in her area, and we have many similar problems in North-East Derbyshire. We used to have excellent bus services—to the north, the South Yorkshire Transport provision was a beacon to the rest of the country, and Chesterfield Transport, which was well respected and served a large part of the area that I represent.

Now the major problem that we face involves Stagecoach, which operates 60 per cent. of the services in the area. A public inquiry is to be held in Chesterfield on 26 June into the operation of one of its licences, and I have received many complaints about other licences. A massive problem has arisen in the Mansfield area nearby, after 72 out of 80 Stagecoach buses were taken off the road—40 after the inspectors had issued notices, and the others removed by the company itself. That has a tremendous knock-on effect on other areas, such as Chesterfield, from where 19 buses have been taken away to serve Mansfield, which has led to a cut in services in the Chesterfield area. I endorse the points made by my hon. Friend the Member for South Swindon with regard to the Transport Bill.

My hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) made a valuable contribution on recognition for those who had served in places such as the canal zone. I wondered whether I might be eligible for recognition, because in 1955—one of the years mentioned by my hon. Friend—I spent five days in the canal zone, but that might not qualify, as I was only in transit. I did the rest of my national service in Iraq, and if that had been a few years later, I might have acquired all the medals in the world for the action that was undertaken there. However, during my national service, I only ever heard one shot fired in anger.

The hon. Member for Hazel Grove (Mr. Stunell) spoke about modernisation and told us that he served on the Modernisation Committee. I was struck by the thought that here is someone who is into modernisation, whose trousers do not even match his jacket. Perhaps there is hope for us all—as regards not just modernisation of the House, but the notion of modernisation that is part of new Labour. Some of us whose trousers do not match our jacket may come to terms with that in future.

The principal matter that I want to raise concerns junk mail, which causes disruption and concern to masses of our constituents. A constituent came to see me at one of my recent surgeries and dumped a large black binliner on the table. It was packed full of unsolicited letters, all of them glossy and professional-looking, which had been sent to her mother.

The bag contained 390 letters which had been delivered to a 73-year-old over the past six months. The number is now up to 415, as 25 fresh items of junk mail have arrived in the past few days. Those letters are only a small part of what has been sent to a local pensioner. Piles of unwanted mail have simply been thrown away, especially those that arrived before the daughter started to collect a selection of them six months ago.

I have a handful of letters with me. Some are from addresses in this country, including Rainham, in Essex; Chelsea; a post box number in London; Chiswick high road in London; Surrey; and Luton. The great bulk of letters come from overseas, from Spain, Australia, Denmark, Singapore, France, Belgium, Malaysia, the Netherlands, Canada and the United States of America. A lot come from Canada and the United States, often from different places, but, even if they come from the same place, such as Kansas, often from different companies. This huge problem affects not only my constituent, who may be an extreme case in terms of the quantities received, but many others.

The letters come from a wide range of organisations, but they follow a similar pattern. They give the impression that the recipients will receive a big cash payment if they reply quickly. Among the enticements

are sums of £4,000, $25,000, and even a chance to win £30 million. Only when one reads the small print does one discover how the sender gets out of tipping up the money. The returned entry obtains only a lottery place and there is no way of checking that the lottery will even take place.

The scam is completed by asking the recipient to send a small entrance fee of, say, £19.95. Such fees are sometimes called a judging fee, a processing fee or a service fee. Others do not ask for a fee, but offer an object for purchase instead. Some people might then buy the object in the mistaken hope that it will give their lottery entry an edge. In one case, our pensioner was asked for £12.97 to obtain a stylised love-knot necklace. I am informed that when people send such money, only junk is returned.

Unfortunately, it is not illegal for a company to send out unsolicited mail unless the material is obscene, threatening, or deliberately, and, probably, entirely misleading in the offer that it makes. The scams that I have described generally avoid such pitfalls, although a number probably sail close to the wind.

Mail from overseas is particularly difficult to tackle. In late 1998, the Queensland postal service estimated that it had processed hundreds of thousands of responses from the United Kingdom to a lottery scam operated by a PO box in Australia.

Avenues to stem the flow of unwanted mail include the Mail Preference Service, the Direct Marketing Association, the Office of Fair Trading and the Advertising Standards Agency, but those are unlikely to staunch the flow of unwanted letters to my constituent. She cannot tackle this wide range of rip-off merchants either collectively or through a one-stop shop.

My constituent is not alone in her plight. The "Sorted" column in the *Daily Mirror* has pursued the problem on behalf of thousands of its readers. A standard letter that it sends to readers caught up in such junk mail states:

> Sadly, this is a persistent problem which prompts more letters to Sorted than any other subject.
>
> We have repeatedly exposed the bogus nature of many of these contests and always advise readers not to send money to claim prizes.
>
> Many of the mailings use PO boxes and addresses abroad, especially in Holland, Australia and Canada.
>
> When there is a UK address, it is usually a PO Box which forwards to another address abroad.
>
> The Canadian government is investigating several companies after we alerted them to the problem.

Canada is a major source of such letters, but I hope that our Government will undertake a similar investigation. I have numerous details of companies from my binliner to pass to the relevant Minister.

The starting point for such an investigation has been raised with me in a letter from Michael Greenwood, a reporter on the "Sorted" investigation run by the *Daily Mirror*. He states:

> The last article we wrote on junk mail was directed at Royal Mail. In my opinion they are one of the few organisations that can help the consumer fight the problem.
>
> There are so many of these bogus mailings it is impossible to keep track of the companies concerned, let alone confront anyone who runs such firms.
>
> But what is consistent is that many of the mailings come into this country in envelopes marked with Royal Mail prepaid "HQ" codes.
>
> Not only does this give the mailings credence of such a respected national institution but it means the con men are getting a reduced postal rate.
>
> One code, which we mentioned in the March 24th report, is a particular problem and we have repeatedly raised this with the Royal Mail.

That is the code HQ5810. It appears on a letter that I have here which is addressed to my constituent, and it is the most common code used on mail in my bag where Royal Mail is employed. Other HQ codes among my constituents' mail are 6050, 4896, 4144 and 2137.

The reason my constituent receives unsolicited junk mail from numerous companies is that those companies are likely to be interlinked, or perhaps two or three separate junk mail consortiums hold her details. Such organisations have a tendency to prey on pensioners and others who may seem vulnerable. The interlinking of such operations is shown in articles in the *Daily Mirror* dated 16 April 1999 and 11 June 1999. They show one man, in Australia, Terrance Morris, to be behind campaigns operating under a variety of names in Canada, Denmark, Holland, Sweden, Germany and Switzerland.

It is said that we live in a global economy—in a global village. We are certainly seeing the globalisation of rip-offs and scams. Therefore, the Government will need to work with other nations to develop an effective strategy to stop such unhealthy developments. I ask my hon. Friend the Minister to inform the Department of Trade and Industry and others that I am more than willing to bring them my black binliner full of letters and to discuss with them this serious problem.

4.8 pm

Mr. John Randall (Uxbridge): I start by echoing the concerns of the hon. Member for North–East Derbyshire (Mr. Barnes), which I am sure are shared by all our constituents. I am concerned about not only junk mail but junk faxes. I am also perturbed that, from time to time, I receive letters suggesting that I enter a prize draw, which often emanate from the Consumers Association and *Which?*, which I find rather strange. That is not a scam, but it is certainly a marketing ploy.

While we are on the subject of postal services, I want to raise a matter which is of great concern in particular to those of my constituents who live in Ickenham who, for many years, have regarded themselves as a separate community with well-defined boundaries. Their postal code of UB represents Uxbridge as the postal town. They are aggrieved that the Post Office does not include Ickenham in that address. This is not just a matter of pride in one's community, although that should be taken into account, and, from time to time, it has led to much confusion.

Many Members may have had the experience, for instance, of booking tickets by telephone and being asked for first their surname and then their postcode. When they have told the company concerned their postcode, they are told the rest of their address. For instance, people living in the Greenway in Ickenham will be told that it is the Greenway, Uxbridge. However, there is already a Greenway in Uxbridge and another in Cowley, and the postcodes of all three have UB prefixes.

I know of a sad case in which a golden wedding bouquet from a relation did not arrive at the right address because of the confusion that I have described. I raised

[Mr. John Randall]

the matter with the Post Office, but it was not willing to undertake the simple task of adding just one line to the computer database. The situation is not confined to the people of Ickenham; a member of the Cowley community experienced exactly the same problem.

I agree with what many hon. Members have said about mobile telephone masts. I can think of three that are causing concern in my constituency, which, in geographical terms, is very small. It is proposed that one should be built in Long lane, Hillingdon, very close to St. Bernadette's school. Another is already on site in Honey hill, Uxbridge, and an application has been made for retrospective permission. It beams straight into the bedroom of the teenage daughter of one of my constituents. The third, on Uxbridge common, must have an effect on people in a residential care home for the elderly in Harefield road, Uxbridge.

Some of the side effects of the masts seem to be affecting electronic devices. A security officer to whom I spoke recently said that it was not uncommon for home security alarms, or even car locking devices, to be activated by the radio waves sent out by the masts. I am far from convinced that we know enough about the masts. If they are activating those alarms, what might they be doing to individuals? I am sure that we are all concerned about people's safety, and I hope that the Government will consider the matter.

Several Members, notably my hon. Friend the Member for Cheadle (Mr. Day), raised the question of roads. In Uxbridge and the surrounding area, what we are after is not more roads, but more road safety and less traffic. In the near vicinity, we are threatened by what are, in theory, worthy causes—the construction of two rail freight depots. It may be thought that is difficult to oppose in principle: we are all in favour of taking more freight off the roads and putting it on to rail. However, the construction of the depots would dramatically increase large traffic movements of heavy lorries in and around roads in my area.

One of the developments is proposed by Central Railway. It has not yet got round to an application, but the development is part of a scheme covering Liverpool and extending, eventually, to Lille. A terrible problem is being caused by the blight that is affecting people along the line. I think the Government should consider the problem of blight when developments have not even been put forward—and this has been going on for a long time.

I also have a request about roads. Many hon. Members may travel down the A40 tonight on their way to their constituencies. When they see the first bit of open road, they may want to put their foot on the accelerator. I can tell them that the residents of Uxbridge, Hillingdon and Ickenham will not be pleased about that, because traffic noise has been a constant problem to them for many years. Although some measures are now being taken, speed reduction would help. I was surprised to learn that reduction in speed levels could be brought about only for road safety, rather than environmental, reasons, and I hope that the Government will think about that.

I sometimes think that we hear a lot in this place about the real problems of inner cities and rural areas, but the poor old suburbs are forgotten. They are thought of as leafy, and indeed they contain leafy areas, but they nevertheless experience problems, which, if they are left to their own devices for too long, can only become worse. Hillingdon, for example, has lost many of its public services. We have lost several firefighting appliances, and police numbers are down because staff are sucked into central London.

Most people move to the suburbs to improve the quality of their lives, but I increasingly hear that that quality of life has been eroded to the point at which people want to move further away. There is, of course, the problem of affordable housing, which involves not just public services but finding people homes near their work, so that local industry can be maintained.

Finally, let me mention a problem that is near to my heart. I declare my interest as a director—nowadays—of a retail store. In the past, I have worked behind the counters and on the vans of the store.

We hear a lot about air rage, road rage and violent attacks on public service workers. A few days ago, we heard of the murder of a retailer in west London. That was an extreme incident, but many shop workers are subjected daily to much abuse and threatened violence. Sometimes the abuse and threats come from shoplifters; I am not sure that shoplifting is deemed to be as serious an offence as it seems to people trying to apprehend those who try to steal their property. Increasingly, however, shop workers are subjected to both physical and verbal violence by customers.

Nowadays, we rightly give consumers a great deal of protection, but I think we should also bear in mind the rights of those who serve the public.

4.18 pm

Mr. Alan Simpson (Nottingham, South): I think that it would be wrong for the House to adjourn without considering the continuing problems arising from the British Coal respiratory compensation scheme. At least 100,000 claims have been made, and I know that many Members, including my hon. Friend the Deputy Leader of the House, have taken up complaints. I shall refer to only three cases, but those cases exemplify the tragedy that still exists because of non-payment of compensation to miners affected by diseases following the years of work that they have put into the industry. I am grateful that my three constituents have given permission to refer to them. They are Enoch Rollo, Jack Betts—via his daughter, Frances Haywood—and Joseph Moore and his family.

The starting point is an impressive Government policy under which £2 billion has been put aside for compensation payments—a commitment that I hope has the support of the whole House. In March, however, in common with many other hon. Members, I received a letter from my right hon. Friend the Minister for Energy and Competitiveness in Europe, which set out the problems that continue to bedevil the scheme's ability to deliver compensation to miners who rightfully have a claim. My right hon. Friend also expressed her frustration and concerns at the delays:

> The first stage of the medical testing has almost been completed. I am, however, frustrated that we have not yet got the volume we hoped for going through the Main Medical Assessment procedure . . . We have in place facilities to complete 2,500 MAPs a month by now, but we will make only around 50 this month.

That hoped-for completion rate has not materialised—and certainly not in time for Joe Moore, who died last week after 25 years of suffering from chronic bronchitis and emphysema. His funeral is tomorrow.

Joe Moore joins 620 miners in Nottinghamshire who died before their compensation claims were dealt with, and they are among 40,000 or more miners nationally who died before the scheme delivered compensation. I am concerned at the failure to deliver a commitment made in the House to the households of miners suffering from the lifetime effects of working in the mining industry.

My right hon. Friend the Minister hoped to deliver 2,500 medical assessments a month, but the fast-track system has not materialised in Nottinghamshire. The 620 miners who died were in effect delayed to death. Since the introduction of the MAP process, only one miner in Nottinghamshire has been assessed.

The solicitors representing Joe Moore wrote to me earlier this year to express their frustration at the delays:

When we pass information to IRISC—

the claims managers for British Coal—

they send it to Healthcall, the organisation appointed by the DTI to run the Medical Assessment Process. Healthcall then pass it to an organisation called MPS who then obtain each miner's medical and employment records. We understand this is taking some considerable time in each case. In addition, the main cause of the delay is that the Medical Assessment Process is, to the best of our knowledge, not running as yet in this area. At the time of writing this letter the only people that have been tested are miners resident in Wales. Earlier this year, we were informed that the Medical Assessment Process would begin in this area in March 2000 but, as of yet, no one has been tested. We have continuously asked IRISC for an explanation, as the doctors have now been appointed and the test centres have been established, but no answer has been provided.

Although Joe Moore was close to death, the fast-track process was no track at all for him. It failed to materialise. We cannot allow that situation to continue. We should reflect on why it was so different when a Labour Government introduced a compensation scheme for pneumoconiosis—a scheme that was simpler in many ways, because the number of negotiations was fewer.

My right hon. Friend the Minister points out that another factor is the proliferation of agencies involved and the delays in the provision of medical records. If the Government have to introduce a defined time framework within which agencies are required to co-operate and supply the necessary information, the health or legal professionals must accept liability for their standard of work and the processing of legitimate claims.

None of that will be in time for the miners who have already died, but it will make a difference to their families. The debt that we owe to miners must be discharged to their families. Tomorrow, Joe Moore's family will say their last goodbyes to a man was brave, stubborn, honest and hard-working. He received a British Empire Medal for his services to the industry. It is saddening that he devoted his working life to an industry that repaid his commitment with delay and indifference.

That is not meant as a slur against Joe Moore or his family. He was fortunate to be able to draw on the support of his wife, Beryl, and his eight children—who were able to step in and provide personal support, although that should have been enhanced by the compensation payments that were due by right. Beryl and her eight children—Anthony, Teresa, Patrick, Jacqueline, Andrew, Catherine, Pamela and Yvonne—will be saying goodbye to a man whose life was honest, straightforward and principled. None of those characteristics can be associated with the mechanisms behind the delays that stood between Joe Moore and the financial and practical support to which he had a right, to alleviate suffering in the final years of his life.

Our continuing debt to miners is a debt of honour. I hope that the House will take whatever steps it can to discharge that debt quickly and honourably for all the miners for whom Joe Moore and his family would demand justice and their rights.

4.29 pm

Mr. Vernon Coaker (Gedling): It is a privilege and pleasure to follow my hon. Friend the Member for Nottingham, South (Mr. Simpson), who raises an issue of great importance to everyone in Nottinghamshire and no doubt to constituents of my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) and other hon. Members who have represented coalfield communities for many years. My hon. Friend the Parliamentary Secretary, Privy Council Office has also been foremost among those who have campaigned for miners on many issues, including compensation—the payment of which should be made as quickly as possible. I hope that we will be able to do that, and that his constituents and ours receive the compensation that is their due.

Before the Whitsun adjournment, I want to raise three particular issues—two briefly and one in a little more detail—that affect my constituents and that have been raised with me several times. The first was also raised by the hon. Member for Uxbridge (Mr. Randall). It concerns an important point, which many hon. Members raise—the small pockets of deprivation outside inner cities and other city areas, and within suburbs or rural areas.

My hon. Friend the Parliamentary Secretary will know that I have long campaigned for areas within my constituency where there are small pockets of quite intense deprivation. Those areas often receive very little help through grant or additional funding, which they need to tackle poverty. My hon. Friend will know that I have campaigned for a long time for Netherfield, in my constituency, a very deprived ward—especially some parts of it—which has continually failed to get single regeneration budget money simply because it is the wrong side of the line and does not fit particular criteria.

In this day and age, we should be able to come up with statistical data that allow us to focus on small pockets of deprivation rather than allowing them to be overwhelmed by the general affluence that sometimes surrounds them. I hope that Netherfield—I am sure that hon. Members will have their own examples of such areas of deprivation—will be able to get the help that it needs to overcome its real problems of poverty.

The second issue is the iniquity of the education standard spending assessment system. I am pleased that my hon. Friend the Member for Stafford (Mr. Kidney), who is one of the leading lights in the Fair Funding 40 campaign, is in the Chamber. There are real issues in Nottinghamshire and in all the schools in my constituency. Funding for those schools varies significantly from that for schools in exactly the same circumstances in other areas. Primary schools receive tens of thousands of pounds less and secondary schools hundreds of thousands of pounds less.

The justification for that is the needs index, which means that some areas are funded differently from others. We all accept that; where there are particular problems of

[Mr. Vernon Coaker]

deprivation or particular needs to be met, it is fair enough. No one would begrudge that additional funding going to meet that additional need, but when the Fair Funding 40 group met officials from the Department of the Environment, Transport and the Regions, we were told that the main reason for the difference in the education SSAs was that staff pay varied. That beggars belief because, as we know, the salaries of teachers are set on a national pay scale and, apart from some London weighting, there is no real difference between the salaries of teachers and education workers in one part of the country and in another.

I know that a review is going on, and I hope that between us all, we will be able to rejig the way in which the education SSA works, to come up with a fairer funding mechanism that will allow schools in my constituency of Gedling, all schools in Nottinghamshire, and schools in the other authorities that are adversely affected, to receive some of the additional money that they need—a fairer slice of the education cake.

The Fair Funding 40 group has never argued that we should take funds from the authorities that already receive money. We do not want to set one authority against another, but we seek a fairer system. Perhaps that requires funding for us all to be lifted to a median level. Perhaps the size of the cake should be increased, so that we all share more.

Schools, parents and governors in my constituency are putting pressure on me to put pressure on the Government to change the system as soon as they can, and to come up with something that is fairer—something that will allow us to employ teachers, teaching assistants and cleaners, and to have all the other things that go to make up a school. We should have the same level and sufficiency of resources that are available to other authorities.

The third issue is raised by constituents old, middle aged and young. I say that to emphasise a point, because people often regard the topic as something that older people raise. However, when I have done sixth-form surgeries or talked to younger people, they are just as concerned about it as middle aged or older people. It is a concern that they see all around them—a perceived decline in respect in our communities, a lack of respect for others and, in the most general sense, for authority.

Whenever we try to address that issue and say that there is a problem with respect for authority, there is an immediate reaction: it is said that our suggestion is linked with fascism and a return to some jackboot type of authority. I do not mean that, and nor does anyone else in my constituency. What we are talking about is the perception in communities that there has been a decline in respect for some of the traditional things and some of those who traditionally exercise authority, which makes it difficult in many respects for our communities and our society to function.

A couple of examples show the problems. We need somehow to encourage greater respect for the police when they are called on to deal with difficult situations. No doubt we have all had examples quoted to us in which, when a particular problem occurs in a community, the police turn up and people are appalled by the reaction of the young people, or of others, to the police. That is of grave concern to us all, because if the police are not treated with the respect that they deserve, we have a problem.

Our teachers also struggle to receive the respect that they need to do their work. I remember that, often, when a teacher gave a detention or some sort of punishment for something that had happened in the school, what caused a lot of stress was that immediately, the authority of the teacher to do that—to impose a reasonable level of discipline within the school—was challenged.

I am not one of those who say that the police or teachers should never be accountable, but if every time a policeman, policewoman, or teacher takes any sort of action, they feel that their authority is challenged, it makes it difficult for them to do their job. I believe—I have argued this in a number of debates and also said it in private conversations—that if any Government, whether Conservative, Liberal Democrat or Labour, want to raise standards in city schools, and if they want to ensure that people all have the opportunities that they deserve, they must create the right sort of learning environment in some of the most difficult schools. However, we cannot create such an environment simply by turfing out those who are causing the problem. They should be included in an environment in which teachers can teach.

We must respect teachers and police, and re-establish legitimate authority in society. The hon. Member for Uxbridge also mentioned some of the problems experienced by shopkeepers. Respect for people working in that type of environment is important. We also have to respect health professionals. Many doctors, nurses and other health workers could tell us appalling stories of the difficulties that they sometimes have to face in simply trying to perform their professional duties. At times, late at night in accident and emergency wards, they are threatened. Some patients demand a prescription for pills that their doctors do not think that they should have.

Respect for police, teachers, health professionals and property is a fundamental issue for our society, and I do not think that it is a party political issue. We should discuss together how we can re-establish legitimate authority and respect in our society. Without such respect, we shall always be struggling to raise standards in schools, to improve the health service and to deal with the problems of crime and disorder in our communities.

Our shared response to the issue should be to ask how we can generate that respect, tolerance and self-respect in our society, without resorting to the type of authoritarian response that is sometimes seen. If we can manage to address the issue, it would be a great boon for many people in our communities—the people whom we represent.

4.42 pm

Sir George Young (North–West Hampshire): We have had a debate in the best tradition of the House, with a wide range of themes. If there was one theme that ran through quite a few of the speeches, it was the theme of the environment. However, I think that what a wider public would notice, if they had followed the debate, was, first, the sheer range of different problems with which hon. Members have to get abreast; secondly, the detail that hon. Members go into to assist their constituents—the hon. Member for North–East Derbyshire (Mr. Barnes) was a good example of that; and, thirdly, the amount of

technical knowledge that we have to acquire if we are to do battle on equal terms with the Government. I think that those qualities came through the whole of our debate today.

The hon. Member for Harrow, West (Mr. Thomas) spoke movingly about the consequences of alcoholism in relation to employment, marital breakdown, child abuse, unwanted pregnancies and accidents, and he pressed the Government for a strategy. I think that we would all endorse that.

The hon. Gentleman also mentioned, as did some other hon. Members, mobile telephone masts. Let me mention in passing the fact that, last month, the Conservative party came up with a policy changing the terms of trade towards the planning authority and the residents, and away from the providers of telephone masts. It sounds as if that policy would have a lot of support.

My hon. Friend the Member for Cheadle (Mr. Day) made the case for fines for straying off flight paths—fines for pilots who go off-message. He made the point that the regulations already exist. Of course, the principle of fining airlines for noisy aircraft has already been conceded, and the fines suggested by my hon. Friend would be a logical extension.

My hon. Friend also mentioned Chester's Croft, where his constituents do not get compensation because they live in mobile homes, as opposed to permanent homes. Again, it seems that progress is being made, but rather slowly—the Minister may have some good news on that. My hon. Friend also mentioned a road. It sounded familiar; in the previous Government, it may have been one of the roads that was in my programme.

Mr. Day: It was.

Sir George Young: If it has dropped out, well, the responsibility lies elsewhere.

The hon. Member for Keighley (Mrs. Cryer) spoke rather movingly about our railway heritage. I pay tribute to the work of Worth Valley. I think that that was the setting for "The Railway Children", which is how most of us have come across it. The hon. Member reminded us about the age of steam. She also mentioned that she was looking for temporary storage space for some rolling stock. It just occurred to me that the millennium dome might possibly be able to help.

The hon. Member for Winchester (Mr. Oaten), my neighbour, spoke about modernisation, which is a very topical issue. As a member of the Modernisation Committee, I can say that it is an issue with which we are grappling at the moment. I shall make one or two points in passing. First, whatever hon. Members think about the conditions in this Parliament, they are infinitely better than conditions in previous Parliaments.

Secondly—looking round the Chamber—I do not think that anyone has been kept out of their bed later and more often than me, and I have been kept out of my bed by Labour Members and Liberal Democrat Members. It is somewhat paradoxical that it is Members from those parties who are now urging me and my colleagues to be more restrained.

Thirdly, it is not only a matter for the Opposition: the Government have a role to play, in the size of the legislative programme, the complexity of the legislative programme and the quality of the drafting.

Finally, one has to be careful, under cover of making this place more civilised and more user-friendly, not to shift the terms of trade even further in favour of the Government and against Parliament. If anything, the terms of trade need to be shifted back.

On electronic voting, I declare that I am not a supporter. In the most recent survey, the most popular method of voting was the one that we have now. I should be surprised if opinions had changed enormously since then.

The hon. Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) spoke movingly of Mr. Whittaker being denied a General Service Medal because he was not in an active service area. The hon. Gentleman reminded us that, even when this country is not directly involved, our soldiers and armed forces are at risk. He listed the number of fatalities in conflicts in which we were not a direct party, but in which, sadly, members of the armed services were killed. He reminded us of the debt that we all owe to those who are in the services.

My hon. Friend the Member for Bournemouth, East (Mr. Atkinson) spoke about asylum seekers and made a very reasoned case for looking rather carefully at the 10 per cent. of asylum seekers who come from countries that are actually free of persecution, because they are members of the Council of Europe. The pressure on his local authority and on the Home Office would be less if that 10 per cent. were not part of the queue.

My hon. Friend also referred to a key appeal that is about to take place in the House of Lords. I am sure that the Government will be watching that carefully, because, if the case goes in favour of the Roma, there are very wide implications indeed. My hon. Friend then went from the macro to the micro by explaining the consequences in his constituency of the increased number of asylum seekers who have arrived and the impact on residents and the wider economy.

The hon. Member for Hornchurch (Mr. Cryer) was one of a number of Members to mention problems involving telephone masts, particularly when they are sited close to schools. Many schools have welcomed the income that they derive from having those masts, although they may be reconsidering that. The hon. Gentleman made a sound case for more research and for caution in the mean time. He expressed concern about the future of Ford and the viability of a stand-alone engine plant. I hope that his fears are unfounded.

The hon. Gentleman also pointed out that opinions about modernising can change. The plea from the hon. Member for Winchester was sandwiched between speeches from the wife and the son of one of the Members of Parliament who kept me out of my bed more often than almost any other—Bob Cryer. The hon. Member for Hornchurch implied that the Conservative party had conspired to close huge sections of British industry to reduce the number of trade unions and weaken our political opponents. That is a rather simplistic approach to the changes in industry in this country. It was containerisation that led to the closure of the docks. The present Government face the same challenge as the previous one in trying to respond to changes in patterns of industry and to provide new jobs when jobs have been lost.

[Sir George Young]

The hon. Member for Hazel Grove (Mr. Stunell) made the most modest request of the debate, asking for a left filter at a traffic light.

Mr. Stunell: A right filter.

Sir George Young: I am sorry. If it is a right filter, I am certainly able to support the hon. Gentleman. He also reminded the House of our duties as Members of Parliament. We should not lose sight of that when we talk about the related issues of our conditions and working hours. He pointed out that it was up to the House to reclaim from the Executive some of the powers that we have lost. I certainly endorse that. Government Back Benchers are the only ones who can do that. The Opposition cannot reclaim powers from the Government on their own. Government Back Benchers have a heavy responsibility if we want to get the terms of trade back.

I agree entirely with what the hon. Member for South Swindon (Ms Drown) said about buses. They are the dark horse in the public transport debate. They can do most of what light railways can do, but at a fraction of the cost. I agree entirely with what she said about a constructive partnership between local authorities and bus companies to provide a better service. In my experience, information about buses is often missing. People would like to go by bus, but they do not always have sufficient information about where buses run and at what times.

I was interested to hear what the hon. Lady said about the working families tax credit. There have been problems in my constituency with the transition from social security payments to payment by employers. One or two people in my constituency have been without funds for some time. I hope that those transitional problems will be resolved.

I hope that we can have a full debate on the important White Paper on waste that was published today. Like the hon. Lady, I have been impressed by the sheer volume of correspondence about the debt campaign. The postcards keep rolling in month after month. That has an impact on Members of Parliament.

The hon. Member for Braintree (Mr. Hurst) spoke about his local wildlife trust, its broad base of support in his constituency and the pioneering work of Miss Elliot. He focused on the crucial interface between agriculture and conservation. Farmers are often the best conservers, as long as they have the income with which to do it. The current debate centres on what to do about conservation when farm incomes fall. He said that there was a case for the Government to step in on conservation grounds to ensure that farmers were able to look after the heritage.

The hon. Member for Stafford (Mr. Kidney) paid tribute to my hon. Friend the Member for South Staffordshire (Sir P. Cormack), who would normally wind up this debate, but is attending an important family occasion. We were sorry to hear about the redundancies at ALSTOM. I hope that it can win fresh contracts elsewhere. The weak euro means that we must do all that we can to ensure that we are competitive in other areas by remaining deregulated, having low taxes and attracting inward investment. I was interested to hear about the single regeneration budget bid. That innovation of the previous Government was not wholeheartedly welcomed at the time by the Labour party, but I gather that it has now been embraced.

I am not sure whether the Minister took the precaution of having something to eat before we started business questions. When the hon. Member for Stafford started talking about the national culinary centre, I realised that that was the closest to nutrition that I was going to get for some time. We hope that his constituency is successful in establishing that important new institution.

My hon. Friend the Member for Southend, West (Mr. Amess) reminded us of the Conservative party's success in the recent local elections and the transformation that is now taking place in Southend as a result. He reminded us of the work of the RNLI, which gets no help from the Government, not because the Government refuse to give help, but because the RNLI has not asked for help and does not want any. He reminded us that prevention is better than rescue. My hon. Friend declared himself to be an enemy of mobile phones, particularly on trains, and spoke about phone masts, as did other hon. Members.

The hon. Member for North–East Derbyshire has obviously done an enormous amount of research on junk mail. My experience is that writing to the mail preference service solves most of the problems, although there are still problems from Nigerian citizens who write to Members of Parliament asking for details of our bank accounts so that they can expatriate some funds that they have somehow accrued and in return pass on a small percentage to us. It is, of course, a scam. All that they want is details of our bank accounts so that they can access them. I hope that there can be a response to the problem that the hon. Gentleman raised. He has done a service just by publicising it, because that will alert more people to the risks of subscribing. Junk faxes have virtually stopped since the law was changed. At the beginning of this Parliament, one found in one's office a stream of faxes inviting one to buy a holiday or fax paper or to recruit staff. That has virtually stopped, but junk e-mail is becoming slightly more of an issue.

My hon. Friend the Member for Uxbridge (Mr. Randall) referred to the problem of mobile phone masts and to rail freight depots. We all want more goods to be transported on the railways, but there is a problem with depots and of an increase in rail traffic at night. We need to think that through. My hon. Friend mentioned also the suburbs; the suburbs are, after all, where most people live, and one should not ignore their needs by focusing too much on inner cities and rural areas.

There was a moving speech from the hon. Member for Nottingham, South (Mr. Simpson) about compensation for miners from the coal industry and I hope that the bureaucratic process can be speeded up. The Minister is probably closer to that problem than anyone else, and will have sympathy with it.

The hon. Member for Gedling (Mr. Coaker) mentioned pockets of deprivation. When I was a Minister at the Department of the Environment responding to debates, there was a "Yes, Minister" reply which said that a well-resourced authority ought to be able to cope with pockets of deprivation, and that resources were focused on those areas with lots of pockets of deprivation. No doubt that response is still on the wordprocessor at the DETR and will be wheeled out. The hon. Gentleman's comments on respect for authority struck a chord with all of us.

This may be the last Whitsun Adjournment debate of this Parliament. As we go away, politics is beginning to get more exciting. I hope that the Minister will not be distressed if I say that, recently, we have seen some fumbled responses from the Government to some of the initiatives from my right hon. Friend the Leader of the Opposition—they have been rather like a rabbit in the headlights.

We go away without having time to debate a number of early-day motions. Eleven Labour Members have signed an early-day motion on Britain's competitiveness, expressing concern at the level of sterling. Fifteen have signed an early-day motion critical of the Home Secretary's decision to admit Mike Tyson. Ninety Labour Back Benchers have signed an early-day motion on National Air Traffic Services, urging the Government to reconsider. More than 50 Labour Back Benchers have signed an early-day motion on the millennium dome.

I see before me a dispirited and demoralised party that is about to go on a recess that it desperately needs, confronted by a reinvigorated and confident Opposition, greatly encouraged by our success in the local elections. We, too, will return from our recess even more invigorated.

On behalf of the Opposition, I say to the occupants of the Chair, the servants of the House and all hon. Members that I hope that they have a well-earned rest.

4.57 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): This has been a useful and, as always, interesting debate. The right hon. Member for North–West Hampshire (Sir G. Young) spoke about the theme that came to him from the debate, which was the environment. There were strong environmental themes, but what struck me throughout the debate was the praise given from both sides of the House to voluntary and community organisations.

Governments are not good enough at saying thank you to people, and there are thousands and thousands of voluntary organisations and community groups across this country that raise the standard of our lives. We rarely have the opportunity to say thank you. This evening, I want to thank all of them for their efforts to increase the quality of civic society.

I was struck by the moving and inspiring speech by my hon. Friend the Member for Braintree (Mr. Hurst) about the Essex wildlife trust. I have not been to the site, but I will go and have a look. He was right to say that we must move away from our present means of support—support for production—to a system that allows for greater grants and input for conservation, lifting the landscape and enhancing the environment. There is a good moral there in Essex that is worth exploring.

I say to my hon. Friend the Member for Keighley (Mrs. Cryer) that I have done my bit for the Keighley and Worth Valley railway. It is an excellent railway that continues to develop and do well. As my hon. Friend said, it is run and managed by the stakeholders to whom it belongs. I am pleased that she is one of them, and I am delighted that the national lottery has been able to help, in a small way, with a heritage lottery grant of almost £600,000. There are hundreds of such railways around the country, and the people who run them also deserve our thanks.

We also need to say thanks to the Royal National Lifeboat Institution, and I too should like to put on record my appreciation for John Foster. The RNLI is not supported by the Government, because its members choose to be independent. They do an important and marvellous job, as do those who raise funds for the organisation.

My hon. Friend the Member for Harrow, West (Mr. Thomas) spoke about other work done by community groups. He described the campaigns by the Pinner Green residents association and the Montesole Court residents association in connection with mobile phone masts—a matter to which I shall return later.

My hon. Friend the Member for Hornchurch (Mr. Cryer) made a different point about community action. He said that, some decades ago, people used to organise around their places of work. That is where the Labour movement and the trade union tradition came from, and it is where the notion of solidarity was born. Perhaps I should draw to my hon. Friend's attention one or two of the papers that have crossed my desk recently, which have argued that the new place for solidarity is in the voluntary sector and in community groups. If we were organising now, that is the sector in which we would start.

The hon. Member for Hazel Grove (Mr. Stunell) spoke about a related point—the need to devolve decision making and to empower people. He said that local people should be allowed to find local solutions to local problems. I regard that not as a difficulty, but as something that we ought to celebrate and support. The growth of community groups will help to bring back respect for authority. My hon. Friend the Member for Gedling (Mr. Coaker) expressed strong concern about that, and his sentiments were of a piece with what the hon. Member for Uxbridge (Mr. Randall) said about the service given by shopkeepers. The hon. Gentleman said that the right to be served by a shopkeeper entailed a responsibility on the part of the customer.

I think that Members of Parliament are very good at arguing for rights—perhaps too good at it—and that we do not argue enough for responsibilities. In that connection, my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) made a good and well-organised speech. He spoke of his constituent, Mr. Whittaker, who served in the Suez canal zone, and he made a very powerful case on behalf of all canal zone veterans—including those, such as my hon. Friend the Member for North–East Derbyshire (Mr. Barnes), who were there only for five days. I shall certainly press the matter, and draw it to the attention of colleagues in the Ministry of Defence.

Several hon. Members spoke about transport and road issues, which formed one of the themes of the debate. The hon. Members for Cheadle (Mr. Day) and for Hazel Grove made it clear that they wanted a road, not a study. From previous encounters, I know the strength of the Hazel Grove action group in that regard. I confess that I may be part of the problem: I am not an infrequent visitor to Manchester airport and can confirm that it is an extremely difficult place to get to. If we are to achieve an integrated transport structure, we must establish an appropriate structure for access to the airport. I shall, of course, pass on the hon. Gentlemen's comments on that subject.

My hon. Friend the Member for South Swindon (Ms Drown) talked about the importance of bus services. Buses are work horses, and they are dark horses too. They

[Mr. Paddy Tipping]

can deliver the goods, but only if the transport service that they offer is of high quality. If we are to be proud to use buses, they must be clean and tidy, and their drivers and conductors—where they have them—should be polite and ready to supply passengers with information. One of the things that has fascinated me recently is the growth of computer-aided bus stops. We can stand at the bus stop and see the bus coming towards us on a graph. If we can bring bus services into the modern age, more people will switch to using them. I know that my hon. Friend has campaigned very hard for this in Swindon, and all power to her elbow.

The hon. Member for Cheadle spoke about the problems of noise at Manchester airport. I am making inquiries about this. He is right to say that there is some kind of consultation exercise taking place. I confess that I cannot remember the details, but I will write to him about it.

A number of colleagues talked about job losses in their area. As always, it is extremely sad. However, what struck me from their comments was that out of decline is coming growth. My hon. Friend the Member for Stafford (Mr. Kidney) talked about the problems at ALSTOM, a world leader, but also the desire to move towards the cutting edge of technology, to get into the business of renewables and to ensure that ALSTOM and people who work in Staffordshire are at the forefront of the new technology.

That certainly seems to be the case with the great British kitchen. My hon. Friend asked what help could be given. Advantage West Midlands will be looking at the issue. I have in my possession a letter from the Prime Minister to Prue Leith. Armed with that supportive letter, I think that the project bodes well for the future. I commend my hon. Friend on his efforts in this regard. I know that within the last day or so he went to see my right hon. Friend the Secretary of State for Trade and Industry to pursue the issue on behalf of his community.

My hon. Friend the Member for Gedling was, as always, pressing the case for Netherfield. There is a case for doing better in areas of small-scale deprivation. Across Government, a whole range of initiatives to do with regeneration and reclamation are being brought together. They were sold initially as pilot schemes and experiments. We have not been as good as we might have been about learning the lessons from those experiments and making them a mainstream part of Government business.

The modernisation of the House of Commons was discussed at some length. What struck me, as always, was the amazing range of views that we heard. What also struck me is that politics is a circle. A party may be in government today and in opposition in, perhaps, 20 years' time—it might take about four elections. A sensible Government would always balance the needs of the Opposition.

There was no consensus about electronic voting or about the hours. Key members of the Modernisation Committee are in the Chamber this afternoon, and I have to say that it would be helpful to have some certainty about our hours. We can live with bad news, but we cannot live with the lack of certainty and the ability to make plans. If such a decision emerges from the Modernisation Committee, that would be a major improvement.

For my part, I would like us to experiment with electronic voting. The down side to that is that I frequently use the opportunity to lobby Ministers at the vote. As I said recently, in the Lobby Ministers may try to run but there is nowhere for them to hide. It is important to use our opportunities.

Several colleagues raised slightly smaller but more important points. My hon. Friend the Member for Harrow, West told us that he had taken part in an Industry and Parliament Trust placement with a voluntary organisation. That is a good initiative, which should be praised. My hon. Friend the Member for Gedling has also been involved with Age Concern under the same scheme.

My hon. Friend the Member for Harrow, West asked about the Government's alcohol strategy. We shall publish a consultation paper in the summer. I hope that that important document will help us to make progress on some of the issues that he raised.

The hon. Member for Cheadle referred to mobile homes—a subject that is close to my heart, too. They are an eccentricity in planning terms. Their tenants are in a difficult situation and have no real powers in law. He made a point, which had not occurred to me before, about their not being able to apply for compensation for traffic noise and the building of a new road. He will be pleased to learn that the mobile homes working party—which includes colleagues from the Department of the Environment, Transport and the Regions, mobile home owners and the parks' owners—has recently finished its work. Its report contains a range of recommendations. If we can make progress with them, we can make life much better for the occupants of mobile homes.

I should like to make life better for those who live in Bournemouth. It is especially sad that an area that people have cared about has suddenly and dramatically gone downhill and that an area of civic pride has become one of seediness and squalor. The Government are concerned about asylum. The Immigration and Asylum Act 1999 began to bite on 4 April, and I hope that it will make a difference. The hon. Member for Bournemouth, East (Mr. Atkinson) talked about membership of the Council of Europe and asked whether we could have a different regime. Those matters are governed by the 1951 United Nations charter on refugees and the change that he recommends would not be possible at present, but I know that the issue has been on the agenda of my colleagues in the Home Office. We shall certainly take his point very seriously.

My hon. Friend the Member for South Swindon said that the working families tax credit does not apply to nannies. That issue is on Ministers' desks at the moment. I make no commitment that it will be resolved, but I noticed that, as she spoke, there was a lot of nodding around the Chamber so it is clearly a problem.

I, too, am keen to discuss waste management strategy, which is a big and pressing issue. Landfill sites are ticking time bombs. We must do better; we cannot go on filling holes in the ground with waste as we do now. We all have a responsibility as householders and consumers to recycle, to make compost in our gardens and to choose goods that are not over-packaged. If we behave better, we will make the difference for our children and their children.

The hon. Member for Southend, West (Mr. Amess) mentioned some hard cases, which seemed to involve bureaucracy and a lack of appropriate response from

Government services. I will not comment on them now, but he can be sure that I will take them up in the relevant quarters.

My hon. Friend the Member for North–East Derbyshire wanted me to take him and his black plastic bag to Victoria street to talk to Ministers about junk mail. I shall try to deliver that bag for him. I like the notion of his walking down Victoria street with a black plastic bag over his shoulder. There appears to be a problem, and we should try to make progress with the Department of Trade and Industry and the Royal Mail.

My hon. Fr end the Member for Gedling raised matters close to my heart—a better funding deal for schools. My. hon. Friend the Member for Stafford has also been involved in that campaign. I remind them that a consultation paper on the problem is to be issued this summer and I remind all hon. Members that schools throughout the country will receive cheques in the next few days, which will vary from £4,000 for the smallest primary school to £60,000 for the largest secondary school, so that they can do better. Labour colleagues are particularly proud of that initiative.

After I leave this place, my first appointment in the morning will be with the organisation that deals with compensation for chronic bronchitis and emphysema. I am delighted that my hon. Friend the Member for Bolsover (Mr. Skinner) has joined us. We have campaigned hard for two decades to get such compensation. When we started, we were told that there was no chance, but we all worked together. We campaigned together and we won in the High Court—the biggest civil compensation case in history. We will pay out on 100,000 claims to former miners. We have £2 billion to put in people's pockets. What peeves us all is that we are not doing the job more quickly—£70 million has already been paid out, but much more remains to be done. Tomorrow, I will see the chief executive of IRISC, which is the body that is running that. I will have a full and frank discussion with him, as my hon. Friend the Member for Bolsover would put it. I will poke the organisation in the eye a little on the matter because I want us to achieve the target that we set ourselves—to pay out to 2,500 people a month. These miners have given their health—in some cases, their lives—to keep us warm and we must do better.

I am conscious that I have been asked to pass on many messages and to ensure that ministerial colleagues are aware of a range of issues. I will do so. I will write to those colleagues who have raised matters that I have not answered.

The right hon. Member for North–West Hampshire said that we were going away for a few days of rest. What struck me was not that colleagues needed a rest, but that they would be going back to their constituencies full of vigour to deal with various problems and initiatives—the things that need to be done. I am conscious of a matter raised by my hon. Friend the Member for Gedling. He was putting pressure on me to put pressure on Ministers to ensure that we get change. This debate shows that a lot has been achieved, but much more remains to be done.

Mr. Jim Dowd (Lord Commissioner to the Treasury): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Learning Difficulties

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

5.18 pm

Mr. James Clappison (Hertsmere): I am pleased to have this opportunity to raise Government funding for persons with learning difficulties in Hertfordshire , which is a subject of great interest to my constituents and more widely in Hertfordshire.

Before I deal with that matter, I must make two things clear. First, Hertfordshire has a good tradition of meeting the needs of people with learning difficulties through the work of voluntary groups. It is in large part due to the work of such groups that people with learning disabilities make a positive contribution to the community in Hertfordshire and are valued members of it. I pay tribute to all those who work in voluntary groups in my constituency and throughout the county.

I wish to explore whether Hertfordshire county council receives an appropriate level of support through the arrangements for providing support for local government from central Government. The Minister and her Department have received communications from Hertfordshire county council on this matter. The council has carried out a great deal of work; it recently commissioned a report from PricewaterhouseCoopers on demand for learning disability services in Hertfordshire. The report included some technical detail about the standard spending assessment.

Hertfordshire county council contends that the SSA does not adequately reflect demand for services in the county and that, as a result, the council spends more than its SSA for personal social services. The starting point for that situation is that, compared with other local authorities, there is a high incidence of people with learning disabilities in Hertfordshire. National research shows an indicative population for people with learning difficulties—irrespective of whether they receive local authority support—of about 3.75 to 4.04 per thousand of the general population. However, in Hertfordshire, that proportion is exceeded; the ratio is 6.61 per thousand.

According to Department of Health records, the number of local authority supported residents with learning disabilities in Hertfordshire is above average; there are more than seven such residents per 10,000 of the population. Those figures do not take account of the significant number of people from long-stay institutions who have been placed in local authority residential care under the provisions of the National Health Service and Community Care Act 1990. I should make it clear that such people are funded by the health authority and thus do not enter the general argument, although they may provide part of the explanation as to why Hertfordshire has a high incidence of people with learning disabilities.

The number of people in Hertfordshire who have moved to local authority residential care from long-stay institutions is high because of the preponderance of such institutions in the county—many of them in and around my constituency. That is a historical feature of the region. Although those people are funded by the health authority, it is possible that, as their disabilities become more complex and severe with age, they will make additional calls on the Hertfordshire personal social services budget.

[Mr. James Clappison]

At present, they are funded under the 1990 Act. In any event, quite apart from those people, demand for residential placements for people with learning disabilities is set to grow at a relatively high rate—as the report from PricewaterhouseCoopers established.

That is the picture of need in Hertfordshire. How well does Government funding help Hertfordshire county council to address it? Of course, revenue support grant is distributed to local authorities through the SSAs. In this case, it is divided into seven service sectors, of which the relevant one is that for personal social services. That SSA has four categories—I do not want to go into them too deeply, but I must touch on some of the technical detail in order to make my argument.

The first three categories comprise children's services and elderly residential and elderly domiciliary services. The fourth—the important one for my argument—is described as "other services" by the Government; it covers the provision of services for people aged between 18 and 61, including people with learning disabilities.

In the first three categories, the SSA follows the client group for which the service is provided. Research work has been carried out to identify the relationship between need and expenditure in those cases. However, in contrast, the SSA for the fourth category, which includes people with learning disabilities, does not follow the client group; it follows certain broad socio-economic indicators—reflecting economic and health factors and accommodation provision.

I do not want to get too technical about the issue, but the underlying point is that funding from central Government for people with learning disabilities is not distributed on the basis of potential client group numbers and the need for the local authority to incur expenditure on that client group. To put it more broadly, because of the formula controlling distribution, money does not follow the needs that it is supposed to address.

I do not want to go into any more detail, but I invite the Minister to consider the research that has been prepared by Hertfordshire county council in support of its case. The report makes the argument on strong, robust and technical grounds that the SSA formula does not reflect the relative need that local authorities may have for client groups, including people with learning disabilities. It also points out that the issue will become increasingly important as demand for residential places grows. It suggests technical ways in which the SSA can be reformed to reflect need.

My contention is that Hertfordshire loses out on funding that should go to people with real and important needs—those with learning disabilities in my constituency and the rest of Hertfordshire. As matters stand, according to the leader of Hertfordshire county council, Mr. Robert Ellis, it may be that Hertfordshire loses out by as much as £9 million to £10 million each year.

Against that background, I hope that I have taken a realistic attitude. I know that it is a technical and complicated matter that presents difficulties for the Government, who have to take account of a wide range of issues. Hertfordshire county council is conducting further research, but I hope that the Minister will suggest that she is at least able to consider the possibility of further research by her Department and that she will consider favourably any request by the council for help with its research and, particularly, for help with the collection of data to support its contentions.

I hope that the Minister will have an open mind towards the possibility of further studies. I understand that that does not necessarily entail any Government guarantees about the conclusions on the SSA, but they should at least consider the research. Hertfordshire county council has done some good work and it has made a strong case that is supported by robust and well argued research.

I hope that the Government are willing to listen to the council, which speaks on behalf of an important section of the community that is much valued in my constituency. People want to help, but they wonder whether those in that group are receiving the help that they should receive from central Government through funding for the important services that have to be provided for them.

5.28 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I congratulate the hon. Member for Hertsmere (Mr. Clappison) on securing the debate and on giving us an opportunity to consider the financing of local government in Hertfordshire and to set the record straight on some of the points that he made.

The hon. Gentleman knows that the financing of local government for this year is settled, but I accept that he has spoken largely about the future. In February, the House approved the distribution of revenue supports grants, and local authorities, including Hertfordshire, have decided their budgets and set their council taxes. In that sense, the settlement is fixed for this year.

I remind the House that, this year, the settlement has increased support for local government by much more than the rate of inflation. It is important to bear that context in mind. We have provided 5.8 per cent. more in grant for local authorities this year on top of a 5.5 per cent. increase the year before. In three years, we have increased the grant to local authorities by £6 billion, a real-terms increase of 7.8 per cent. The hon. Gentleman must acknowledge that that figure contrasts sharply with the previous Government's cut of 4.3 per cent. in real terms in their last three years in office. The general context is that local authorities, including Hertfordshire, have received substantial increases in grant above the inflation rate.

Hertfordshire has shared in those increases. Indeed, some authorities would argue that it has had a disproportionate share of them. It has received increases greater than those of the average shire county, its total standard spending assessment has increased by more than £40 million and its grants have increased by 5.4 per cent or £27 million. Hertfordshire social services SSA has increased more in the first three years of this Government than it did in the last five years of the previous Conservative Government. Again, in comparison with the previous period, social services have received substantial increases in grant above the inflation rate.

The hon. Gentleman said that Hertfordshire does not get fair treatment from the grant system, but that is hard to square with the figures. Of the other 33 shire counties, only two get a bigger SSA than Hertfordshire. Hertfordshire has increased its budget by a bigger percentage than the average shire county, but has

increased its council tax by a smaller percentage than the average shire county. Only two of the other 33 shire counties charge a lower council tax.

On the face of it, those facts do not suggest that Hertfordshire is badly treated by the present grants system. That is highlighted by some groups of authorities that make representations, such as the so-called E40 group of authorities, which are primarily rural shire counties and unitary district authorities. They feel that they do not receive a fair share of education funding and frequently cite Hertfordshire as an example of an authority which, in their view, receives an over-generous SSA.

That is the context for the funding of Hertfordshire social services and its impact on funding for learning disability services, which was the main point of the hon. Gentleman's argument. The Government made social services funding a priority in the 1998 comprehensive spending review and, for the first time, we guaranteed that provision nationally would increase in the three years between 1999 to 2002. As a result, local councils could plan ahead with greater confidence across the range of social services. In the period covered by the spending review, the provision for social services is for an additional £2.8 billion which, on average is more than 3 per cent above inflation for each of the three years. I hope that the hon. Gentleman concedes that that demonstrates the importance that the Government attach to social services, including services to people with learning disabilities.

In the second year of the period covered by the comprehensive spending review, the provision for local social services has increased by £492 million, which represents an increase above inflation of 5.6 per cent in cash terms and of 3.1 per cent in real terms. That is a measure of the substantial additional resources that we have given to all local authorities, including Hertfordshire, for personal social services standard spending assessments. That is the background to the matter, covering the general position on grants and the way in which that specifically affects social services SSAs and grants.

Audit Commission performance indicators confirm that, as the hon. Gentleman said, Hertfordshire has a higher than average number of people with learning difficulties. I understand that that is largely because the area once had three long-stay hospitals. Consequently, when responsibility for the services provided by those hospitals was transferred to local authorities, many of the hospital residents remained in Hertfordshire, regardless of where they had originally come from.

While the Audit Commission shows that Hertfordshire's spending on services for those with learning difficulties is above average, its performance indicators show that its circumstances are by no means exceptional. In terms of the proportion of its population who are supported on account of their learning difficulties, Hertfordshire just makes the top quarter of shire county authorities, and nationally, barely makes the top 50. Hertfordshire is in the wide top band, but it is by no means exceptional.

The hon. Gentleman will know from his own experience in my Department that Ministers are told, rightly, that all authorities have spending pressures. It is for each authority to decide how best to meet the needs of all its residents, given the available resources.

The hon. Gentleman mentioned that the county asked consultants to come up with a different formula for allocating standard spending assessments. The consultants initially tried to base a formula on an analysis, but were thwarted by the lack of reliable data—the sort of data that the hon. Gentleman wants us to use—so they devised what they described as a "judgment-based" formula.

On their first attempt, the consultants produced an analysis which showed that Hertfordshire should have another £60 million. Realising that that would probably be treated with some scepticism, they moved to the judgment-based formula. On the basis of that formula, they calculated that Hertfordshire should receive another £9.7 million.

However, the formula would also shift about £100 million of SSA away from inner London and the metropolitan areas, which have their own pressures on their budgets. Would the losers be fairly treated if we relied on a judgment by those advising Hertfordshire, which would be a big gainer? Even the consultants say that

> this formula is not adequate for the purposes of Central Government departments.

Although I understand what the hon. Gentleman says about the pressures in Hertfordshire, and I have acknowledged that there is an above-average number of people with learning difficulties in that county, his overall argument is weak. I could cite to him the case made by a range of local authorities, metropolitan authorities and rural authorities, each of which would identify a different pressure, but none the less a pressure, on its budget.

Mr. Clappison: I am grateful to the hon. Lady for giving way. Will she address the point that applies to all authorities: if money is provided from central Government for people with learning disabilities, should that not reflect the number of people with learning difficulties in the authorities concerned?

Ms Hughes: I should have thought that the hon. Gentleman would know from his time as a junior Minister in the Department that it is a long-standing feature of the standard spending assessment formula—which we are committed to changing, and which he knows is under review—that all the indicators used in the formula should be outside the direct policy influence of the local authority. In other words, it should not be possible, by using a particular indicator, for the decisions that a local authority takes—in this instance, perhaps, to accept more people with learning difficulties—to be used as a mechanism for increasing its grant.

That is why, in relation to people with learning difficulties as well as a range of other services provided by local authorities, the indicators used are indirect indicators in terms of the general characteristics of the population. I am sure that the hon. Gentleman is well versed in this. I understand the argument that Hertfordshire has advanced, but it is not an argument that we have been prepared to accept, because that would unravel a long-standing feature of SSAs and leave the SSA formula open to influence by the policy decisions of local authorities.

Mr. Clappison: I am grateful to the hon. Lady for giving way again. I am not interested, as she seems to

[Mr. Clappison]

think, in comparisons with previous Governments, as I do not believe that that is helpful. I understand her point about other authorities, and I hope that I anticipated that in my remarks. I appreciate the difficulties, but will she listen to Hertfordshire county council and look at the research? Will she at least do that?

Ms Hughes: We have considered PricewaterhouseCoopers' research, but, for the reasons that I have just outlined, we cannot accept the point made by Hertfordshire that, on the basis of that research, the SSA formula should include a direct indicator of the number of people with learning difficulties.

The hon. Gentleman seems to have missed some of the points that I have made. It is interesting that he is not particularly interested in comparing Governments, but my reference to the previous Government was valid. I was careful to point out the substantial increases since 1997 that all local authorities have received generally and for personal social services. That is a valid point in terms of evaluating whether Hertfordshire should have enough money to allocate to services for people with learning difficulties in their area.

Mr. Clappison: The hon. Lady introduces a partisan element, which is not necessary and will not be well received in Hertfordshire. I hope that she will at least consider the further research that has been done by Hertfordshire county council and reflect on the fact that, further to her point about local authorities attracting people to their areas, people with learning difficulties are already in Hertfordshire—the hon. Lady knows the historical background—and are not getting the money that they need for their services. I understand the difficulties, but will the hon. Lady at least consider the research in an open-minded way, put aside partisan considerations and help Hertfordshire?

Ms Hughes: I do not accept that I am being any more partisan than the hon. Gentleman. The hon. Gentleman refuses to acknowledge the substantially improved finances for all local authorities that I have outlined. I dare say that he has not pointed that out to his constituents in Hertfordshire either, and he should, because not only does that result in an improvement generally, but it means that Hertfordshire has done particularly well. I have explained Hertfordshire's financial position relative to other shire counties, but the hon. Gentleman refuses to acknowledge that. He has not said that he has pressed Hertfordshire on why it is not allocating sufficient resources for people with learning difficulties.

I do not want to finish without making some general points about the grant distribution system and the priorities for people with learning difficulties in particular. I accept that the grant system attracts criticism. It is a long-standing and opaque system. It has operated for many years and it makes it difficult for authorities to see how their overall grant has been calculated and to plan ahead to improve their services. That is why, with the consent of local authorities, we have started to review that system.

As the hon. Gentleman knows, in the context of that review and with the agreement of local authorities, for the three years that that review will take the SSA formula will be frozen, apart from data changes. The certainty of increased grants, albeit on an SSA formula, gives local authorities time in which to plan, while allowing us to review the situation.

We are not specifically considering the issue raised by the hon. Gentleman within that review, but if Hertfordshire wants to send any research in addition to that done by PricewaterhouseCoopers, my Department will be happy to receive it and consider it in that context. If that is the assurance that the hon. Gentleman seeks, I am happy to give it.

Support for people with learning difficulties is an important priority for the Government, and for my Department and the Department of Health in particular. A significant group of people, including users and carers, as well as professionals, and including a member of a voluntary organisation from the hon. Gentleman's area, has been drawn together to work with us to develop a strategy for improving those services. Given the change of thinking around such services and the belief that such services should be based in the community, the improvement of services generally is one of our priorities and we will continue to strive for that.

I repeat that we have given much more support to local authorities, and also to people with learning difficulties. Funding to provide such people with services has increased substantially in the past three years. We have recognised the limits of the system of grant distribution that we inherited, and we are conducting a review. As I have said, I shall be happy to receive any information that the hon. Gentleman wishes to contribute to that review; but I cannot accept his basic contention that Hertfordshire has fared relatively less well than other authorities. Indeed, as I think that I have made clear, relatively it has fared very well. I hope that it will consider the funds that it has received and seek to improve services for people with learning difficulties in the way that we—and, I am sure, the hon. Gentleman—would like.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Six o'clock.

Westminster Hall

Tuesday 16 May 2000

[SIR ALAN HASELHURST *in the Chair*]

Economic System

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Jamieson.*]

10 am

Mr. Tony Benn (Chesterfield): On 23 April 1901, Keir Hardie, the then Member for Merthyr Tydfil, moved the following motion:

That, considering the increasing burden which the private ownership of land and capital is imposing upon the industrious and useful classes of the community, the poverty and destitution and general moral and physical deterioration resulting from a competitive system of wealth production which aims primarily at profit making, the alarming growth of trusts and syndicates able by reason of their great wealth to influence Governments and plunge peaceful Nations into war to serve their interests, this House is of the opinion that such a condition of affairs constitute a menace to the well-being of the Realm, and calls for legislation designed to remedy the same by inaugurating a Socialist Commonwealth founded upon the common ownership of land and capital, production for use and not for profit, and equality of opportunity for every citizen.—[*Official Report*, 23 April 1901; Vol. 92, c. 1175.]

I had asked for a debate on socialism, but I was summoned to the Table Office and told that as no one had ministerial responsibility for socialism, it would have to be about wealth and poverty in the economic system. A Treasury Minister has obligingly attended.

I want to look back to the roots of socialism, to celebrate what it is about and to see what relevance it may have to today's society. In doing so, I am bound to refer to some of its origins. The Bible has led to many revolutionary ideas—for instance, that we were and are all equal in the sight of God—which is why, in 1401, the House of Commons passed the Heresy Act, which condemned any lay person reading the Bible to be burned at the stake for heresy. The Bible has always been a controversial document. At the time of the peasants' revolt and the English revolution, people started thinking of common ownership, based on the life of the apostles.

Socialism is essentially about the moral values that guide society, about democracy and about internationalism. Its history in England is interesting to me because it goes back deep into the past. In 1832—that may seem a long time ago, but it was only 18 years before my grandfather was born—only 2 per cent. of the population, all rich men, had the vote. The progress associated with socialism since then includes the Rochdale pioneers, who believed in co-operation; Robert Owen, the first man to call himself a socialist; the birth of the trade union movement, when the Combination Acts were repealed; the Chartists, and later the suffragettes, demanding the vote; the demand for representation in Parliament through a Labour representation committee; and, finally, the idea that if people had the vote they would have some democratic control over the economy as well as the political system.

If one considers the ideology or the basis of those ideas, Adam Smith and Karl Marx had something in common. Adam Smith said that the rich are the pensioners of the poor; that the rich live off the back of the poor. I do not want to shock the Chamber, but Karl Marx—the first philosopher to study British capitalism—identified a marginal difference of economic interests between those who slogged their guts out creating the wealth and those who happened to own it. Both believed in self-organisation.

The programme of socialism is sometimes associated with nationalisation. Nothing could be further from the truth. The first nationalised industry in Britain was the Church of England, which was nationalised by Henry VIII. Next, Charles II nationalised the post. When I was Postmaster General, I wondered why. I found that he wanted to open everyone's letters, and he could do that only by creating the Royal Mail.

In June 1914, Winston Churchill nationalised British Petroleum. He paid £2 million for a commanding majority shareholding because he thought that the oil should be in the hands of the people. The BBC was nationalised by the Conservative party. Imperial Airways was nationalised by the Conservative party. The Army and the police, both of which are nationalised, have no relation with socialism whatever. I hope that Members will put out of their mind the idea that socialism is about running everything from the top.

The idea of socialism is of common ownership and that things are best done by co-operation. The Co-operative movement was based on that principle. Municipal ownership is a form of socialism. I pay tribute to the Liberal party, which, in the 19th century—when Joseph Chamberlain ran Birmingham—introduced the municipal ownership of housing, gas, electricity, transport, opera, art galleries and airports. I learned to fly at the municipal airport in Birmingham.

The idea evolved that poor people, who could not afford by their own wealth to acquire the things that they needed—education, health, housing and transport—could buy them with their votes. The welfare state was the final development of this idea. In fairness to Lloyd George, the Budget that he introduced as Liberal Chancellor of Exchequer laid the foundations of the pension system.

Although socialism is widely held by the establishment to be outdated, the things that are most popular in British society today are little pockets of socialism, where areas of life have been excluded from the crude operation of market forces and are protected for the benefit of the community.

One of the great impetuses in the post-war years for the advance towards the welfare state—with its socialist inspiration—was the argument, which I remember well because I made it myself, that if the nation could plan for war, it could plan for peace. We had full employment during the war. If we could plan to have full employment to kill people, why could we not plan to have full employment in peacetime, and so be able to build the houses and provide all the nurses and teachers that we needed? This idea was strongly entrenched and was in some ways non-controversial.

What might be called caring conservatism—I use the phrase in a general spirit—was the idea in the minds of Winston Churchill and, before him, Harold Macmillan

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in the 1930s with his book "The Middle Way". The idea was carried on by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). The right hon. Gentleman's powerful words, the

> unacceptable face of capitalism—[*Official Report*, 15 May 1973; Vol. 856, c. 1243.]

were spoken by a Conservative Prime Minister. That may cause some concern to some of his supporters, but that is what he believed.

If one looks at the people who have described themselves as socialists in the last century, one finds two different types. I have mentioned what we were able to achieve in this country guided by the ideas that I have outlined. The Soviet Union had no democratic basis whatever for its socialism. It was born in revolution and suffered greatly in the war. In the end, the Soviet Union crumbled because, although the Soviet Communist party, which called itself socialist, was overwhelmingly the largest party, it did not have the consent of the people.

The other type are the Social Democrats, who abandoned socialism altogether. The most powerful advocates of capitalism today are to be found among the Social Democrats. I do not want to be controversial, but it is a fact that there are no more powerful advocates of market forces and globalisation than those in the party that describes itself as new Labour.

Although globalisation has brought a great deal of industrialisation, it has also produced acute poverty in the third world. The gap between rich and poor is wider now than a hundred years ago. There is the grossest exploitation of people in third world countries. People here can invest their capital in the third world, where wages are lower, and then lay off people in Britain—who then go on to unemployment benefit—and make their profits in much poorer countries.

Globalisation is said to be a form of internationalism. However, capital can be exported to another country to benefit from lower wages, but people from other countries who want to come here to benefit from increased wages are shut out by immigration laws. It is a limited, one-sided form of globalisation. Conflicts as deep as those that are caused by the division of wealth and poverty inevitably lead to war.

We made great advances towards democracy from 1832 to the end of the European empires and the creation of the welfare state, but the power in a globalised economy is unaccountable. Major multinational companies are not accountable to the people whom they employ or to the nations in which they work. I spent my life as a Minister negotiating with oil companies and large multinationals that were more powerful than nation states. Indeed, they operated in this country like a colonial power.

Such activities have severe implications for our political system, and we must consider what has become of politics. The idea of representation has been replaced with the idea of management. I represent the interests of the people of Chesterfield as best I can and I also represent my convictions. People know what my convictions are when they vote and can get rid of me if they do not agree with them. But now we are all being managed on behalf of a global economy. Someone once said that, if we do not control the economy in the interests of the people, we have to control the people in the interests of the economy. That process is going on at a great pace.

We are told about our international competitors as if competition were at the core of a peaceful world; that is not a view that I share. The lack of accountability has a profound effect on the emerging democracies in the third world. They are often denied the benefit of the hundreds of years of parliamentary experience from which we gained. However, even in this country, the power of the multinationals is increasingly becoming such that Governments tremble before them. I was in the Cabinet in 1976 when we crumbled before the International Monetary Fund, which had serious consequences for the party and the Government.

We are now moving into another aspect of the political consequences of globalisation—the third way. The idea is that it would be better for all the good people at the top to get together. The project is a coalition of people who believe that there is a common view at the top and that that is the only way in which to manage the economy. It is a one-party state. As a Minister, I visited Moscow and met the central committee of the Communist party and the commissars. They had not been elected. I then went to Brussels and met the commissioners. They had not been elected. I met representatives of the central bank. They, too, had not been elected. The reduction of democratic control as a result of globalisation is a serious problem, and Europe is part of it.

I fear the consequences that will arise if people do not believe that they are represented. One consequence is apathy. If people do not vote because they do not believe that it makes a difference, the consequences for the legitimacy of the Government who win are profound. Low turnout is one aspect of that apathy. Clinton was elected by one in five of the American people; four out of five did not register, did not vote or voted against him. A low turnout, accompanied by cynicism, is a recipe for conflict and repression.

My age allows me to recall what happened in Germany before the war, where a despairing people turned to Hitler, who blamed the Jews and the trade unionists for their problems. He told the people that he would give them full employment, and by God he did—he rearmed them, and we had a war as a result.

It is necessary to say plainly and clearly that peace without social justice is impossible. We cannot have a peaceful society or a peaceful world if the principles of social justice are secondary to the search for profit. A society that is built around people and not profit is what lies at the heart of the socialist idea.

In the debate to which I referred at the outset of my remarks, Keir Hardie concluded:

> We are called upon at the beginning of the twentieth century to decide the question propounded in the Sermon on the Mount as to whether or not we will worship God or Mammon. The present day is a mammon-worshipping age. Socialism proposes to dethrone the brutal god Mammon and to lift humanity into its place.—[*Official Report*, 23 April 1901; Vol. 92, c. 1179.]

That is a very religious way of putting it, but it explains the idea that has moved people to do things. All real change comes from underneath. The idea of co-operation rather than competition appeals to most

people in their own lives. Competition creates insecurity and anxiety, while co-operation is always dominant when people look after their disabled children or their old parents. I think that that idea is of value.

I want to leave time for what will be a full debate, so I shall conclude on the policies that may follow from the ideas that I have advanced. First, we must expand the public services and ensure that they are publicly funded. In the immediately post-war years, the idea of national insurance was based on that of universal benefits. I do not believe that it is right for people to be means-tested before they are entitled to benefits for which they have paid, either through national insurance contributions or taxation. That is especially true of the need to link pensions with earnings. I am proud to have been in the Cabinet that made that link and I am distressed that it was reversed, at a cost of about £30 a week to pensioners. That provides a good example of what should be done.

We should have expanded public services for the provision of health care and education, which should be open, so as to allow every child access to the full range of knowledge in schools that are comprehensive in what they offer. Also, there should be access to the media, which does not usually cover the concerns of those who do not have wealth and power. I should add to that list the legal services, which are very expensive but absolutely necessary.

The second item on my list is the revitalisation of local government. I referred to the great Liberal achievements of the 19th century, and there are many examples of such achievements in the 20th century. Local government should have the funding that it requires, the right to raise its own money—if it can persuade its electors to give it that money—and general powers that are not tied up by specific grants that local authorities administer but do not decide.

Thirdly, if we are genuinely interested in the idea of full employment, it is essential that we support manufacturing industry. For most of my life as a Minister, I tried as best as I could—sometimes successfully, but generally not—to reverse de-industrialisation. In 1948, Britain launched 48 per cent. of all the ships launched in the world. In 1970, we had the largest motorbike industry in the world. In 1974, we had the largest machine tool industry and the largest car industry in Europe. That has all gone.

It is in the national interest to protect ourselves from invasion from abroad. We would resist anyone who tried to bomb our car factories, but if somebody buys and closes those factories, it is regarded as an inevitable consequence of globalisation. I do not think that that is a sustainable position. The same is true of privatisation. I hesitate to quote Harold Macmillan, but he said that privatisation was selling the family silver. That is not an example that would come immediately to mind for most families, but it was a vivid description of the sale of our natural assets.

We must have civil liberties. I refer not just to legal liberties and an end to discrimination, but to the acceptance of trade union rights. It is amazing that we talk about a global economy but that we do not legislate to implement the rights given to trade unions in the International Labour Organisation. I have introduced a Bill on the matter—the House may want to consider it—as such legislation is necessary.

We need a fairer tax system. I cannot understand why any Government should ring fence the rich and say, "Whatever we do, we will not ask you to pay more", when people on benefits are continually being faced with demands to open the books and be examined in an attempt to deal with benefit fraud. My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) may wish to raise the question of the Tobin tax, which would tax international transactions and could provide billions of pounds for international development.

It is often argued that no one has any power over multinationals, but I do not believe that. Multinational companies spend millions of pounds on trying to win popular support through advertising campaigns because they know that it is necessary to retain the goodwill of host Governments. I believe that it is necessary to treat multinationals as international agents and to negotiate with them as if they were countries.

We must have stronger environmental laws. Keir Hardie was a passionate environmentalist, who complained about the rain forests in the United States being cut down. He was also a great believer in animal rights. On one occasion, Hardie was followed home from the House of Commons by a journalist from *The Daily Mail*, who hoped to find out to whom he talked in the street—no doubt, in an attempt to uncover some scandal. The journalist said that he patted all the horses that he saw in the street. Being a miner, Hardie appreciated the value of the pit pony.

We need to end the arms trade, which is far more serious than the drugs trade that receives so much attention. The arms trade allows arms manufacturers to arm both sides in a conflict. Then, when those arms are used, the world demands a ceasefire. I sometimes wonder whether the idea is to discover which arms work best so that more can be sold afterwards, as we saw in the case of the Exocet that sank HMS Sheffield during the Falklands war.

Finally, we should try to build the United Nations as an embryonic, democratic institution, in accordance with the aspirations of the Chartists, who wanted to establish democratic government in Britain. If we are to have a global system, it must be a worldwide system, but it must be based on democratic accountability. My conviction is that the UN is being bypassed by NATO, whereas the UN should have responsibility, through the General Assembly, for controlling multinationals, which cannot be disciplined in any other way. The World Trade Organisation and the IMF should also be accountable to the United Nations General Assembly. That would be true internationalism rather than globalisation.

Those are my convictions. I am a socialist and I became a socialist through experience. After 50 years in the House and many years as a Minister, I realise the way in which power is exercised to shape our society. As I leave the House of Commons and approach a new political life at the end of this Parliament, I shall want to put those arguments to the electors as a non-candidate when the election comes, because I honestly believe that the ideas have much more support than the British establishment, any Government or the House yet realises.

All progressive change has come from underneath, and it might be worth remembering that there is a different tradition from those ideas with which we are

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presented every day. If we remember that, we might make more progress in winning public support for what needs to be done.

10.23 am

Mr. Robert N. Wareing (Liverpool, West Derby): It is a privilege to follow my right hon. Friend the Member for Chesterfield (Mr. Benn), whom I congratulate on securing this much-needed debate. Although we often debate individual issues in the House of Commons, this debate about the philosophy of socialism, which brought many right hon. and hon. Members into the Labour party, is not before time.

Coming into the Chamber this morning, I passed through the exhibition in Westminster Hall. Inscribed on one of the portraits were the words

> Ordinary men and women have fought hard over the years for the right to vote.

However, the exhibition does not explain why people should struggle for the right to vote. In Britain, we have a tradition of parliamentary democracy. However, it was a flawed system in the early years—as my right hon. Friend the Member for Chesterfield said—because few people had the vote.

Working men and women struggled for the vote in the 19th century because they realised that peaceful change—a peaceful revolution against the semi-feudal system in parts of the countryside and the abuses of capitalism in the cities—could be achieved only by changing Parliament and obtaining representation. They saw the inequalities in society which, although they may not be as stark in Britain today, still exist.

My right hon. Friend referred to the taxation system. The fact that the highest rate of tax paid by most people in this Room is 40 per cent. of their income makes one wonder why people such as the Duke of Westminster pay only that rate. Clearly inequality exists in matters of raising revenue.

The struggles of the 19th century brought about the political democracy of today. However, democracy and socialism are indivisible. Despite the democracy in our civil society—our right to elect councillors to local authorities and to elect Members of Parliament—industrial autocracy remains. People in Birmingham can vote for the city council and their Members of Parliament, but in their day-to-day lives at Longbridge they have no say in the management of the firm and in the way in which capital is allowed, as my right hon. Friend said, to flow across the frontiers. The workers in our country—unlike, incidentally, those in the country of BMW—have no right to be properly consulted about changes in management and so have little control over the wealth created by their hard work.

Ministers—whether Labour or Conservative—who have been asked to intervene when factories have been closed in our constituencies have often replied that those are commercial decisions taken by private firms and that they cannot interfere with them. I would argue against that. Those decisions lead not only to job losses for employees; they have implications for the taxpayer because they lead to social costs. That is why, whenever a private firm decides to make part or all of its work force redundant, the state has a responsibility, acting on behalf of the people who elected the Government, to intervene. The Government will have to meet the social costs of factory closure by raising taxation.

Socialists oppose the philosophy of economic liberalism which, to a large extent, was reintroduced to this country by Margaret Thatcher. The traditional conservatism of the earlier part of the century and the more compassionate conservatism of Harold Macmillan, mentioned by my right hon. Friend—one-nation Toryism—was not socialist, but it was very different from the Thatcherite philosophy. Economic liberalism perpetuates the class system.

Opponents of socialism will often say that the philosophy is not perfect and that we have had instances of dictatorship. My right hon. Friend referred to the Soviet Union. Socialism is no safer from abuse by bad, unscrupulous and dishonest people than any other system. However, the idea does not lose validity because of that. Hitler called his party a national socialist party and, in the Soviet Union, the Communist party referred to the Union of Soviet Socialist Republics. People might say that socialism has failed because of the aggression of the Nazis and because of the communist system that was installed in the Soviet Union. However, does Christianity lose its validity because of the inquisition, or because of the part that religious bigotry has played in the conflicts in Ireland? Of course not. Christians have an ethical and moral worth, as do socialists.

As far as ordinary people are concerned, we say that we live in a free country. The Americans—and Britons too, I suppose—often call the part of the world in which they live the free world. They talk about themselves as defending the free world. However, freedom loses its meaning if a person has no way of exercising it. The freedom to speak that very rich people have is, in many ways, the same as the freedom to speak that poor people have. However, the poor do not have the means to exercise that freedom in the fullest way and do not have the same opportunities as the rich to have a good life and a good lifestyle. We should address ourselves to that matter, as should the Labour Government. The market has a place in the economy but it should never be the master. Planning is an essential ingredient of socialism: the market must succumb to the higher values of the country.

It should be ensured that everybody has the right to free education. The position regarding tuition fees absolutely appals me. I was a lecturer for a quarter of a century before I became a Member of Parliament, and I saw the way in which students had to struggle even when they had maintenance grants. Now we see a situation in which many people will be deterred from entering higher education because of tuition fees.

Let us take a family with two children as an example. The parents pour so much money into the eldest child so that he might go to university or to a training college. The second child comes along, scores high marks in his A levels and is just as qualified as the first child to go to university. However, because of the tuition fee burden, the parents must encourage that child to do something that will not involve severe costs.

Some might think that the beliefs in socialism that the Labour party held throughout the 20th century are no longer the principles and values that we should preserve in the 21st century. I say to them that there is just as

much evidence today of the need for a redistribution of wealth; that is as much a basic tenet of socialist philosophy today as ever before. I hope that hon. Members will consider the facts given by my right hon. Friend the Member for Chesterfield and agree that we should move away from the greed and grab society that has arisen since 1979.

10.34 am

Mrs. Ann Cryer (Keighley): Last week, my right hon. Friend the Member for Chesterfield (Mr. Benn) mentioned that he had secured a debate on socialism—its subject had to be described as wealth, poverty and the economic system, which is almost an Adjournment debate in itself—so that some of us might celebrate the centenary of Keir Hardie's debate on socialism. In 1901, the then hon. Member for Merthyr Tydfil said:

> I make no apology for bringing the question of Socialism before the House of Commons.

He went on to say:

> We are rapidly approaching a point when the nation will be called upon to decide between an uncontrolled monopoly, conducted for the benefit and in the interests of its principal shareholders, and a monopoly owned, controlled, and manipulated by the State in the interests of the nation as a whole.—[*Official Report*, 23 April 1901; Vol. 92, c. 1175-79.]

The debate continues, and last Tuesday some Labour Members dared to suggest that national air traffic control was not a suitable subject for a monopoly conducted for the benefit and in the interests of its principal shareholders. We argued not for outright state ownership, but for a trust along the lines of the Canadian national air traffic services. We won the argument but not, sadly, the vote.

I want to talk about socialism, as reflected by my own family and constituency, and the political organisations that have been committed to it. The Keighley Labour Union was founded in October 1892, seven years before Keir Hardie's speech, by a local school teacher called Herbert Horner. That was probably a response to Isaac Holden, a Liberal, being returned to Parliament unopposed and the Manningham mill strike, just down the road in Bradford, which had ended the previous year. Horner was elected to the town council in 1894, the year after the founding conference in Bradford that created the Independent Labour party. That strong, socialist, almost evangelical movement really tried to build a Jerusalem among the dark satanic mills.

Keighley was one of the hundreds of northern towns that responded to the new movement by establishing a socialist Sunday school, a choir and a Clarion cycling club—almost an alternative socialist culture. Philip Snowden, who was to become a member of the first Labour Cabinet in 1929 and the party's financial guru, was a product of that early Keighley ILP. This year, we are also celebrating the centenary of the formation of the Labour representation committee from the ILP, the Fabian society and—temporarily—the Marx-inspired Social Democratic Federation.

The affiliation of the trade unions introduced the financial stability and the mass base that the ILP had lacked. The 1924 and 1929-31 Labour Governments demonstrated that the middle classes need not fear them. During that period, Keighley was represented by its first Labour Member of Parliament, H.B. Lees-Smith, a well-regarded politician who fought the seat six times, winning four times and dying in office in 1942. The next Labour Government was, of course, the Attlee Administration of 1945, which transformed the commanding heights of the economy into public ownership. Bevan established the national health service and Jim Griffiths introduced national insurance, which laid the foundations of the welfare state. All that was too much for Ivor Thomas, the Member of Parliament for Keighley from 1942. He became the Shortly Floorcross of that generation when he joined the Conservatives. One wonders what the Keighley party and constituency felt at that time.

During the years in opposition, Keighley was represented from 1950 to 1959 by Charlie Hobson, who won three elections and lost one, by only 170 votes, to Marcus Worsley of the aristocratic Yorkshire family. Hobson was a power station engineer who was brought up in Leeds and ended his days as a Government Whip in the House of Lords. The days of hope returned to the party with the election of the Wilson Government in 1964 and again in 1966. Harold Wilson's enthusiasm for the "white heat of the technological revolution" carried his party and country with him, and in Keighley the aristocrat was replaced by a semi-skilled engineer called John Binns. Capital punishment was abolished in 1965, thanks to the lifelong crusade by Sidney Silverman from just across the border in Nelson and Colne. In 1967, the first race relations legislation was introduced and Barbara Castle made child benefit worth collecting—and I benefited from that.

The 1974-79 Government started off in the right direction with the Health and Safety at Work, etc. Act 1974. My late husband was on the Standing Committee considering that Bill and, although he felt that it contained too many "as far as reasonably practicable" aspects, he was proud to have been associated with it. He was the Member for Keighley and hung on in 1979 with a majority of 78 votes, against most expectations, to be defeated in 1983 when the party received its lowest share of the vote since 1918, and constituency boundaries were radically changed. The present Government have already done many things that we can be proud of—particularly the introduction of the minimum wage legislation.

I look back with great pride on the parts played by my dad and my grandma in the early years of the ILP in Rossendale, particularly her work with the women's suffrage movement. I hope that in another 50 years my six grandchildren will approve of what we are doing now. One thing, however, is certain. I will always take great pleasure from the fact that I was one of the 101 women Labour Members who broke the gender mould of Parliament. Keir Hardie campaigned for women's suffrage and I am sure that he, too, would be delighted by our presence.

10.41 am

Mr. Jeremy Corbyn (Islington, North): Like others, I shall be as brief as possible, because this is an important debate in which many hon. Members wish to speak.

We should pay tribute to my right hon. Friend the Member for Chesterfield (Mr. Benn) not simply for introducing the debate, but for his far-sighted view of

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socialism and his ability to transcend the understanding of the history of socialism and the needs of future generations and the present generation. I first heard him use his description of multinational corporations treating Britain as a colonial vassal state at a fringe meeting at the 1970 Labour party conference. His analysis of the defeat of the Labour Government of 1964-70 was markedly at odds with that offered by others who had lost ministerial positions. My right hon. Friend described the situation and our lack of power over multinational capital; others sought to blame the electorate.

My right hon. Friend also demonstrated the need for an understanding of history. The enthusiasm with which young people listen to what he says shows that history can be made interesting and exciting. If we do not understand where we come from historically, how on earth can we understand where we are going?

This Saturday, I shall visit Burford in Oxfordshire as part of a commemoration of the opposition of the Levellers to Cromwellian forces at the end of the English civil war. The Levellers said that they had no quarrel with the Irish and therefore were not prepared to be shipped across to Ireland to suppress them. Therefore, they rebelled and, for their pains, were imprisoned and shot in the churchyard. Cromwell was using robust methods at that time.

I want to take a stage further the sense of history that previous speakers have described—the struggle of the British working class, the development of the trade union movement and the impoverishment of the British people by the brutality of 19th-century capitalism—and to suggest that we consider those matters on a global level. At the start of the 21st century, we have unparalleled access to technology and information. It has never been easier to find out what is happening anywhere in the world. The technology is incredible. But why does the average time that people work in this country go up every year rather than down? Surely the genius of technology should be used to improve everybody's living standards, and reduce their tension and their average working week.

When I cycle here from the area in which I live, which takes about half an hour, it is with a sense of shame that I pass people who spent the night in shop doorways, are begging outside stations or spend their days wandering around the streets of London, hoping that someone will give them something to eat or something to do. None of that is necessary. The levels of wealth that exist in this country are obscene. I invite hon. Members, after we have finished our proceedings, to walk down to the back of the Savoy hotel, where they would see a couple of hundred people sleeping on the pavement. Inside the hotel, they would see people spending £50 per head on dinner. The obscenity of that kind of gap between the rich and the poor must be addressed.

On a global level, the situation is worse. A quarter of the world's population live on the brink of starvation, while half live a very poor existence. In many African countries, adult life expectancy is less than 50 years. In Russia, male life expectancy is currently falling to a similar level. In the coastal regions of Nigeria, the exploitation of oil that has resulted from the harshness of the economic system has led to untold levels of brutality against the people.

I suspect that the real cause of the brutal conflicts in Sierra Leone and Liberia is the presence of diamonds and the wishes of those in the international diamond trade to get their hands on them. Such mineral exploitation has also led to environmental destruction in Indonesia, Papua New Guinea, parts of Africa and large areas of Latin America. That will haunt us all, because there is no hiding place from global warming or from international and global pollution.

My message is simply this. If we are to ensure that the planet survives this century and those that follow, we must deal with the gap between the rich and the poor—which leads to conflict and warfare—and environmental destruction. We must also have a political system that ensures that those issues are addressed. The tragedy of the latter part of the 20th century and the beginning of the 21st century is that national Governments have lost a large amount of their power over economic management and economic thinking.

That power is not going to an international organisation with a democratic base, as my right hon. Friend the Member for Chesterfield described the United Nations. Instead, it is going to a series of global corporations that owe no allegiance to any national Government or democratic base. We are told that the WTO, the World Bank and the IMF—an unholy trinity if ever I heard of one—know best, and that the most important goals for every poor country in the world are to cut public expenditure, and increase income from the public through taxation—and, in the case of most of Africa, school fees and charges—so that they can become part of the international global system.

A hundred years ago, the trade union movement recognised the importance of international solidarity. In Britain, the Netherlands, Germany and the United States, workers are losing their jobs. In Indonesia, Thailand and Bangladesh, workers are being told that they cannot have a wage increase, social security or a pension system because they will price themselves out of the market. The case for international labour standards is overwhelming. The ILO, which was established at the end of the first world war, provided a way forward. I look to a future in which it is more powerful and more able to impose minimal conditions to prevent the obscenity of child labour and the ghastly competition in so many parts of the world between the poor and the poorest.

In this country, socialism has had an enormous influence on the Labour party and on popular thinking. The national health service is a product of socialism. The campaigns against debt are a form of socialist thinking, as were the introduction and development of public sector housing and the national insurance and social security systems.

Society has to have a moral basis. My right hon. Friend the Member for Chesterfield alluded to the influence of religious thinking, especially of Christianity, on socialist ideals. Socialism must also be a moral force that states that everyone deserves the right to a decent standard of living, to contribute to society and to benefit from the work of everyone else when they are sick or too old to work. That has to be the moral basis of society.

On a global level, the moral basis must be that we have no right to destroy the planet's environment, or to assume that our wealth can be created on the basis of the impoverishment of others in distant lands. We all live on one planet, and if it is to survive it must be run on a moral basis. The moral basis of the greed of multinational corporations will lead not to the planet's survival, but to its destruction.

10.50 am

Mr. Alan Simpson (Nottingham, South): I congratulate my right hon. Friend the Member for Chesterfield (Mr. Benn) on securing this debate and on reminding us that it is legitimate and proper for us to address the question of socialism at a time when we are encouraged to assume that it died with the arrival of Margaret Thatcher.

My approach to the matter stems from childhood discussions in the family, which were not overtly political. I remember my uncle sharing his liking for music hall jokes with us. He frequently told one that everyone laughed at, but which I never really understood. It went: "I say, I say, I say. My dog doesn't like pork sausages." Someone else would ask, "Why doesn't your dog like pork sausages?" The response was: "Because he's never had them!" The danger in relation to a debate about socialism is that we have been told the same; that society would not like it, because we have never had it. My right hon. Friend rightly said that it is perfectly legitimate for us to aspire to systems we might like if we ever had them.

It is also to my right hon. Friend's credit that he suggested that we look for socialism in the births section of the public announcements, rather than in the deaths section. Inherent in the challenge that socialism presents is the presumption that markets cannot be trusted and that they are, by their nature, amoral, inequitable and undesirable. We ought to challenge the mythology of markets. In my constituency, a market of sorts exists in two of the inner-city areas. Turf wars are taking place between rival drug gangs, members of which are in the habit of shooting each other. Such activity is based on a market of despair and drug dependency. However, anyone who says that we should step back and not engage with that because it is all part of the magic of the market merely exposes the fact that markets have nothing to do with civilising processes in society.

Socialism sets out three challenges that offer a genuine alternative to the politics of despair and alienation. They are the notions of full employment, universal welfare and the legitimising of markets by redistribution. Redistribution in the market process is not an aberration or an unavoidable cost to the system. It is what gives markets their ethics.

I shall summarise the challenges that Keir Hardie might have wanted to set before us today, were he to revisit the debate. We must define a different sense of common ownership as the centrepiece of 21st-century politics. It might begin beyond our own shores. I was fortunate enough to meet some people who were involved in the world's largest co-operative—the Amul co-operative. It is based in India and comprises 18 million of the world's poorest people. Those people work together to meet not only their own dairy produce needs, but those of the whole of India. They took on the wealth and might of the Nestlé corporation, which wanted to supply India with dried milk, responding to the challenges made by Gandhi and Nehru by supplying their own fresh dairy produce as a co-operative. If 18 million of the poorest people on the planet can get together to take on multinational capitalism, why has the debate about common ownership and co-operatism in this country sunk to the level of local exchange trading schemes and neighbourhood food co-operatives? We must think about common ownership and co-operatism on a larger scale.

We might consider too the example of the Gamin bank in Bangladesh. I was excited to read recently about popular banking services in New York, set up by people in the Catholic Church who were so appalled by the disappearance of access to banking services for the poor that they set up their own people's credit bank. Indeed, I was so excited about it that I ran to tell my right hon. Friend the Member for Chesterfield. He said, "I am pleased that you are excited about that. I remember that I introduced the legislation to set up the Girobank, which was designed to do exactly the same for people in this country." As with so many inspiring ideas, I catch up with them only 20 or 30 years after my right hon. Friend has put them in place.

There are other cases, such as the blood transfusion service that we must also catch up with. Many people, including myself, "bank" with the blood transfusion service, but we never ask how much is in the account or about interest rates on offer. We just do it as a gift; assuming that, if we all do so freely, there will be enough in the common pot for everyone's needs. The Labour party should have the courage to revisit such schemes and understand their importance.

We are, in many ways, behind the times in the food security debate. In recent months, Parliament has debated the question of GM foods, as opposed to food sustainability and how we might return to agriculture, rather than agribusiness. Afterwards, I was collared by someone from the National Farmers Union who said, "Of course, we could deliver safe and sustainable food supplies to the major cities and, probably, meet most of that demand from our own domestic productive capacity—but you would have to force us to do things differently and to form food co-operatives." I thought that I must be drunk. What was the NFU doing, demanding the enforcement of the co-operative principle? When I asked why, I was told that, at the end of the war, Britain had made a mistake by setting up food product boards, whereas the French had required the creation of food co-operatives. This ensured that the rural food-producing hinterland as a whole could guarantee safe food supplies for cities in a way that individual farmers could not. If the NFU is championing the reintroduction of the co-operative principle, it should not be too radical or revolutionary for the parliamentary Labour party to follow suit.

We could also consider the model of common ownership offered by the Henry Doubleday seed library. Parliaments cave in to an internationalism that demands that we allow global patents on the earth's biodiversity. Only if corporations own such patents, they say, can we supply seeds to the developing world, allowing people to grow food and get out of poverty. Yet the Henry Doubleday seed library offers people seeds for free, so that they can be borrowed and returned and shared with

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others. Ownership of the seed base is not the central issue. It is a question of how we propagate to broaden the base of biodiversity, on which we will all be dependent.

The central theme, which my right hon. Friend forces us to address, is that socialism will be the defining element of genuine political debate in the 21st century. It will be transformed, in ways that Keir Hardie did not understand, by Kyoto and beyond. Keir Hardie was keen on animals and the environment, but he would be horrified by our failure to address the need to bring about reductions of at least 60 per cent. in carbon emissions. We cannot leave such matters to the very markets which are responsible for the current chaos.

I hope that hon. Members and others will accept the invitation to go down the path that was tentatively and generously advanced by my right hon. Friend. In error, I thought that he had persuaded the Labour party to go down that path during the general election when I saw a huge poster emblazoned on a hoarding in the constituency in which I was campaigning. The poster consisted of a picture of the former international athlete Carl Lewis on the starting blocks in a pair of high-heeled shoes—he has good legs—above the slogan "Power is nothing without control". The question for the Labour party and the Labour Government is, although we are in power, to what extent are we in control? Are the public, who voted us in, in control of their economic destinies?

This is the most exciting agenda that Parliament will address and debate in the 21st century. I suspect that much needs to be done to catch up with those outside this place who have already begun the debate, but we owe a debt of gratitude—as ever—to my right hon. Friend the Member for Chesterfield for pushing us in that direction.

11.1 am

Mr. Steve Webb (Northavon): I understand that it is customary to congratulate right hon. and hon. Members on securing Adjournment debates, but I shall break with tradition by thanking the right hon. Member for Chesterfield (Mr. Benn) for raising an issue that is as much about political philosophy as specific policy. In my short experience in this House, I have found that we have too little opportunity to participate in such debates. Those who have contributed to this morning's debate have brought vision, passion and principle—commodities that are also in short supply.

I do not know who should be most worried—other hon. Members who have spoken today, or me—by the fact that I have much in common with what I have heard this morning. I agree with many of the arguments advanced by the right hon. Member for Chesterfield. For example, with regard to the power of multinationals, I am on the Euro-sceptic wing of the Liberal Democrats, which is probably not the most Euro-sceptic place to be. The one defence for active participation in Europe is that single nation states often cannot match multinationals and are in hock to them. On being elected to a minor body, one tends to think that, on election to the next step up, one will at last have power and influence. However, it suddenly becomes apparent that that is not how matters work.

I agree with the right hon. Gentleman's diagnosis, and with a good deal of his concluding manifesto. The need to ensure the expansion of public services and their proper funding is at the heart of our own manifesto, which we are willing to back with a call for progressive taxation. I note that the hon. Member for Liverpool, West Derby (Mr. Wareing) used the word "redistribution"—a word that I, too, am not afraid to put on the record. We believe in revitalising local government, and, as the right hon. Member for Chesterfield said, local people should have greater control over how local taxes are spent. The civil liberties agenda is one with which we are associated, and for which we have been willing to stand up in this Parliament, despite the attitude of the popular media.

The right hon. Gentleman also mentioned the need for a fairer tax system, and we see no reason why the top rate of tax should be 40 per cent. In the past, many of those who are now Ministers criticised the Lawson Budget of 1988, which reduced the top rate from 60 per cent. to 40 per cent. However, now that they have the opportunity to do something about that cut, they have chosen not even partially to reverse it. That is regrettable.

Mention was also made of stronger environmental laws. I was intrigued to hear of the environmentalism of Keir Hardie, and I am grateful to the right hon. Gentleman for making that point.

It makes sense briefly to identify two aspects of the right hon. Gentleman's analysis with which we in the Liberal Democrats do not entirely agree. It struck me that we may differ somewhat about the role of the state. I agree with him that real change comes from underneath, but I am not sure about the extent to which socialist values and ideals have been put into practice. I agree with the hon. Member for Nottingham, South (Mr. Simpson), who suggested that a socialist state may not yet have been established; there may be good reasons for that. The adjectives that spring to mind when I think about socialism are top-heavy, controlling, manipulative and coercive. That is why, in 1992, I chose to join the Liberal Democrats rather than the Labour party.

My second and perhaps more fundamental disagreement involves my belief that human nature consists of a desire to co-operate and an instinct to compete, which can be harnessed to benefit. As an example, let us examine the telecommunications industry. Although the right hon. Gentleman said that socialism is not the same as nationalisation, I presume that British Telecom's profits mean that he would be more comfortable with a publicly owned telecommunications industry.

During the 1970s, when BT had no competition, the industry was characterised by long waiting lists even to get a phone installed—today, that appears prehistoric. The industry is now competitive and, in many respects, the choices and options that are available are much better and there have been social welfare benefits. I do not suggest that the private market does not need to be heavily regulated and, in some instances, the current regulatory system may not be severe enough. One misreads human nature if one believes that people's competitive instincts, as well as their instinct to co-operate, cannot be harnessed for benefit.

Although we support the idea of co-operation, our distinctive contribution to this debate involves echoing the right hon. Gentleman's key point that progress comes from underneath. We also believe that the state's role should enable and facilitate, but not control, those who are on the ground, and that harnessing the instinct of competition can be used to society's benefit, provided that it is properly regulated.

11.6 am

Mr. Howard Flight (Arundel and South Downs): I, too, congratulate the right hon. Member for Chesterfield (Mr. Benn) on securing this debate on political philosophy. Last week, when I was debating at the Cambridge union, I was greatly disappointed by the absence of an appreciation of political philosophy among young people.

As a relatively new boy in the House, I have observed the right hon. Member for Chesterfield to be a great parliamentarian—a man of great integrity, principle and clarity, and a great democratic patriot. I agree with many of his comments. I am grateful for the tribute that was paid to a strong element of the Conservative party, whose history reveals it to be sensibly collectivist.

The right hon. Gentleman and I share views about the European Union and the European currency. His speech on the reform of the House of Lords was the most persuasive of all hon. Members' contributions. I agree with him also about the need to revitalise local government and that the global economy, with which we have to live, needs a stronger United Nations and institutions of global regulation.

On a lighter note, the right hon. Gentleman and I are the two most notorious smokers in the House, and we may agree that smokers should not be excessively persecuted.

Like the right hon. Gentleman, I am an historian; I spent four years in my youth studying economic and social history. That background may have led me to support the other side of the argument. My grandfather, who was born 120 years ago, was a great campaigner with Keir Hardie. When I was growing up, we had discussions and debates about his life and times, and about the contemporary issues.

The capitalist process of creative destruction enabled the developed nations to achieve political democracy and higher living standards and to establish sensible collectivist organisations. Because they fail, other economic systems never raise people's living standards to a level at which they can achieve such things.

West Sussex is hardly the "dark satanic mills", but hon. Members may know that Blake lived at Felpham in West Sussex. The fulling-mill, which his house looked on to, led him to coin the phrase about the satanic mills, so it was a direct experience and not an observation on the evils of the industrialisation of his age.

There are two key points. The first is that, with the lack of discipline caused by the profit motive—or even of the discipline to survive and make the necessary change—public bodies are inevitably inefficient and tend, if anything, to get worse over time rather than to deliver and adapt to the times. Secondly, the capitalist system self-evidently produces the greatest prosperity for the greatest number of people. Even in our own age, it is observable that the United States has created more prosperity for its people than the more socialist and less democratic systems of continental Europe. It is interesting that the last decade also showed not only that the United States can supply short to medium-term growth, but that equality of incomes has narrowed rather than widened; the dot.com millionaires are not the only ones to have benefited from the improvements.

I also accept that the capitalist system needs to be disciplined and controlled. The great prophet of the market, the late Enoch Powell, made the point forcibly when he said that the market should do its bit, but that it should be properly constrained and that the rules should be right. It is not a belief simply in unfettered markets. I share the view that means testing has gone too far in this country, producing much injustice and many undesirable behavioural reactions. I will even accept the famous phrase about the unacceptable face of capitalism; there are capitalist practices that are unacceptable and need to be prevented.

In addition to the efficiency argument, I also quote the Gladstone argument. Gladstone was wary of collective capitalism because he felt that it took away from people the duty to do good and to behave properly as citizens, and that it cast all responsibility on to the state. There is still much in that. I am a great supporter of the voluntary sector and believe that charity is a great achievement of Anglo-Saxon society. It seems to me that things are often done better by the private sector or the voluntary sector than by public sector bodies. My vision is of a nation where everyone has a decent ownership stake, not just in their houses but, ideally, in some of the businesses for which they work—a pot of private capital that gives them freedom and independence from the state.

I take some issue with the comments about the developing world and multinationals. I lived and worked in India in the 1970s and spent part of my early life studying India's history. Although it is a simplification, it strikes me that India suffered greatly from a closed socialist system after independence. At independence, its exports and its gross national product were much greater than those of Japan. If one compares the two 45 years later, India had been a terrible relative failure and Japan, warts and all, a substantial success. Indeed, India needs investment in technology and the know-how of multinationals. I was astonished to learn that, in the chemical industry in the late 1970s—even with minuscule labour costs by European standards—India could not compete internationally because its technology lagged so far behind. Like it or not, global contact is needed to keep the technology up.

I cannot help feeling that the right hon. Member for Chesterfield privately must be slightly unhappy with the present Administration because they hardly follow the socialist principles that he has supported. Surprisingly, during the Major Administration, inequality of wealth and of incomes decreased, but the gap has widened since 1996. The Government seem to woo rich business men and court the City. They seem to believe in co-operation at the top between Government and the capitalists who make things happen. I find that deeply suspect, as important conflicts of interest, which cannot be ducked, seem to arise in those areas. Capitalist business has its job to get on with as efficiently as it can. Governments exist to represent the nation. The conflict of interest

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between them cannot be fudged. Whether housing or wider issues are involved, it is unhealthy to think that everyone can settle down and come up with the right solution.

The Government have used the spin of America's encouragement of entrepreneurship but, to my mind, they have found almost the worst of both worlds. The approach is so hedged that it does not work as it does in the States to boost growth and to create prosperity. Equally, however, principles with which the right hon. Member for Chesterfield will not agree are advocated. People in the poorer sections of society now spend 33 per cent. of their incomes on consumption taxes, whereas the figure is only 15 per cent. for the better-off. That state of affairs has arisen from the massive increase in consumption taxes in the past three years on petrol, drink and cigarettes.

It is not surprising that the growing army of pensioners, who have different patterns of consumption—a significant part of which is accounted for by the items I mentioned—and pay high council tax, which is increasing, were extremely disappointed with their modest pension increases.

I was a product of the way in which students were financed in the Macmillan era after the war. Like the hon. Member for Liverpool, West Derby (Mr. Wareing), I think that imposing tuition fees was a great mistake. It is almost the biggest stealth tax of the lot, affecting ordinary families who need to organise the financing of their children through higher education.

My observation is that the Government are the most elitist of my lifetime. They are driven by the priorities of the politically correct and the professional middle classes. They are sadly out of touch with the people who work at Rover and Dagenham, and with the growing body of pensioners. Most importantly, I hark back to the democratic issue. The right hon. Member for Chesterfield always puts proper democratic consultation first, whether in the context of reform of the House of Lords or what the country does economically. I fear that we are drifting too much to the European model by undemocratic processes, and towards the concept that the right hon. Gentleman mentioned of the elite at the top getting together because they know best. That will invariably bring about the wrong solution.

11.18 am

The Economic Secretary to the Treasury (Miss Melanie Johnson): I thank all the right hon. and hon. Members who have taken part in the debate for their wide-ranging contributions. I recognise the considerable role that my right hon. Friend the Member for Chesterfield (Mr. Benn) has played in the affairs of Parliament. I gather that this is his first debate in this new, modernised arrangement and I welcome him. I suspect that few hon. Members present would dispute that the previous Government's legacy was an increase in poverty and in income differentials in the United Kingdom.

I pay tribute to what my right hon. Friend said about Keir Hardie and remind him that Keir Hardie made four or five pledges in 1900 and 1901. At least two of those were for the reform of the House of Lords and the introduction of a national minimum wage. Neither of those was carried out by the Labour party in government or indeed by anyone else over the ensuing century, until the present Labour Government, elected in 1997, achieved both.

I agree with my right hon. Friend that values are important. I would argue that the same or similar values drive us today as have always driven our party in government. On 8 May, my right hon. Friend the Chancellor of the Exchequer set out in the James Meade lecture at the London School of Economics the Government's economic and social goals for the country. I will reiterate his main points because they relate directly to the debate. He set out the Government's five objectives: increased prosperity and higher productivity, employment opportunity for all, improving educational attainments, ending child poverty and improving public services.

The need for economic stability underpins all those objectives. Monetary and fiscal stability are a necessary precondition for national economic success. That is why the Government have introduced a new long-term framework for monetary and fiscal policy—a radically different monetary framework based on independence, openness and transparency. A number of hon. Members here support these notions. The Government have also introduced an important fiscal discipline with clear, open and consistent rules.

Hon. Members have mentioned the role of work. The importance of work in helping to tackle poverty must be borne in mind. All the evidence shows that work and the availability of work are vital in addressing poverty, particularly in the UK. Some—including, I think, my right hon. Friend the Member for Chesterfield—referred to the goal of full employment in their remarks. My right hon. Friend the Chancellor recently reiterated the relevance of full employment as a political and economic goal. Full employment now means full employment for both men and women. When the original goal of full employment was set out, it meant full male employment. The Government have a more ambitious goal—one that recognises the increased role of women in our society. I second the remarks of my hon. Friend the Member for Keighley (Mrs. Cryer) about the value of having 121 women Members in the House. We are both delighted to be counted among them.

The Government are building a new and modernised welfare state to increase work opportunities—a welfare state that, in addition to its traditional and necessary function of providing security to people who cannot work, promotes work, ensures that work pays and gives people the skills that they need to secure better jobs. As my right hon. Friend the Chancellor said, in the past 20 years unemployment has been the primary cause of poverty in Britain. Compensating people for their poverty through benefits is not enough. Our task must be to deal with the causes of poverty, and the best form of welfare is work.

The UK has established a new leadership role in the various international forums promoting both multilateral and unilateral action to tackle third world debt. As a result, in part, of our initiative—and that of my right hon. Friends the Chancellor and the Secretary of State for International Development in particular—

there is a new emphasis on the reduction of poverty and on health and education programmes in the international forums in which these issues are debated.

We have also argued strongly for reformed financial architecture, which relates to the nature of the global system. We need to tackle the way in which financial systems and economies work on a global basis. We are doing that by developing and reforming financial institutions to enhance transparency. That involves strengthening financial regulation and the macro-economic policies of financial systems in emerging markets. It is important to try to prevent crises from occurring, to manage them better when they evolve—that includes involving the private sector—and to promote social policies that protect the poor and the most vulnerable. There is plenty of evidence that the Government have been at the forefront of that process.

My right hon. Friend the Member for Chesterfield touched on the nature of peace without social justice. He said that people come first—they certainly do for the Government. Our initiatives since 1997 have made society much less unequal. We will invest an extra £7 billion a year in children's financial support, almost 50 per cent. of which will go to the poorest 20 per cent. of families. A family with two children and a single earner on an average income will have become £2,600 a year better off in real terms between April 1997 and April 2001. About 1 million pensioners have been £20 a week better off since 1997. We have spent an additional £6.5 billion on pensioners in this Parliament. That is substantially more than would have been spent had the earnings link been restored. We have used the money differentially to help the poorest pensioners, which is in line with the wishes of some hon. Members who have spoken today.

We have also invested substantially more in our public services, including education and health. An extra £2 billion has been allocated for health care in 2000-01, which will produce an average real-terms growth of 6.1 per cent. over the next four years. That will be the longest period of sustained high growth in the history of the national health service. The NHS is one of the Labour party's achievements in government. It continues to receive a huge amount of support.

We are tackling the gap between the rich and the poor in a variety of ways—some of which I have outlined—including the introduction of the working families tax credit, the reforms of the national insurance system, the introduction of the 10p starting rate for income tax and the national minimum wage. Before tax and benefits, the top fifth of households received an average income that was 17 times greater than the bottom fifth when we took office. The Government's involvement and intervention have reduced that ratio to 4:1. We have made substantial gains.

My hon. Friend the Member for Keighley touched on the importance of child benefit. Between 1997 and 2001, child benefit for the family with one child will rise by £4.45, which is 26 per cent. above inflation for that period. Income support for each child under 11 in the poorest families was nearly £16.90 when we came to office; it is now £30.95—almost twice as much. The maximum financial support for a child under 11 in a low-paid working family will rise by £26.90, which is 97 per cent. above inflation.

Those achievements are part of the Government's proud record in tackling poverty. They address the issues raised by hon. Members today. Passion and principle are important, but they should be directed towards practical changes that are beneficial to people, both in the UK and across the globe, in their ordinary working lives. Our current approach to prosperity and fairness is right, as both must be secured. We must develop enterprise, as it enables us to generate employment, tackle poverty and invest in public services. That is why we are moving forward in the right direction. It is clear that the historic ambition—

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. It is time for the next debate.

Economic Development (Isle of Wight)

11.30 am

Dr. Peter Brand (Isle of Wight): I am grateful for the opportunity to have this debate. I am pleased that the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), is here to respond, as I believe that he has responsibility for shipping, which is, of course, uniquely relevant to my constituency.

In recent months and years, I have led delegations to the Department of Trade and Industry and have met successive Ministers. The case for the Isle of Wight has been well made to the Department, but, unfortunately, there has been no response. I was disappointed that the Minister for Trade refused to meet a delegation. He obviously felt that we were becoming repetitive.

I shall try not to be repetitive, but I want to make a case for my constituency, which is a wonderful place. It is an excellent area to live in and can provide a great quality of life. I would like it also to be an excellent place to work. As the Economic Secretary to the Treasury said in the previous debate, welfare, opportunity and the reduction of inequality are about jobs. The Isle of Wight still has one of the lowest gross domestic products in the country. It is the lowest in the south-east, at 74 per cent. of the European Union average, although that is a great improvement on the position a few years ago, when it was 64 per cent. of that average.

Through hard work and creative use of Government grants, the situation on the Isle of Wight has improved dramatically, but we have an extremely vulnerable base. We rely very much on agriculture, tourism and the care sector. There is also a little bit of manufacturing, although in the past two years we have lost 800 jobs manufacturing jobs as a result of the strength of the pound and the decisions of multinationals—another matter covered in the previous debate.

Employment is not only low, but fragile. Seasonal employment often means that twice as many people are unemployed in winter as in summer. The latest figures show that, among local authority areas, only Brighton's unemployment rate is higher than that in the Isle of Wight. We also have some of the lowest wages in the south-east and a high level of benefit dependency, which creates its own social exclusion, despite the fact that the island is such a splendid place to live. Indeed, when we try to explain our economic plight to Ministers who occasionally come to see the Isle of Wight, they ask us what we are worrying about. They say, "The sun is shining and everybody is smiling, so there can't be a problem." There are problems, however, as I am sure that the Minister will realise.

Restricted labour mobility is another problem on the island. The travel-to-work area and the constituency are effectively the same. One has to be extremely well off to afford a job on the mainland, as it costs £112 a month to commute on the ferry between Cowes and Southampton. That has created a population imbalance. We have above-average out-migration among 18 to 29-year-olds, while we retain and attract a higher proportion of retired people—27 per cent. It is great to have those retired people, but we firmly believe that we should have a mixed community of all ages, not depending only on the care sector.

I am not standing here to whinge on the island's behalf, which has been a tendency in the past. Living on an island is not just a geographical problem—it creates a mindset. The insularity argument and the cost of the ferries have often been used as excuses for not getting on with things. There has been a sea change, however, in the past few years. We have established a joint body—the island regeneration partnership, now called the island partnership—which brings together politicians at local government level. I am honoured to be a director of the board. It also includes the chamber of commerce, the training and enterprise council, business link, the voluntary sector—that is important—the Rural Development Commission, and representatives of the tourism, manufacturing and commercial sectors. The partnership approach has done extremely well for the island.

I am sure that the Minister will tell me how magnificently the island has been treated with regard to grants. We are grateful for the £10 million of single regeneration money that we have had. The rural development programme has been extremely imaginatively used, but we make a plea for more of the island to be included in that programme. There is an anomaly by which three of our small towns in the Sandown-Shanklin bay area are lumped together for analytical purposes and are therefore deemed to be urban rather than rural. Much business advice has been given, 17 new companies have been attracted and we have done well in the past few years, after a slow start, from intermediate assisted area status. Grants worth £5 million were attracted, levering in £20 million-worth of private money and creating or retaining about 1,000 jobs.

We have good and innovative employers on the island, not only in high-technology fields such as electronics and aerospace, but in exciting new developments in intelligent laminates, the production of wind turbine blades and related areas. There are great opportunities on the island.

I ask the Government to consider a basket of prospects. There is no magic solution. Had they stuck to their guns against the European statisticians, we would have qualified as an objective status NUTS2—nomenclature of units of territorial statistics—area. We were obviously disappointed about that. The European ombudsman has backed us on the issue but, unfortunately, we are probably too late.

We are also disappointed at being awarded tier 3 assisted area status. It sounded exciting at the start, but only £900,000 is available for the whole south-east, and grants are likely to go to areas receiving other grants. We heard biblical quotes in the previous debate, and it seems that to those who have shall be given, while those who get squeezed out shall find it difficult to plug into existing systems of support.

Tier 3 money should be made available to firms involved with the tourist industry and commerce, where there is growth. The improvement of the tourism product can do much to extend the season, to improve wages and to make jobs more secure. We would love to have tier 1 or tier 2 assisted area status, but we have missed the boat. The Government can do much by being

more flexible about tier 3. I hope that our single regeneration budget bid will be successful. It would do much to revitalise Ryde, one of our main coastal towns.

The RDP can support a wonderful range of projects, small and large, which have a tremendous effect on local people. Opening a little shop or factory somewhere does not cause a great economic surge, but the fact that such places exist has a tremendous effect on morale and improves the situation elsewhere. It would be helpful if funds were available for investment in building for industry and commerce. Land with planning permission is available, but we do not have the seed money to attract people who are offered ready-made and serviced premises in other areas of the country—indeed, abroad—with which we must compete.

Above all, I hope that the Government will support the regional development agencies. We strongly supported their establishment. They are a bit short on democratic accountability, but it is good to have a more collective area. In the past, we suffered from being lumped in with Hampshire, although it had no responsibility for our economic welfare, which was clearly nonsensical. We are now grouped with the south-east, and the south-east England development agency accepts responsibility for the economic welfare of predominantly coastal areas in the south-east where deprivation is on a par with that in the Isle of Wight. It will be disastrous for the Government's policy on development areas if they do not take note of the representations made by SEEDA. It will be disastrous if agencies do not have funds available to them, because flexibility to use funds would enable agencies to help—not just with advice but with real support—where investment opportunities exist in a particular area.

Another reason why I am so pleased that a DETR Minister is present today is because it would be splendid if the Government would recognise that there is an island factor. Because the Isle of Wight is the only English constituency that is an island, none of the Government formulae for distributing grants recognises that an island creates its own costs. Between them, the Isle of Wight ferries have a turnover of just over £50 million. That money comes out of an economy that serves 150,000 people, so it is an enormous burden. The ferries are effective and efficient, but they are extremely expensive. For the distance travelled, they are said to be the most expensive in the world.

The ferry companies were privatised one privatisation too soon. The railways and all sorts of other public services that have been privatised received large subsidies. The Scottish islands receive travel subsidies and Scottish road bridge tolls are subsidised by the Government. I am not suggesting that the Government should give money directly to ferry companies, because that would be a recipe for inefficiency and complacency, but it would be helpful if the Government were to allow local authorities to use their existing powers to subsidise travel. For example, we subsidise a chain ferry across the River Medina. It would be helpful if, as a result of our island status, some funding were available to enable the local council to subsidise the fares of jobseekers or people in training who have to cross the Solent. The fare is extremely expensive. An ordinary return fare for a car carrying two adults and two children costs £76.40 in low season and £90.80 at bank holiday weekends. That is a stiff amount for the tourist industry to absorb, given that the Isle of Wight must compete with other areas that do not have that extra cost.

To allow the Minister plenty of time to respond, and so that I have time to ask clarifying questions, I end by quoting article 158 of the treaty of Amsterdam—bed-time reading for us all. It states:

> In order to promote its overall harmonious development, the Community shall develop and pursue its actions leading to a strengthening of its economic and social cohesion.
>
> In particular, the Community shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands.

That could have been written for the Isle of Wight. The Government have signed up to the treaty of Amsterdam but, to our enormous frustration, they do not seem prepared to take action to correct what many islanders feel to be an injustice. We are not asking for handouts; we want a little help to overcome a physical barrier that acts as a great financial disincentive.

The Isle of Wight is unique. We should stop moaning about its being an island; that is its unique selling point. However, we need some help to overcome some of the social deprivation that the island suffers.

11.46 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate the hon. Member for Isle of Wight (Dr. Brand) on securing this debate. As ever, he is most assiduous on behalf of his constituents on that beautiful island. It has been valuable and informative to hear from him. Some of the issues that he raised are unique to an island economy, but they also form part of the wider picture of the general management of the economy.

The Government's first priority on coming to office was to secure long-term economic stability and to leave behind the boom and bust of the late 1980s and early 1990s. During the past three years, we have been building a platform for economic stability. On that foundation, we are promoting competition, encouraging enterprise and innovation, raising the skills base, creating the right conditions for investment and improving public-sector productivity.

The hon. Gentleman is properly concerned about the economic development of the Isle of Wight. However, the island is part of the United Kingdom economy, and it is important to take a broader view to ensure that business, social and environmental needs transcend administrative boundaries—and, in this instance, a short stretch of water.

The rationale for setting up regional development agencies, which the hon. Gentleman supports, was that they would develop a strategy to support and enhance national policies, while addressing the particular needs of the regions. A framework for economic development, skills and regeneration will ensure a better strategic focus for, and co-ordination of, activity in the region, whether by the development agency or by other regional, sub-regional or local organisations. I understand that, in recognition of the island's particular needs, the South-East England development agency has set up an area office on the island. However, it is important that the island should be seen as an integral part of the region.

[Mr. Keith Hill]

The arrangements for the new Small Business Service and the Learning Skills Council reflect the need to include the island as part of a larger area. That should bring benefits to the island and to Hampshire and the region. There will be benefits from economies of scale and from a more concentrated focus on the island. The new services will bring together all available business enterprise support. They will utilise the full range of skills experience available to organisations that share that vision. That should ensure universal access to consistently high-quality support services for all individuals and businesses on the island and throughout the wider area.

In the recent Budget, the Government announced a number of measures to stimulate competitiveness throughout the British economy, many of which should benefit businesses on the island. The Budget announced cuts in capital gains tax to create the most favourable environment that Britain has ever seen to encourage entrepreneurs. It will create an environment that will reward risk taking and promote wider share ownership among employees. It introduced permanent first-year capital allowances, to encourage investment, so that small and medium firms will be able plan their investments with certainty, knowing that they will receive the cash-flow help provided by first-year allowances.

The Budget also announced 100 per cent. first-year capital allowances for small enterprises investing in information technology equipment and a £60 million package to help more small firms to go online and to deliver more services online so that they can share in the opportunities offered by e-commerce. In addition, the Budget made provision for a new all-employee share ownership plan and enterprise management initiative, giving employee share ownership its biggest ever boost and helping small companies recruit and retain the key staff that they need in order to succeed.

Under the Budget, the research and development tax credit for small to medium enterprises has been increased from the present 100 per cent. relief on spending on research and development to 150 per cent. That will encourage SMEs to invest in R and D, and is available to companies not yet in profit, reducing the cash cost of their R and D by 24 per cent. compared with the present tax treatment.

Two further measures in the Budget should be of benefit to business in the Isle of Wight. First, tax relief is being introduced to promote corporate venturing, encouraging large and small companies to work together for their mutual benefit. Secondly, there will be an extra £100 million for a new £1 billion target umbrella fund for enterprise growth across the regions during the next three to five years, and a new fund for clusters to co-finance business incubators. RDAs will play a key role in both initiatives, and I mentioned earlier that SEEDA has already set up an office on the island in recognition of its specific needs.

In the south-east and London, an initial target of £250 million has been set for providing new venture capital; the national target is £50 million, for the development of clusters; and there is £10 million to boost information technology through continued support of the information society initiative. Decisions have yet to be made about the continuance of the provision currently provided through the training and enterprise councils for economic development partnerships. I understand that it is likely that support will continue even though it might be on a reduced scale.

As the hon. Gentleman knows, the Government have carried out a comprehensive review of the assisted areas, taking into account responses to the consultation document issued last July. In order to carry out the review, a wide variety of criteria was proposed for determining the new assisted areas. I understand that labour market indicators, especially unemployment, received the most support. Additionally, wards were the most widely supported unit of geography to form the basis of the map.

The review of the assisted areas has been conducted under the European Commission guidelines on regional aid published in the *Official Journal of the European Communities* on 10 March 1998. The aim of the guidelines is to introduce a transparent and comparable regional aid system across member states. They are part of the drive to reduce the overall level of aid to industry in the Community. The Government support that, and, following discussions with the Commission, are due to submit revised proposals for the assisted areas map. We shall take into account the Commission's concerns about population coverage and the geographical units used.

Regional industrial policy has a key role to play in the Government's commitment to creating a modern, competitive economy. It brings underutilised resources back into the economy, enhances employment opportunities and improves competitiveness. In the competition White Paper, the Government made two commitments on regional industrial policy. We said that we would support the policy of developing forward-looking regions in two ways: by focusing support on high-quality, knowledge-based projects, which provide skilled jobs, and by introducing a new assisted areas map, taking into account the response to the public consultation.

Dr. Brand: I am grateful to the Minister for telling us about the various measures that have improved the national economies. So far, however, he has said nothing about improving the welfare of the Isle of Wight, which continues to languish behind the rest of the country, and the rest of the region. I am disappointed that, in skating over the assisted areas status map, he has not acknowledged that the Isle of Wight has worse indicators—or better ones, depending on how one looks at them—than several areas that have been put on the map. Unemployment in Barking and Dagenham, for instance, is lower than it is on the Isle of Wight.

Mr. Hill: As they say, I was coming on to the issues about which the hon. Gentleman is, naturally, concerned.

In accordance with the guidelines, the Government are proposing four areas for assisted area status under the treaty—Cornwall, Merseyside, South Yorkshire and west Wales. Measured at purchasing power parities and averaged over the period 1994 to 1996, those areas had

a GDP per capita of less than 75 per cent. of the EU average, and are, under Eurostat's nomenclature of units for territorial statistics, NUTS2 areas. The regional aid guidelines allow higher maximum grant levels in those areas. In drawing up the proposals, the Government aimed to combine areas of need with major opportunities for employment creation, investment and regeneration. As the hon. Gentleman is aware, the consultation period is now closed. The Government will consider the representations carefully and, in the light of those considerations and discussions with the Commission, seek approval of the new assisted areas map.

The Government have introduced plans in England for a new third tier of enterprise grant areas under which assistance will be available to businesses employing up to 250 people. The Isle of Wight will qualify for that grant. Small businesses have a crucial role to play in regional development and in tackling need. The introduction of the enterprise grant areas, which will extend outside tiers 1 and 2, complements the measures to support and encourage the development of small businesses that have already been announced—namely, the establishment of the Small Business Service and the creation of the enterprise fund.

I am aware of the hon. Gentleman's concern that the third tier will not be sufficient for the needs of the Isle of Wight. However, it is intended to be a flexible measure to aid regional development and respond to local economic difficulties. Therefore, after an initial period of 12 months, the areas will be reviewed in conjunction with regional partners, including the RDAs.

The inclusion of the Isle of Wight in the new third tier of enterprise grant is a recognition of the needs of the island and the role that can be played by support for small and medium enterprises. The island's request to be included in the new map for assisted areas is currently with the European Union, and we are awaiting its decision. The Government are prepared to provide positive support, provided that it is not at the expense of other areas in the south-east.

Transport is a key issue for the Isle of Wight: its cross-Solent links are vital to its economic and social well-being. However, the fare levels are a commercial matter to be determined by the operating companies. In 1995, the Office of Fair Trading carried out a review and found out that fares had increased overall by less than the rate of inflation. Although the Government recognise that ferries provide the only realistic public access to and from the island, services are able to operate on a fully commercial basis, and we take the view that a subsidy is not justified. That is demonstrated by the ferry companies' arrangements with tourist service providers and other regular users who benefit from special rates. However, the Government accept, in the context of our social inclusion agenda, that the cost of getting to the mainland could prevent some people from taking advantage of improvement opportunities. We are therefore willing to encourage initiatives that help such groups through specific targeting. I hope that that offer will be of interest to the hon. Gentleman.

Finally, I turn to rural development. The island benefits from several other initiatives, such as rural priority areas, which provide eligibility for a variety of grant aid for supporting industrial development and similar projects. Those initiatives are valued by the island's community. I understand that SEEDA, on behalf of the island, has undertaken discussions with the Government Office for the South East and my Department about proposed amendments to the boundaries. The case has yet to be made, so it is too early to comment.

I am sure that hon. Members are grateful to the hon. Gentleman for having raised the important matter of the economic development of the Isle of Wight.

Teesside Chemical Industry

11.58 am

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I am extremely pleased to be able to speak on behalf of my constituents in the communities that are dependent on the well-being of Teesside and its chemical industry. Teesside has a unique position as a centre for chemical production, engineering and innovation.

Before I entered the House, I was a practising chemical engineer in industry and a member of the Institution of Chemical Engineers. I am currently a member of the Select Committee on Science and Technology and secretary of the all-party chemical industry group.

The chemical industry is one of the key catalysts of wealth creation for our country in this century. I want to highlight a number of distinct but interlinking issues: changes in the Teesside chemical industry, its present state, how it can adapt to the business needs of today's global market, and how cluster designation can better encourage innovation and help to create a new business ethos and operating philosophy. However, those issues must be put in context.

The Teesside chemical industry is not a dying smokestack industry. The clothes that we wear, the food that we eat and the materials that furnish our homes, workplaces and cars are products of the chemical industry. In fact, many of the fixtures and fittings in this Room are chemical industry products. The chemical industry is the building block for pharmaceuticals, paints, coatings and advanced materials used in the motor industry and aerospace industry. It is an industry of the future.

We cannot envisage the applications of, and the products that will be developed through, maturing biotechnology, nanotechnology and genetic technology. However, we know that they will be earth shattering and will profoundly affect the world in which our children and grandchildren will live. Research is being undertaken on "intelligent materials" with industrial and medical applications, and on molecular technology.

Although Teesside is surrounded by a skyline consisting of distillation towers, catalytic converters and tank farms, the age of bulk processing may last only another decade or two. Dramatic changes, many of which were unimaginable just a few years ago, have reshaped the Teesside chemical industry. The industry has emerged from a past dominated by a single employer—ICI—into a new pattern of ownership and control. Plants on Teesside are now owned not by a single employer, but many large corporations, for which Teesside represents their largest UK stake.

Teesside is home to some of the world's largest chemical players: ICI, Dupont, Enron, BP, Amoco, Union Carbide, Terra and Huntsman, among others. Their presence underpins the industry's importance to Teesside in terms of finance and employment. At present, 11,000 people are directly employed by the industry, and 25,000 indirectly employed. They contribute to an annual cash turnover of between £3.5 billion and £4 billion, which sustains many more thousands of jobs and defines the social pattern of the towns of Teesside.

The new world players are investing in our future. Teesside's new chemical industry will be as much concerned with small-scale batches of fine chemicals as with processing millions of tonnes of hydrocarbons. It will be a high-value-added industry, which will rely far more on the scientific and technological knowledge and expertise of its work force than the capital asset register of large-scale plants.

As recently as last week, the Minister assured us that the Government's interest in the manufacturing sector is genuine, and that they are committed to ensuring growth and innovation. I hope that that remains the case. Central to that commitment is the need to ensure that this country can win out in respect of high-quality goods and services, and skills and reliability. Of course, that cannot be delivered by the Government, or the private sector, alone. There must be a structured partnership that involves all key players—the Government, academia, the network of regional development agencies and the industry.

We on Teesside are well on our way to forming those partnerships. The chemical industry has led the way by setting up the Teesside chemical initiative, a group consisting of the major industrial players and supporting agencies. The initiative gained national recognition and has conducted many studies for the Department of Trade and Industry. I am told that the Department is using one of its reports as a benchmark for the industry's future. A critical part of that benchmarking process involves analysing the way in which Teesside chemical companies manage their human resource potential. Nowhere is that more important than in the chemical industry. To put the matter simply, the industry is becoming much more people-oriented—it values its work force and undertakes programmes for up-skilling and lifelong training. The work force's knowledge and technology skills will become more important than they are or have been.

New entrants to the industry will work in a global environment. They will be the mobile ambassadors for new technologies and new processes. The increasing reliance on human capital means that a young chemical process engineer may spend part of his or her career in Turin, Turku or Tulsa, although Teesside still is one of the industry's great centres, and it is essential that it remains so.

The infrastructure of the Teesside chemical industry consists of several crucial features, which contribute to the industry's character and strengths and which make an essential case for a new cluster. Teesside has a direct supply of North sea gas feedstocks; a major effluent-treatment facility that makes it one of the cleanest complexes in western Europe–that is demonstrated by the fact that, if one looks into the River Tees, one can see salmon and seals; a direct link to the ethylene pipeline network; a well developed logistic capacity, including a deep-water port whose operators have experience of handling many different chemicals and chemical products; the best water supply in the United Kingdom, which is based on the largest man-made reservoir in western Europe; a good supply of new sites for the industry that are already hooked into services and capable of producing cost and time savings for incoming producers; a mature support network of suppliers, process engineers, specialist services and a public and

professional sector that is used to dealing with the chemical industry; and, above all, a skilled, fully trained and adaptable work force. For those reasons, Teesside is well poised to benefit from the structural changes that are occurring in the chemical industry.

Some may regret the loss of ICI's historical dominance, but the fact that all of the world's major companies have functioning plants on Teesside means that the area will become increasingly important in the eyes of those companies' decision makers. Teesside has the firms, a skilled work force and the tremendous physical assets of a network of research and development institutions and the university of Teesside. That is not to suggest that we have no weaknesses. Although major companies are present, their operations are international, and only limited decision making takes place on Teesside. Also, many of the older sites have a poor physical environment.

The continued strength of the pound is still an issue for companies that are based in and trade with the European Community. However, where there are threats, there are also opportunities. They are: the opportunity to market the Teesside area as a focus for the chemical industry's growth and diversification; the opportunity to restructure the grant mechanisms that are currently on offer from local and central Government, which should make capital investment easier; the opportunity to build links between the various research and development units and, crucially, to ensure the future of the Wilton centre for research and development under the new pattern of dispersed ownership; the opportunity to identify and plug future skill shortages; the opportunity to begin an action-oriented research programme to establish the needs of small and medium chemical enterprises that may be attracted to Teesside; the opportunity to further the programme for site clearance and development on former bulk chemical sites; the opportunity to press for the building of another olefin complex to exploit feedstock strengths; and the opportunity to develop the network of feedstock pipelines from the North sea and, potentially, from mainland Europe. It is an ambitious programme, but an essential one if the industry on Teesside is to continue to display the vigour and spirit of innovation that have characterised it over the past 90 years.

Perhaps the key issue that a designated cluster can influence is the need to ensure a good research and development base. Earlier I mentioned the Wilton research and technical centre. It was established in the mid-1970s by ICI, under the direction of the charismatic John Harvey Jones, to establish a research and development base for all the activities that it managed on Teesside. My right hon. Friend the Chancellor visited the centre about 10 years ago when I was a parliamentary candidate, so he is fully aware of it.

In the new pattern of ownership there is a danger that that unit, which brings together the biggest concentration of scientists and engineers with PhDs in the United Kingdom, could atrophy. That could lead to the human talent and potential housed in that complex moving to fresh pastures in other parts of the UK, and indeed to other parts of the world. No one wants that to happen, and a key issue for any new cluster must be to boost the Wilton centre as a core research and development unit serving all the partners in the cluster.

A group made up of the European process industries competitiveness centre, Redcar and Cleveland borough council, the Teesside chemical initiative, the Tees Valley development company and the north-east regional development agency is developing those plans. This agenda fits well with the views of the Science and Technology Committee, which were debated last week in this Chamber. Its second report dealt with innovation based on engineering and science.

For a cluster to flower, companies must be dedicated to the concepts of partnership, financial access, a business incubator and academic input, and they must have sympathetic local planning and development support. The Select Committee highlighted the cluster of medical device manufacturers sited in and around the Massachusetts Institute of Technology campus. MIT's active involvement made the crucial difference. What was once a simple agglomeration of companies has become a formal cluster. Called Massmedic, this group combined to develop its own products. Critically, it has helped to influence state and federal policy and build effective relationships with other academic institutions and teaching hospitals. I believe that the physical assets that the Select Committee cited and observed in Boston exist on Teesside.

I am also grateful to the Royal Society of Chemistry for drawing my attention to the report on international catalysis clusters, which links a variety of interested organisations—ICI, Johnson Matthey, Solway, BP Chemicals and Shell Chemicals. Many academics are also involved in setting up clusters, another example of the way in which things can be done.

The Minister was very positive last week about the Select Committee report. I know that the Government want to promote technology clusters, but, as the report stressed, they cannot create them: the building blocks must be there. I believe that the building blocks exist on Teesside—good academic support, a network of skilled technologists, many of whom have known one another for many years and have worked on previous collaborations, and an open and responsive planning system based on good working relationships with the industry over many years. Although I am asking the Government formally to designate cluster status for the Teesside chemical industry, that simply recognises what is already in being. Such designation would make the Teesside chemical industry the motor force in the north-east's regional and economic strategy.

The Government's response to the Select Committee report acknowledged that Lord Sainsbury would oversee a cluster steering group. I ask that group to use the Teesside chemical industry cluster as its first case study. It will find much to encourage it. It will find that the cluster will succeed; it will be marked by good relationships between the key players, local managers and agencies; it will be marked by collaborative action to tackle common problems; it will be marked by a common desire to move up the knowledge-based industry league table; it will recognise the need to place R and D at its core, for the common good of the industry and the community; and it will be marked by a common enthusiasm to improve human potential within the industry.

In his Budget speech, my right hon. Friend the Chancellor talked about Britain's need to

> succeed in the new economy and to lead in the new century—
> [*Official Report*, 9 March 1999; Vol. 327, c. 173.]

[Dr. Ashok Kumar]

Change is sweeping across Teesside and it is crucial that we benchmark our strengths, analyse our weaknesses dispassionately and identify and capitalise on our opportunities. Formal designation of cluster status for the Teesside chemical industry will be a crucial weapon for ensuring that the industry helps the north-east and its economy to prosper and helps Britain to succeed.

12.15 pm

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): I congratulate my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) on securing a debate on a subject that is important not only to Teesside and the north-east, but to the whole country, as he rightly said. As on so many previous occasions, he spoke with a deep personal knowledge of the industry in which he served with such great distinction for many years. I am happy to endorse what he said about the importance of manufacturing industry, in general, and about the chemicals industry, in particular.

The chemicals industry is our second largest manufacturing sector. It represents more than 10 per cent. of manufacturing gross value added; it has a turnover of £46 billion; and it employs 250,000 people directly and many times that number indirectly. It contributes £23 billion to our export earnings.

There is, however, more to the industry than its sheer size. Quality is as much a part of it as quantity. The chemicals sector has formed the bedrock of the United Kingdom's traditional manufacturing base for many generations. However, as my hon. Friend has said, it is not a dying smokestack or sunset industry. It is a modern, highly skilled, innovative, technology-based and research and development-intensive sector.

The phrase so often used today—the new economy—is, increasingly, misleading, in terms of what is happening in the United Kingdom and in the global economy. The phrase implies that there is also an old economy, and that manufacturing is irredeemably part of that old economy, destined to decline and die. That is nonsense, as my right hon. Friend the Prime Minister will stress in his speech to the Confederation of British Industry this evening.

New technologies in materials, in chemistry and in information and communications are transforming every sector. They are transforming every part of the production process and the provision of all goods and services. The chemicals industry, which is a fundamentally science-based industry, is meeting enormous environmental challenges by investing in new production processes and products. The industry is part of the knowledge-driven economy. It is and, with the right support, will continue to be a central part of the high-tech manufacturing base that we need if we are to be among the leaders in the 21st century's global knowledge-driven economy.

Government and the public sector have a role to play. We do not run or own the industry, but we can play a part in creating not only the right macro-economic conditions–the stability that the sector, like all others, requires–but the right education and training regime, a supportive framework for scientific and technological advance and a balanced regulatory environment. We take those responsibilities seriously. My right hon. Friend the Minister for Energy and Competitiveness in Europe has a regular dialogue with the chemicals industry, so that we can work together on the issues that most affect the sector, many of which my hon. Friend the Member for Middlesbrough, South and Cleveland, East eloquently outlined this morning. As part of that process, my right hon. Friend will visit the chemicals community on Teesside on 15 June and I shall ensure that this debate is brought to her attention before that visit.

There is also a challenge for the industry constantly to improve and upgrade itself and to make the necessary investments to remain a world-class, competitive and highly productive sector.

My hon. Friend referred to the importance of building on the cluster of chemicals industries on Teesside. We are not discussing a new or even an emerging cluster; it is well established. As part of the preparation for this debate I took the opportunity of looking at the map of chemicals manufacturing and storage sites on Teesside and it is clear that there is a well-established and dense cluster there. As my hon. Friend said, an important part of the process of building on the existing cluster is the Teesside chemicals initiative, which offers a mechanism whereby the private sector, the public sector and some not-for-profit institutions can come together to take collective action to create the conditions that individual companies need to succeed—skills, maintenance, logistics, upgrading the quality of sites, links with higher education and research institutions, relationships with local communities, disseminating and sharing best practice, and promoting new inward investment by chemicals companies into the area.

My hon. Friend spoke realistically about the challenges that face the members of that cluster, as well as their strengths, which they want to exploit. My Department and the Government Office for the North East are working closely with the Teesside chemicals initiative and with the regional development agency, One North East, to achieve the aim of developing Teesside as an international centre of excellence in chemicals production.

My noble Friend Lord Sainsbury, the Minister for Science, is chairing a steering group on clusters policy to assess how we can more effectively build and develop clusters throughout the United Kingdom. That group will help us to identify and recommend new policy initiatives to ensure the sustainable development of clusters and industrial networks. I shall ensure that his work is informed by the Teesside experience and what my hon. Friend said.

As my hon. Friend will be aware, my right hon. Friend the Secretary of State for Trade and Industry announced on 27 March a £50 million package to provide support for the development of business clusters in the English regions. That is in addition to the funding that has already been announced for the general strategic work and goals of the RDAs. That capital fund is available to the agencies to facilitate the establishment of innovative sectoral and geographical networks to support industrial excellence.

I am very pleased that the Teesside chemicals initiative is talking to One North East about how that new resource can be applied to the chemicals companies and industry cluster in the north-east. I can assure my hon. Friend that we shall continue to support Teesside in maintaining and strengthening its place as a world-class chemicals industry cluster.

My hon. Friend said, rightly, that most successful clusters have a strong academic partnership, as well as strong industrial companies. In the chemicals sector, the application of leading-edge science and technology will be crucial, and my hon. Friend rightly made a powerful plea for the development of the former ICI research and development facility at Wilton. That world-class centre offers valuable work and services to chemicals companies, not just on Teesside but further afield. We support the current review by the RDA, with other partners, to consider how the centre's future might be shaped and how its work could be strengthened as part of that cluster development.

I draw my hon. Friend's attention to the fact that we are consulting on the possibility of creating regional centres for manufacturing excellence. We are talking to the RDAs and to trade associations in the chemical sector about how regional centres of excellence might support chemicals firms. My hon. Friend will, I am sure, want the interests and expertise of the Wilton centre to be reflected in that consultation and in any initiative suggested along those lines. When my right hon. Friend the Minister for Energy and Competitiveness in Europe visits Teesside next month, she will want to discuss the Wilton centre as well as the broader industry.

My hon. Friend rightly stressed the increasing importance of people to the industry's future competitiveness. It is increasingly true that almost all manufacturing industry is a people business; it is not simply about science, hardware and products. As a chemical engineer by profession, my hon. Friend is better placed than most to understand the chemical industry's skills and training needs. The Government share his concern to ensure that we have the right skills, and the education and training infrastructure necessary to keep supplying those skills, to ensure the continuing growth and innovative development of the industry.

Nationally, we work closely with the industry and the Department for Education and Employment. At the suggestion of my right hon. Friend the Minister for Energy and Competitiveness in Europe, the Government have formed a working group; with the industry and the trade unions, we can examine the key constraints on the development of the chemicals industry and recommend sensible future courses of action. Again, I invite my hon. Friend to contribute practical suggestions to that group.

Locally, the Teesside chemical initiative has been particularly active on the skills front. With support from the Department of Trade and Industry, it has undertaken specific initiatives on behalf of the local chemicals industry in developing ideas for degree programmes that more closely reflect the needs of local industry. Chemistry degrees will thus not only provide the right sort of scientific education, taking account of the practical needs of the industry as well as the excitement of the research laboratory. They will also complement that scientific excellence with an awareness of business and commercial realities and the skills needed to operate in a commercial environment. The chemicals initiative has also helped to deal with skills shortages among the contractors who maintain and overhaul the chemical plants.

My hon. Friend has rightly stressed the strengths of the chemicals industry on Teesside, and the challenges that face it. He has highlighted the concerns of his constituents, and the challenges and opportunities that face the industry in which so many of them are employed. I hope that I have been able to reassure him, during this relatively short debate, that we share his commitment to a world-class knowledge-based chemicals industry, and that we are already working closely with the industry and the people who work in it to ensure that the potential of that important sector is realised, particularly on Teesside.

Rail Accident (Goss Moor, Cornwall)

12.28 pm

Mr. Matthew Taylor (Truro and St. Austell): I very much welcome the opportunity to debate this subject. A serious and potentially fatal accident occurred on 8 May on the rail-road crossing at Goss moor, involving a car transporter and a local train to Newquay. The accident raises questions about level crossings without barriers, but I take this opportunity to raise the much wider—and in the long run, more serious—matter of the A30 at Goss moor, especially the low rail bridge, which was why that heavy car transporter was on a small country lane.

I know the lane well, and I can see the Goss moor section of the A30 from my kitchen window. I see the regular jams that occur on the road during the summer, which go from pretty terrible to absolutely awful when lorries manage to hit the low bridge, which happens fairly regularly. Last summer, when large numbers of cars started more or less coming past my cottage, I discovered that somebody, in the spirit of Cornish entrepreneurship, had found that a lot of money could be made by selling for £1 maps showing how to get round the A30 at Goss moor. I do not want to talk unduly about taking away the opportunity to increase Cornish incomes, as they are so low, but the sale of such maps is not the ideal way of making a living, not least because people in the surrounding villages become irate when they see not just tall heavy lorries but everybody else using the route as a rat run to avoid the problems on the Goss moor section of the A30.

I have spoken about the barrier issue many times in the past, not least when I was transport spokesman for the Liberal Democrats. We must all be anxious about railway crossings without gates, which are especially dangerous when there is substantial traffic. A hot and bothered lorry driver who is not in the best state of mind but who is forced to use minor routes might not take the sensible driving approach that is appropriate to small country lanes. People in Roche tell me that lorries often pass rather too quickly through their village. My experience on the lanes outside the villages is similar. I cycle on the route from time to time, when I have the opportunity to do so, and I see lorries that are using entirely inappropriate roads, either at the end of a long journey or just setting off on a long journey out of the county, which appear, from time to time at least, to be going rather too fast for the circumstances.

We do not know what happened in the accident, and I do not want to pre-empt the inquiries. It seems to me, however, that road and rail do not mix well and that the light barriers do not always work. We know about the record of accidents and fatalities that occur from time to time on unbarriered crossings throughout the country. The individual who lives in the house next door to the crossing in question moved there only six weeks ago. He says that he has seen many near misses in which people shot the lights but narrowly missed a collision. I hope that the Minister will take this opportunity to speak about policy on the matter. I am aware of the recommendations made by the previous inquiry into barriers. I know that they were broadly implemented, which was welcome, but, in this day and age, there remains a question mark over unbarriered rail crossings.

The A30 at Goss moor is the spine route through Cornwall; the great majority of traffic coming in and out of the west of the county has to take it. Most of the route is either at dual-carriageway standard or near to it. With the exception of one minor section on Bodmin moor, all of it is dualled as far as Bodmin. That is due not least to the campaigning in which people in my part of the world have engaged over many years to ensure an adequate route into the county and out again, which is especially important for Cornish businesses. A further section of dualling runs from Indian Queens to the junction off to Truro, whose construction was welcome. That development was originally planned to include the Goss moor section, but, for a variety of reasons, Goss moor was not included in the Indian Queens-Summercourt bypass building process.

I have had many meeting over the years with Ministers and others to discuss Goss moor. In my judgment, it was always the case that the best solution for the A30 problem at Goss moor involved moving the rail link to Newquay from the Par junction to St. Austell. The rail track would have gone through St. Bernards, so removing the need for the iron bridge and the diversion of heavy lorries. The solution tackled the problems of improving the road across Goss moor which, as a site of special scientific interest, is an important environmental site that is likely to receive the highest European nature conservation status.

There would be two benefits from moving the railway. The first is that it would free up the rail track bed for road building. As it runs parallel to the A30, that would allow dualling to take place without encroaching too much on Goss moor. The second is that Goss moor could be extended into a sterilised area between the railway and the improved road. Diverting the branch line would more than make up for losses to Goss moor that result from road improvements.

The environmental impact fits in with Government policy to find solutions to transport problems that combine public transport and road transport. The branch line would be made more viable by linking Newquay with St. Austell, which is Cornwall's largest town, rather than with the small village of Par. Indeed, its station does not even serve most of its built-up community. More people would get out of their cars and on to trains, which would reduce the cost of subsiding the branch line in the long term. It would solve most of the problems of land take from Goss moor that would be caused by dualling or upgrading. It would also provide a solution to the low iron bridge problem without incurring the substantial costs that make alterations to the bridge unviable.

The project's history is long and sad. Governments have repeatedly started to advance the process only for it come to a halt, which is why my colleagues and I have had an infinite number of meetings with Ministers over the years. In the old days—I suspect that this was also the case in recent years—the barriers within the Department between the rail people and the road people created a fundamental problem. When rail and roads were in state hands at the Department of Transport, it was well known that the highways people did not want to pay for the rail re-routing. They hoped that the branch line would close and that they would get it for free. The rail people, however, could not justify the investment for re-routing the line, so no money changed

hands. Although I was told that re-routing was the cheapest solution for the road builders, they did not want to pass the financial gains on to Railtrack.

Mr. Paul Tyler (North Cornwall): I endorse my hon. Friend's point about co-ordination. I had the same experience, albeit for a shorter time. When we went to see the present Minister, Lord Whitty, at the Department, it was a shock to discover that the Department had not realised the importance of the new factor—the creation of the Eden project. My hon. Friend will know that the Eden project opened—

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. I am sure the hon. Gentleman has the permission of the hon. Member for Truro and St. Austell (Mr. Taylor) and the Minister to intervene, but his contribution should be brief.

Mr. Taylor: I am sure my hon. Friend has made his point. The opening of the Eden project means that traffic pressure, especially at the junction of the Bodmin roundabout on the A30, will be increased. The traffic tailback at that junction is often severe.

Let me sum up the issues for the A30. First, a combined rail and road solution would quickly end once and for all the diversion of heavy traffic through inappropriate local lanes and villages. The rail diversion would allow the removal of the bridge while a road upgrade of whatever form was taking place. That is an immediate solution for villagers in the surrounding area and for firms that find that further unnecessary delays and difficulties are added to getting their goods in and out of the county.

Secondly, a combined solution would answer genuine environmental concerns—there would be a clear net environmental benefit for Goss moor and, crucially, in the use of public transport. The proposal would help to get more people on to trains and would serve much larger communities than the existing branch line does. People would be taken to where they wanted to go rather than to Par, which, frankly, the majority of people do not plan as their final destination or have as their starting point.

We would also be able to tackle congestion, the environmental issue and the loss of life on that section of the A30, which is perhaps the most important issue of all. The county council has done much work on the subject. The figures over the past five years show accidents across Goss moor at twice the national rate. In that period, there were five fatalities, 19 serious injuries and 201 injury accidents—high figures for a short section of road. As a local, I experience the problems of crossing the A30, especially when coming from Roche and heading for the Newquay side, where there is a nasty junction. The Minister nods; I understand from his office that he knows the section of road well. The problems that I am describing will be familiar to him.

The history of the matter has been sorry and the sorriest saga has come within the past 10 years. In February 1994, the so-called fast-track, round-table process for trying to find agreement on a solution within the community was trialled by the then Conservative Government. The move was welcomed in the community. Environmental, road and community interests were brought together successfully. Perhaps surprisingly, given that environmental concerns did not have the same priority then as now, there was overwhelming agreement that the section of road needed to be tackled and that the preferred solution was to link rail and road, as I have suggested. The planning process for the road ensued, with the county council taken on as the lead contractors.

Matters came to a grinding halt shortly afterwards because the then Government slashed the roads programme. They were not interested in rail investment, so there was no hope of help from them on that. With the abolition of the county contract, no work proceeded. There was an announcement, which held out hopes, that there might have been a resumption shortly before the general election, but I do not think that that was anything other than a political gesture. Perhaps I am just an old cynic.

Worse news came on the election of the Labour Government because they, understandably, put the road programme back under review. That led to a further delay of at least one year, despite the fact that the round table had shown overwhelming support in the community for a solution. Even interests such as English Nature bought into the principle that a solution needed to be found, even if those interests did not commit themselves to an option. English Nature itself was sympathetic to a link to rail improvement. Sadly, the outcome of the review was not building but further consultation and planning. That was welcome but there was frustration in my community. The people there say, "We do not know why there is consultation because we all agree that work needs doing. A great majority of people agree on the way in which to do it. For goodness sake, can't we just get on with it?"

12.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate the hon. Member for Truro and St. Austell on securing the debate so soon after the accident on 8 May. As the hon. Gentleman said, the accident took place close to the A30 trunk road on Goss moor where a project is currently being carried out to identify ways of improving that part of the A30. The A30 project is of great importance to the people of Cornwall.

The accident took place on Monday 8 May, just after midday. A Wales and West train service travelling from Par to Newquay collided with a car transporter at the Tregoss level crossing near the village of Roche. The transporter had left the A30 to avoid the low Goss moor railway bridge, it having activated the height warning system. The accident caused the transporter to be dragged along the track for thirty yards and several of the cars it was carrying were scattered into nearby hedges. The train and lorry drivers and two passengers were taken to hospital with minor injuries. Thankfully, the injuries were not more serious.

An inspector from Her Majesty's railway inspectorate visited the scene of the accident the same day and started an investigation into the causes of the accident with the British Transport police. Their initial findings show that the crossing was working correctly. Tests have been carried out to confirm their early findings and the results

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are awaited. The Crown Prosecution Service and the British Transport police will consider the investigation's conclusions to determine what action should be taken. The investigation will also assess whether that type of crossing is still appropriate for the road and rail traffic that use it. The level crossing is a locally monitored automatic open crossing controlled by a signal box.

An improvement notice was served on Railtrack in February 1997 relating to the road markings at the crossing. Remedial action was taken to restore the road markings and, at the time of the accident, they were in accordance with the relevant statutory order for the crossing.

Some press reports have suggested that this was the fifth accident involving trains at t[illegible] location in the past 10 years. In fact, there have bee[illegible] previous accidents involving trains over the past 10 years. I have noted the observation of the resident who lives close to the crossing about near accidents, which is important and interesting.

Mr. Taylor *rose—*

Mr. Hill: I will give way although I have much to say and little time in which to say it.

Mr. Taylor: I think that the *Western Morning News* bears some responsibility for that statistic. I believe that it has confused a specific figure with a figure for the south-west on these crossings.

Mr. Hill: I thank the hon. Gentleman for that clarification. It is unusual for that excellent journal to make a mistake.

Rail safety is vital and the Government are determined to make the railways and rail travel safer. The opening last week of the public inquiry under Lord Cullen into the Ladbroke Grove crash reminds us in the starkest manner of what can happen when an accident occurs. The Government will work to improve safety systems and procedures and to ensure that safety has the highest priority in the rail industry. Lord Cullen has been asked to conduct a thorough investigation not only into the causes of the Ladbroke Grove crash, but also into the long-term implications for rail regulation. In the meantime, wherever possible, the Government are taking practical action to improve safety.

The A30 trunk road between Bodmin and Indian Queens, is a stretch of road that, as the hon. Member for Truro and St Austell says, I know well because of my annual pilgrimage to the Pentire peninsular for the surfing. As the hon. Gentleman knows, the Highways Agency and its consultants are working to find a solution that would overcome the safety and congestion problems on that section of the trunk road. An important element of the work is to understand the problems clearly and how they affect local people and the south-west region overall.

The Highways Agency has carried out the first stage of a two stage public consultation. The consultation has caused some impatience among interested parties because, they assert, the problems have been known for years and the answers are obvious. There was indeed, as the hon. Gentleman said, a local planning conference in 1994, but since then, progress on preparation has been subject to fits and starts, culminating in the announcement in 1998, when we published the report "A New Deal for Trunk Roads in England", that the scheme should progress without delay, subject to full appraisal and the views of the regional planning conference. However, I emphasise that the 1994 local planning conference was not a substitute for public consultation, as is required by law, so there has always been a need for the current stage. Moreover, given the four-year suspension of preparation between 1994 and 1998, and subsequent changes in transport policy, it is important that earlier work should be reviewed to assess its validity and that alternative solutions to problems should be considered. The best options, including traffic management and single and dual carriageway improvements will be presented at a second stage of public consultation early in 2001. A recommendation to the Secretary of State on the preferred option will follow.

Earlier this year, people in the mid-Cornwall area were invited to visit public exhibitions at Bodmin, Redruth and Roche. The A30 trunk road is a key transport corridor for Cornwall, and extending the exhibitions to Redruth and Roche enabled the Highways Agency to reach a wider audience than is usual for a road improvement project. More than 860 people visited the three exhibitions over six days, where they talked to staff representing the agency and their consultants. They were asked to describe their experiences of living, working and travelling in the area. They were also invited to suggest ideas or preferences for improving the situation. Visitors were also encouraged to illustrate their ideas on maps provided for them, and many did so.

Unsurprisingly, many visitors to the exhibitions told the Highways Agency's representatives that they wanted a dual carriageway road to link the bypasses at Indian Queens and Bodmin. Most of them expressed their continuing support for the route recommended after the planning conference in 1994. However, a fair number of visitors were happy to discuss options other than a dual-carriageway road. They believed that their ideas, based on long personal experience, would be significant improvements. The most regularly mentioned concerns were improvement of the main junctions at Victoria, Castle-an-Dinas and the Roche crossroads, and straightening of the Par-Newquay branch line to avoid the iron bridge. People living in Roche and Tregoss and other villages directly affected by the diversionary routes saw the low-level iron bridge as the main problem.

Through the public exhibitions, the Highways Agency gained a clear understanding of local people's concerns and experiences, as well as a long list of suggested improvements. In addition to the public exhibitions, the agency distributed more than 16,000 questionnaires throughout the area and placed questionnaires at post offices and public libraries in the area bounded by Bodmin, Newquay, Redruth, Camborne, Truro and St. Austell. By the end of the consultation period, nearly 1,700 questionnaires had been returned to the Highways Agency at Bristol. The answers tended to confirm the general findings of the exhibitions, but also provided the agency with much

more detailed information. The agency has now started to build up a detailed picture of local travel patterns, turning movements at junctions and crossing movements over the A30. Information from the questionnaires has augmented the travel survey work carried out towards the end of last year.

An important finding of the consultation is the local perception of traffic congestion. While an overwhelming number of questionnaire respondents—97 per cent.—considered that the relevant section of the A30 was congested, there was no agreement about whether traffic congestion occured just on some summer weekends and at peak travel hours, or throughout the year. It is important to establish the true level, and the Highways Agency will undertake a further series of traffic surveys later this year.

Although much of the talk at the public exhibitions was about delays in journey times, or the various routes that local people used to avoid the main road at certain times, almost 50 per cent. of all questionnaire respondents placed safety issues first when asked to rank a series of important factors that need to be considered when improvements are planned. That important finding from the consultation process will help to inform the assessment and appraisal stage of the project. Many people also considered that the low-height iron bridge was the biggest single problem on that section of the A30.

In April, the Highways Agency published a full report of the first public consultation, which it placed on deposit at 40 locations in mid-Cornwall, including 20 parish councils. At the same time, the agency distributed a free newsletter to the same places, providing details of all the key findings from the consultation, as well as the list of options that the agency is now considering.

During the remainder of this year, the agency will consider the feasibility of the options suggested to it and identify those that are most likely to address the problems on the A30. The options will include consideration of measures to remove the obstacle of the iron bridge. One option, as the hon. Gentleman said, is to divert the Par to Newquay branch line, which will make the low bridge redundant. The Highways Agency is working with Cornwall county council, Railtrack and others to determine the feasibility of that. The options will be examined in greater detail and appraised in line with the Government's new approach to appraisal. Next January, the agency will return to mid-Cornwall for the second public consultation and ask local people to indicate their preferred option.

One cannot disguise the difficulties of delivering quickly the improvements that we all agree are necessary, namely reducing the incidence of road accidents, improving the free flow of traffic and improving the reliability of journey times, especially in the summer months. It is also important to find a way to reduce the impact of large lorries on village communities. However, if the problems were easy to overcome, we might not be having this debate today. Goss moor is a site of special scientific interest and a national nature reserve. There are other sites of conservation importance nearby, as well as several scheduled ancient monuments. In developing solutions, the Highways Agency must have due regard to the environmental sensitivity of the area. A central tenet of the Government's planning policy is to minimise the impact of any development on both the built and the natural environment. The benefits of any proposed solution must be weighed carefully against any disbenefits.

The Highways Agency is working towards recommending a preferred solution to the Secretary of State in the summer of 2001. In doing so, the agency will need to be confident that the preferred solution will deliver the maximum benefit to the local and regional communities while minimising the impact on the natural environment.

Mr. Tyler: Will the Minister write to my hon. Friend the Member for Truro and St. Austell (Mr. Taylor) and to me with an up-to-date assessment of the road safety issues on that stretch of road? Will he also say how many accidents have occurred on the branch line that runs through our constituencies, because there have been several?

Mr. Hill: I am sure that I can provide that information.

The Government acknowledge the extreme importance attached to the project by the people of Cornwall. The issue was raised with my right hon. Friend the Deputy Prime Minister when he met representatives from Cornwall county council last September. I shall meet Cornwall county councillors later today, and my noble Friend Lord Whitty, the Minister for Roads, has agreed to meet representatives from Cornwall county council soon to discuss progress on the A30 scheme. Meanwhile, the Highways Agency will continue to work with the council and with other interested parties to find an acceptable solution to the problem as quickly as possible. I hope that that information and the general contents of my response will assure the hon. Member for Truro and St. Austell and his constituents of the seriousness of the Government's approach to the matter.

Question put and agreed to.

Adjourned accordingly at two minutes to One o'clock.

Westminster Hall

Wednesday 17 May 2000

[MR. MICHAEL LORD *in the Chair*]

Health and Safety Executive

[Relevant documents: Fourth Report from the Environment, Transport and Regional Affairs Committee HC 31.]

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Pope.*]

9.30 am

Mr. Andrew F. Bennett (Denton and Reddish): I am grateful for the opportunity to debate the work of the Health and Safety Executive, the report of the Select Committee on the Environment, Transport and Regional Affairs and the Government's response to it. I wish to place on record my thanks to the specialist assistant who helped us a great deal when we prepared the report and to our advisers, Professor Malcolm Harrington and Graham Reid. I cannot deal with the whole report in a short debate, so I shall pick out one or two issues that need to be emphasised.

I refer first to the tripartite nature of the Health and Safety Commission. When it was set up in the 1970s, such a format made sense. Much of the evidence that the Select Committee received suggested that many changes had been made to industry and to work in general, and that perhaps a different format should be adopted. Having looked into the matter carefully, I believe that it would be a big mistake to change the format of the Health and Safety Commission. Many people do not belong to trade unions. How are they represented? There is an increasing number of small businesses in this country. How are they represented? The problem is that owners of small businesses spend so much time running them that they do not have time to make contacts with other small businesses and to be representative.

The same applies to people who are not in a trade union. They do not have a framework in which to participate. We want the tripartite system to work. We should encourage people to join trade unions and ensure that employers participate in employers' organisations. The arguments that were put to us reflect the changes in industry and employment in this country, but they do not necessitate a change to the Health and Safety Commission. Through working parties and others, the commission ensures that the whole spectrum of the working population is covered.

I make a small plea to individuals. I see many people at my advice bureau who have major problems. They need someone to represent them, so even if a person is not in a place of employment where there is a trade union, it is worth while joining a union merely for insurance purposes and to have a representative if things go wrong. The tripartite system should be encouraged and be made to work.

On the whole, the record in Britain of reducing accidents at work is good, although I am not absolutely certain that that is because of the huge success of the Health and Safety Executive, safety representatives and employers. The changing nature of work in this country lies behind much of the improvement. Once we get away from mining and quarrying and some of the other heavy industries in which accident rates are high, the number of accidents should reduce dramatically. Good employers, particularly those who have good health and safety representatives, have achieved a remarkable reduction in the number of accidents at work. The HSE must concentrate on a relatively small number of employers and workplaces where health and safety matters are not taken seriously. A great deal more pressure needs to be placed on such places of work.

Health and safety inspectors must follow up accidents much more vigorously than they have been doing, and they must visit places about which they receive complaints about safety issues at work. Statistics are available to show the contact that has been made. However, I suspect that on far too many occasions contact with a company merely constitutes someone ringing up and asking what happened, and if that person is half-satisfied as a result of that telephone call, he records it as a contact. That is not the same as visiting to investigate the circumstances. It is important that the inspectorate undertakes vigorous inspection and that senior inspectors carry the work load of inspections. They are not especially good at management, and it is important that they continue to be inspectors, rather than become managers.

One of the key issues is the level of prosecutions and fines. In cases involving some appalling incidents, the courts have been extremely lenient in imposing fines. It is important that the level of fines is increased, and that the courts impose them vigorously.

If the person involved in an accident at work cannot return to his job, it is important that health and safety inspectors visit and prepare a full report, because civil proceedings will almost certainly follow. It is important that the inspectorate and the person instituting civil proceedings co-operate, to ensure that some compensation is available for people who have suffered because of a poor safety regime at work.

The Government must tell us more about the measures that they intend to take to tackle corporate killing and to deal quickly with the small number of large companies that do not have a safety culture throughout their businesses. Companies' insurance premiums for safety at work should reflect the company's record much more than at present. At the moment, companies with good safety records may be subsidising through the insurance mechanism companies with much poorer records.

The message that I want to send as a result of this debate relates to a different issue. In the past, companies have been slow to respond to new problems. We are all good at solving yesterday's problem, but we must solve new problems. For a time, no one knew anything about problems such as the injuries sustained by people who worked with asbestos. It was therefore possible to say, "Very tragic, but we were not aware of the problem." Gradually, people became aware of the problem, and perhaps we were slow to act.

The major anxiety about health at work now relates to the problems that people suffer as a result of office work. The Health and Safety Executive must pay much

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more attention to problems such as repetitive wrist strain, which people may develop as a result of using a keyboard, sick building syndrome and, problems caused by laser printers and stress.

Much more effort must be put into those aspects, as well as keeping up with traditional areas of activity. In particular, we have a responsibility to consider how to get people back to work. I represent Stockport and Tameside, and when I was first elected in the 1970s, big companies had a firm culture. They did not want accidents at work to happen, but if one did, they felt that they had a responsibility to find a job for the person who had been injured when he was fit to return to work. Even if the person could not return to his previous job, work was found for him.

That was a fine culture. If a company felt that it had any responsibility for an employee's state of health, or if an accident had occurred and the employee had to take time off, it would find that employee a job to go back to. The problem for a lot of people who do office-based work is that, when they have been absent with stress or other job-related illnesses, it is extremely difficult for them to get back. I make a firm plea that, in considering their task, the Health and Safety Executive and the Health and Safety Commission should examine the new problems facing people in work, rather than concentrate solely on the old ones. They should work hard to reduce the problems of stress of work, and they should investigate sick building syndrome and the problems associated with laser printers and other such equipment.

I commend the report to the House and I commend the Government's response. However, although we are doing well in comparison with the rest of Europe at reducing accidents at work, people still suffer a great deal of misery from injuries and poor health at work. We need to do more to tackle that.

9.41 am

Mr. Hilary Benn (Leeds, Central): There is much to reflect on in the report. However, it is striking that the structure of the Health and Safety Commission has, broadly speaking, stood the test of time in the 26 years since it was established under the Health and Safety at Work, etc. Act 1974. That shows the benefits of regulation—if I may be controversial so early in the morning. For all the complaints that we hear about business being crushed by bureaucracy, it is worth remembering that the HSE exists to protect workers from being crushed by machinery—and so it has.

In the 26 years since the establishment of the commission, the number of people killed at work has decreased from about 2,000 a year to about 400, which is 400 too many deaths, but the reduction is welcome. Half that reduction may be attributed to the change in industrial structure, and the other half to the impact of better health and safety awareness. Not all regulation is bad, but bad employers make regulation necessary and, in some cases, we could do with more of it. Over the years, the public response to events such as Flixborough, Piper Alpha or the Southall railway disaster has told us that there are always lessons to learn and to be applied.

My next point follows on from the comments made by my hon. Friend the Member for Denton and Reddish (Mr. Bennett), and it relates to the changing nature of risk in the workplace, our perception of it and how best to address the health and safety question. He referred to the problem of asbestos, and there is currently a debate about the safety of mobile phones. Nobody knows what the long-term implications of those issues will be, but we need to be on guard and to monitor carefully the impact that new products have when they come on to the market.

My hon. Friend also referred to workplace stress. There is nothing new about that type of stress. Robert Owen went around factories in the 19th century and reported on the 14-hour days worked by children aged 10, and played a large part in bringing the first of the Factory Acts into being. We have recently developed a greater understanding and awareness of the problem of stress, partly because of the use of the law. That is another change to the way in which we treat health and safety issues. Court cases that have been brought on behalf of people suffering from stress in the workplace have made employers more aware of the duty of care that they owe to their employees, which is a change for the better. However, although the law provides a remedy in the form of a civil penalty inflicted on employers, it does not necessarily act as an incentive to them to change their practice. They may have an insurance policy that pays for the penalty, and their only cost will be in bad publicity.

Bad publicity can be a powerful weapon, however, because no one likes to be clamped in the stocks of public opinion. Increasingly, companies cannot afford to have a bad reputation. Therefore, I strongly welcome what the report says about publishing more information about firms that have breached health and safety legislation. I am in favour of naming and shaming as well as the tougher penalties that the Chairman of the Select Committee spoke of a moment ago. Publicity is part of the modern armoury for dealing with health and safety risk in the workplace, as is better information about those risks and how they need to be addressed.

In a sense, safety is a state of mind. We need to renew the crusade for that state of mind in the workplace a quarter of a century after the establishment of the Health and Safety at Work, etc Act 1974. Preventive visits play an important part in creating and maintaining that state of mind. I support what the report has to say about the issue. Everyone agrees that we want more investigation of accidents, but I hope that it will not be at the expense of preventive work.

My final point concerns the role that partnership has to play in ensuring health and safety in the workplace, in particular the role of trade unions. I should at this point declare the support that I receive from the Manufacturing, Science and Finance Union. The tripartite structure is another aspect of the 1974 Act that has stood the test of time. Last night Sir Clive Thompson was bemoaning the impact of regulation, but even the Confederation of British Industry describes the tripartite structure of the Health and Safety Commission as a success story.

That is no happenstance. Workplaces with union representatives and union safety committees have half the rate of accidents compared with workplaces where there is no consultation with workers. It is even more interesting that that benefit accrues not just in big companies, but in smaller companies where there is a trade union presence. That connection was spotted way

back in 1937 by Sir Henry Walker, who was the chief inspector of mines. When he reported on the Gresford colliery disaster in which 265 men lost their lives, he said:

> I hope that I am not exceeding my functions in saying now what I have held for many years, that miners should be members of some effective trades union. That opinion is based on the grounds of safety, with which I am alone concerned, for I believe that a well organised trades union, wisely directed, can be as potent an influence for promoting greater safety in mines as it is already in matters, for example, of wages and conditions of employment.

He was absolutely right.

Trade unions naturally have an interest in protecting their members, and they do an effective job under the civil remedy in gaining £300 million a year in compensation for those who have been injured at work. However, all hon. Members would acknowledge that it is one thing to have a right enshrined in law and another to be able to access it. The most important role that trade unions play as part of civil society is to help thousands of people each year to access their rights to health and safety.

Mr. Tim Loughton (East Worthing and Shoreham): The hon. Gentleman is making an interesting point about the role of the trade unions. They play a valuable role in many respects, but how would he explain the apparent anomaly in that the number of accidents is at a record low, albeit at a plateau, but trade union membership is also at a record low? Surely on his logic, as union membership has gone down, the propensity for accidents at work should have gone up.

Mr. Benn: No, that is not the case. Unionised workplaces are still much safer than non-unionised workplaces. I put that down to the greater health and safety awareness in our society since the Health and Safety at Work, etc Act 1974 and the establishment of the Health and Safety Commission. The hon. Member for East Worthing and Shoreham (Mr. Loughton) anticipates the point that I was about to make.

Given the problems that we know exist in getting access to smaller workplaces to deal with health and safety, and given the cry we still hear from employers in those workplaces about what they perceive as the burden of regulation, we can do two things. The first was identified in the report: roving safety representatives should be able to visit workplaces where that union has members, even if they are not recognised, to report on health and safety conditions.

Secondly, I should like to see trade unions, which after all have a lot of expertise in the field of health and safety through their work in training health and safety representatives, offering their knowledge and their expertise as consultants to workplaces in which there may be no trade union members. If unions wanted to think innovatively about their role, they could offer employers help to ensure that they comply with legislation, advise on the systems needed and provide assistance in accessing information to ensure safer working conditions. Paragraph 85 of the report is about the possibility of giving small employers help with consultancy fees. Perhaps trade unions could offer to charge a moderate fee in return for such a service.

We have come a long way since the 1974 Act and the all-party consensus that led to it. Thanks to the work of the Health and Safety Commission, many more people are today free to work in safer workplaces. The price of that freedom is eternal vigilance.

9.50 am

Mr. Crispin Blunt (Reigate): It is a pleasure to take part in my first debate on a report of the Select Committee on Environment, Transport and Regional Affairs, as I am now one of its members. I was not a member when it agreed the report, which was probably just as well, as I would have had some difficulty putting my name to it.

I want to put the unfashionable and difficult other side of the case about the Health and Safety Executive. When people properly point to deaths and serious injuries in the workplace, it is difficult to say that a balance must be struck between the regulation of industry, the function of the Health and Safety Executive and our duty as a nation to ensure that our industries are as safe as possible. Compared with other countries, the United Kingdom has an excellent health and safety record. The hon. Members for Denton and Reddish (Mr. Bennett) and for Leeds, Central (Mr. Benn) have drawn attention to the fact that the number of deaths at work has fallen from 2,000 to 400 since the Health and Safety Executive has been active.

The Pareto principle is that for 20 per cent. of the effort one can achieve 80 per cent. of the target, and that it becomes ever more onerous to bear down on the final part of the target. That applies to industry. Given that the level of industrial activity and production has increased considerably since 1974—I accept that the nature of industries has changed and that some of the more dangerous industries do not employ the same number of people as they did—it will still require an enormous effort to reduce the figure from 400. Bearing down on the final part of the target through regulation or another mechanism will have damaging effects, as regulation is a burden on employers and leads to wider burdens on industry and wealth creation potential as a whole.

Those considerations must be borne in mind. People will say that it is reckless to attack anything to do with safety, but if we want to make things wholly safe, we should stop production. That is the only way to guarantee achieving the 100 per cent. target.

My experience is of the armed forces, in which safety and training is important. However, if training were risk free, the British Army, the Royal Air Force and Royal Navy would not enjoy such high professional standards. It is because they train rigorously that we can put troops on the ground in Sierra Leone who are second to none in the world, and are now performing an immensely valuable role on behalf of not only the British citizens there, but the people of Sierra Leone. That is a result of a demanding training regime.

That experience relates to the armed forces, but there is a parallel with the industries of wealth creation on the question of where one draws the line between trying to prevent accidents at any price and trying to prevent them by sensibly regulating the workplace. I am not saying that there should be no safety regime; that would be madness. Everyone would want Army ranges, for example, to be thoroughly well-regulated and, safety officers properly briefed and the rest of it. Safety during simple range exercises is easy to control, but fire-and-manoeuvre exercises in places such as Salisbury plain or by the British Army training unit Suffield in Canada are a different matter. The more difficult and demanding the

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training, the more likely it is that people will be hurt or killed—as the low-level flight training of Royal Air Force fast-jet pilots has sadly shown.

I can draw only on my experience of the services. Some people will say that there is no parallel to industry, but I believe that there is. We must make a judgment about the sensible balance to strike.

Mr. Bennett: If the situation across the whole of industry were the same, I could accept the hon. Gentleman's case, but there are huge variations even between companies involved in the same activity. Some companies have done much better than others in reducing their accident rate to the 20 per cent. to which he referred. We surely need to bear down on companies whose record is poor. They are getting a competitive advantage because they are putting people's health and lives at risk.

Mr. Blunt: I agree with the hon. Gentleman. I shall outline my difficulties with the report. The hon. Member for Leeds, Central said that the Health and Safety Executive could take responsibility for half the reductions in deaths but the other half could be attributed to the change in the nature of the industry. I am not sure how one can allocate such neat percentages. The Chairman of the Select Committee concluded that the improvement was due simply to the change in the nature of industrial work. The Health and Safety Executive can surely take some credit, but the good record is also a reflection of both employers and employees being committed to good practice from the start and of the use of common sense. It is obviously in the interests of employers and employees for accidents in the workplace not to happen. As the Chairman of the Committee said, there will always be unscrupulous employers and irresponsible employees, and the Health and Safety Executive will have to step in. However, the report's call to put unlimited faith in prosecutions, fines and litigation may strike the wrong balance.

I agree with naming and shaming the worst offenders and bringing prosecutions where there has clearly been negligence and irresponsibility. No one would argue against that. However, if companies believed that the Health and Safety Executive, rather than a source of advice and preventive measures, represented only legal action against any and every mistake in the workplace, the spirit of co-operation and good practice that has helped produce the good record could be threatened and damaged.

The hon. Member for Denton and Reddish drew attention to the practice of large companies in the early 1970s: if an employee had been hurt in the workplace, they would try to find him alternative work, in the best paternalistic tradition of good employers. If we create a spirit of antagonism over safety, we will undermine the tradition of employers caring for their employees—which I believe still operates among the best employers. Indeed, it is increasingly seen to be in employers' interests properly to look after their own people. We are moving to a climate in which, particularly in the UK, people rather than capital are the employer's most important resource. If we accepted the Committee's recommendation, that self-evident common sense could be undermined.

My greatest problem with the report is the Committee's wish to give additional powers to workplace safety representatives, including permission for those representatives to initiate prosecutions. I agree with the Confederation of British Industry, which is interested in facilitating the reporting by representatives or others of unsafe practices, but is worried that increasing formal powers

> might promote antagonism between various parts of the company.

The Committee seems to have brushed such criticisms aside, not least those of the Royal Society for the Prevention of Accidents, which argues that such a move could allow employers to shirk their responsibilities, diluting the primary responsibility of line management. That is the danger.

In the Select Committee yesterday, we took evidence on biodiversity and the first witnesses wanted a biodiversity tsar—someone who is seen to be responsible and will take the lead. We all want someone to be seen to be in a leadership position to take responsibility, whereas in fact safety must be the responsibility of us all, particularly in the workplace. It must be the responsibility of both line management and employees. If safety is delegated or shoved off to a representative in the workplace, the ownership of the issue will to some extent be taken away from the rest of line management and other employees. I agree with RoSPA and the CBI that that would be a pity.

Health and safety has steadily improved in the United Kingdom, because the vast majority of employers and employees show a common-sense interest in voluntarily minimising risk and working safely in what the CBI pertinently describes as a "blame free culture". As always when people want to improve health and safety, no one can question the good intentions behind the Committee's report. However, there is a danger that co-operation could be replaced by antagonism and blame, which would not be in anyone's interest.

10.2 am

Mrs. Christine Butler (Castle Point): I cannot say that I agree with much of what the hon. Member for Reigate (Mr. Blunt) has just said. The precursor to much of what I have to say is the comment "mind the gap", because there are serious gaps in joint or co-operative working between local authorities, the Health and Safety Executive and the Environment Agency.

The Environment, Transport and Regional Affairs Committee report has been worth while, and I much enjoyed my involvement in the Committee's work. In particular, I was greatly enlightened when I shadowed a health and safety inspector on his routine rounds in my constituency. I found that different standards apply to different sorts of works. For instance, we visited a waste transfer station, where the attitude towards health and safety was different from the far more stringent approach at a local school of 1,000 vulnerable young people. We went into much greater detail at the school. At the waste transfer station, working practices were constrained by other factors.

I return to my original point about the gaps. I have before me part of the memorandum submitted by the Department of the Environment, Transport and the Regions, which says:

HSE has close links with the Environment Agency in England and Wales and the Scottish Environment Protection Agency (SEPA), not only because of the potential environmental implications of health and safety failures in work places that handle particularly hazardous or dangerous substances (eg chemicals), but more recently through the Control of Major Accident Hazards (COMAH) Regulations 1999. Under these Regulations, the HSE, Environment Agency and SEPA are jointly designated as the Competent Authority for authorising and inspecting safety arrangements at establishments covered by the COMAH Regulations.

Similarly, HSE has close links with local authorities as the latter have responsibility for the enforcement of health and safety legislation in shops, offices, distribution outlets, hotels, restaurants, residential care homes and leisure centres. The formal mechanism for this is the HSE/Local Authority Enforcement Liaison Committee (HELA), though much informal contact is at inspector level on a day-to-day basis. HSE provides guidance to local authorities on their enforcement function.

Part of the memorandum concerns land-use planning. The Committee did not dwell on that, but since the report's publication, huge concerns about it have arisen in my constituency. I know that the Minister cannot discuss specific examples, so I will refrain from using names, but I shall bring one or two matters to his attention. On land-use planning, the agency and the HSE

separately advise Local Planning Authorities (LPAs) on the possible impact of industrial developments on people and the environment. The Agency and the HSE recognise the need for liaison to resolve differences of view before comments are provided to LPAs.

Unfortunately, I have a problem with the HSE's powers. It has not yet been determined whether a planning application from my constituency will go to the Secretary of State. A company that deals in accident-damaged cars has applied to store those cars on a 25-acre site until the insurance has been settled, when they will be auctioned. When the local planning authority formally consulted the HSE, all aspects of the application had become retrospective, except for the auctioning. The HSE objected to the application, because the land for the proposed use was close to hazardous installations. The HSE had used its processes for risk assessment and deduced that the risk to the public from attending auctions would be too high. It advised against that and said that it would support the local authority if the application went to appeal. The HSE also said that if it were not satisfied that the local planning authority could enforce stricter conditions, it would allow 21 days for deliberation with the authority. If the HSE remained unhappy after that, it would recommend that the Secretary of State called in the application.

That is how the system is supposed to work. However, the local authority and the developer—the applicant—managed to produce conditions to satisfy the HSE in part and tried to remove the objections. The HSE tells me that the objections still stand, but that is a legal matter, because no permission will be granted until GO-East recommends that the Secretary of State call in the application, and he decides to do so, or there is a public inquiry, the outcome of which we would await. The application could also return to the local authority, which, by the way, is minded to give permission.

Such land use does not fall within the HSE's inspection remit. It is a matter for the local authority, because auctions are retail activities. It would have been the HSE's direct responsibility to inspect the site if it had been a breaker's yard. Hundreds of my constituents are worried, and through their elected representatives, who include members of an action group and people such as myself, have asked, "What is the matter with the Health and Safety Executive? Why can it not intervene?" The firm has not complied with conditions before, so why should it do so now? There is a great fear that the conditions will not be met or enforced. It is not for me to say whether that will be so, but the fear exists. The HSE will have no powers of intervention if the conditions are not met or enforcement is inadequate and the local planning authority cannot police matters. That is a grave concern. I seek the Minister's guidance on those points.

I turn to the inconsistencies that sometimes arise between the actions of the Environment Agency and the HSE. I can refer to a small, but good example, which highlights the issue. When we visited a waste transfer station with the health and safety inspector, we saw empty liquefied petroleum gas bottles of the sort used in caravans and homes, and in skips in the yard—all sorts of things go into skips. The people in charge said, "We had a visit from the Environment Agency, and they said that we had to store the bottles inside. But when the HSE came round, they said, 'No, don't leave them inside where workmen might have a quick tea break; they should be outside.'" I was asked for my opinion, and had to bow to greater experience and knowledge. I could not answer the questions of people at the yard, except to suggest that they return the bottles to the gas company. There are, therefore, difficulties with the lines taken by the Environment Agency and the HSE, which was mentioned in some of the Committee's evidence sessions. I should be grateful if the Minister replied to those points or at least investigated some of them.

10.12 am

Mr. Brian H. Donohoe (Cunninghame, South): First, I pay tribute to the Clerks of the Environment, Transport and Regional Affairs Committee for constructing such a good report. The Minister and the Government have welcomed it, as their response demonstrates. I shall touch briefly on the issue of corporate manslaughter and the fact that health and safety is not treated with the seriousness that it might be.

As a long-term campaigner on health and safety, and having been a safety representative in the shipyards 25 years ago, I know that the question of safety has moved along apace and that there have been improvements in the more responsible yards and factories. However, a hard core of major problem industries must still be tackled. The present regulations do not cover the problems suggested by the statistics.

In 1996-98, there were more than 47,000 major injuries in United Kingdom factories. The number of deaths has dropped to 400 a year, as my hon. Friend the Member for Leeds, Central (Mr. Benn) mentioned, but given the statistics that we received in the evidence-taking session, I still do not believe that employers are even close to treating the problem as seriously as they might.

As the hon. Member for Reigate (Mr. Blunt) said, claiming that there have been reductions in the number of accidents is virtually warping the statistics, because

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the number of workers in manufacturing during the lifespan of the Health and Safety Executive has dropped drastically. When the number of injuries is compared with the number employed in a particular industry, little improvement in real terms is apparent.

Not one director or manager who has been prosecuted in the past six years has received a fine of more than £1,000; that, in itself, shows another part of the problem of corporate manslaughter. A £1,000 fine was imposed in a case involving someone who was killed in the construction industry; I will not mention the company, but it has a very bad record. That shows that the issue has not been treated seriously enough—and the Government should tackle it sooner rather than later.

I note in the Government's response that the Home Office will soon introduce new measures on corporate manslaughter, first as a form of consultation. What is the Minister's definition of "soon"? It must be very much sooner than action promised by Ministers in respect of other, equally important, matters. It may not be in the Minister's brief, but as someone in the lead Department, he will be aware of the issue.

I note, too, that the Scottish Executive will have a separate responsibility to look into the matter. I shall write to the appropriate Ministers in the Scottish Executive on this issue, which has been dear to my heart for so long, suggesting that they trail-blaze, allowing the courts in Scotland to reach the same conclusion as the Trades Union Congress and to treat more seriously the matter of fining individuals responsible for deaths.

When giving evidence, my right hon. Friend the Minister for the Environment gave the clear impression that he was sympathetic to my argument; many members of the public have written to me, showing that those in the wider world are very concerned about the matter, which requires a positive response from the Government. I look forward to his reply.

10.18 am

Mrs. Louise Ellman (Liverpool, Riverside): I, too, commend the report because of the renewed attention it brings to the issue of health and safety. I commend it also because of the stress it lays on the importance of prevention and responsibility. I support the recommendation that there should be a crime of corporate killing, and the sooner such a measure is introduced, the better.

The report draws attention to the key and successful role played by the tripartite structure of employers, employees and others including local authorities and the public. This morning, I shall draw attention to a failing in that other section, which relates to the responsibility to consider the health and safety of those not directly employed in the workplace and to the role of a local authority as an agent of the Health and Safety Executive.

I wish to draw attention to tragic circumstances in which the system failed. On 20 May 1999, two of my constituents—Vanessa Gregson aged 19 and a strong swimmer, and Tshan Kamara aged seven—were found drowned at the deep end of an unsupervised swimming pool at Honicombe Manor holiday park in Cornwall. Indeed, the hon. Member for South-East Cornwall (Mr. Breed) held an Adjournment debate on the subject in January this year.

At the inquest, the coroner stated that, if a lifeguard had been present, at least one life could have been saved. The coroner criticised the sudden and hidden change in gradient in the swimming pool towards the deep end. He said:

> I find it almost incredible that such a hazard can be allowed in a pool to which holiday clients have access.

The coroner also pointed out that there had been two inspections of the pool by Caradon council, acting as agents for the HSE. He noted that its recommendations had not been carried out and also that there had been no follow-up. He queried the adequacy of the inspections and the expertise of those who were sent to carry them out. He doubted whether they had sufficient expertise to assess swimming pools effectively. It was subsequently found that the owner of the pool did not possess the publication "Safety in Swimming Pools"; that no emergency system was in place; and that there was no written safety policy. Today sees the start of the prosecution of the pool owner by Caradon council.

Such a tragic circumstance raises several key issues relating to health and safety. I have raised the incident with the director general of the HSE. In a letter that I received from her on 16 March, I was told:

> If swimming pool operators follow the guidance given, they will be well placed to prevent unnecessary injuries and fatalities to pool users... As part of a routine programme, we regularly review all guidance to ensure the best possible advice is available... We shall be reviewing the guidance for swimming pool operators again in the near future.

I hope that the HSE will indeed review its guidance to ensure that it is effective. I also hope that, in doing so, it examines the implementation of the guidance more closely and assesses the expertise of those whose remit is to implement it. I hope, too, that it will look beyond its current guidelines. It and the Government must examine the issue of statutory licensing of pools that are used by the public. It is not good enough to be told, as I was by the director general of the HSE, that because it is more dangerous to swim in the sea than it is in a private swimming pool, we do not need to secure closer regulation of such pools.

My constituents died in tragic circumstances; two young lives were lost needlessly. The prosecution, which starts today, will reach its conclusion on that specific instance. However, I want the HSE to examine the general guidelines more closely to ascertain whether they are adequate and whether there should be greater follow-up and greater strength in the law to enforce them.

10.24 am

Dr. Vincent Cable (Twickenham): I have not had the privilege of serving on the Select Committee on the Environment, Transport and Regional Affairs, but I should like to contribute to the strands of argument on this matter. Clearly, there is a high level of consensus that the Health and Safety Executive has played an important and positive role in a generally favourable long-term trend of reducing accidents and a growing safety culture. I shall focus on the two more controversial strands of the argument, which appear to

point in opposite directions. One is that the Health and Safety Executive is not sufficiently aggressive in enforcement, and the second is that, as many small businesses claim, the HSE contributes to red tape and the gold-plating of regulation.

Local small companies tell anecdotes about the inspectors who visit them; a typical example is that of a small company with an English-speaking labour force that is required to put all its signs in multiple languages. There must be hundreds of examples of such red tape, but I shall concentrate on the inadequacy of enforcement. The matter has been raised in passing, but I shall make the point more systematically.

The Select Committee and the Centre for Innovation in Corporate Responsibility have conducted some good research from which there are several criticisms—the first is the simple lack of investigation. Between 1996 and 1998, only one in every 10 serious accidents, which include amputations, was investigated; of those, only one in 10 led to prosecution—one in five in cases involving fatalities. That prompts the question: what is the HSE doing when it considers serious accidents? The argument, which was touched on by the hon. Member for Cunninghame, South (Mr. Donohoe) and others, is that because of how the HSE functions, 80 per cent. of the cases that it prosecutes are heard in magistrates courts, thus the fines imposed are derisory—£20,000 is the maximum.

Why are other powers not utilised? The Minister may say that it is because it is necessary to legislate for new powers of corporate manslaughter, but the HSE already has the power to refer matters to the police, although only 1 per cent. of its actions have ever been so referred. I stand to be corrected, but I believe that only two cases in the past 10 years have been pursued to a charge of manslaughter. The power to pursue such a case already exists; further legislation is not needed.

My final criticism is the high level of inconsistency in enforcement. There is a factor of six in the likelihood of investigation when farming and mining are compared, and a factor of about five or six in the average fine imposed in magistrates courts in Wales compared with those imposed in the west midlands. There is no obvious reason for those enormous variations.

The lack of prosecution and investigation and the disparity in fines has damaging implications; there is little deterrence in the system and it brings the concept of punishment for serious negligence into disrepute. The hon. Member for Reigate (Mr. Blunt) argued that the emphasis should be on preventive work rather than on enforcement. If the evidence that I have cited is right, it should be the opposite; too much attention is probably paid to the pernickety details of preventive work and routine inspection, and not enough to enforcement. It would be helpful if the Minister described roughly the balance of the HSE's work load and whether he is satisfied with it.

A shift in the direction of enforcement would not result in confrontation or an anti-business sense. I came to Parliament from a large multinational company in the oil industry, in which there was an intense safety culture, not for idealistic reasons, but for fear of loss of reputation as a result of a bad accident. The company would have difficulty recruiting top professionals if it was not seen as at the frontier of health and safety. There are sound reasons why good companies have a safety culture; many of those companies would like the cowboys in the industry to be prosecuted more aggressively for lapses. A shift in the direction of tough enforcement would not in any sense undermine the HSE's mission to raise standards throughout industry.

10.30 am

Mr. Tim Loughton (East Worthing and Shoreham): I congratulate the hon. Member for Denton and Reddish (Mr. Bennett) on securing this debate, and on the report of his Committee. Though short, it is an interesting, useful and detailed report. Many members of the Committee have spoken in this debate, citing striking personal examples of the need for the Health and Safety Executive—in particular, the hon. Member for Liverpool, Riverside (Mrs. Ellman), who referred to a tragic swimming pool incident involving her constituents.

The Health and Safety Executive has, since its establishment in 1974, done a good job. The figures speak for themselves. Whatever the reason for the better figures, there has been a remarkable reduction in the number of accidents at work. I am not sure how the hon. Member for Leeds, Central (Mr. Benn) concluded that half that reduction is owing to changing work patterns and half to safety measures, but a combination of factors has been involved.

In the United Kingdom, 1.7 fatal injuries occur per 100,000 workers, whereas in the United States the figure is 3.2, and in Europe it is 3.9. Those are interesting figures. The figure for the United States is substantially higher than that for the UK, despite the "sue first" culture in which companies tend to face lawsuits if a slight injury—or worse—is suffered in the workplace. More ironically, in Europe, business is subject to much more excessive and costly social regulation and bureaucracy. We have benefited from not being part of that. Despite those factors, the safety record in north America and Europe is much worse than in the UK.

As well as paying tribute to the work of the Health and Safety Executive, we should pay tribute to the efforts and resources that companies put into health and safety, to which various hon. Members have alluded. Health and safety is now treated seriously across the board, in most, although not all, places of work. The hon. Member for Leeds, Central described that as a crusade for a state of mind in the workplace. That crusade has been largely successful.

I agree with the hon. Member for Denton and Reddish that it would be a mistake to change the format of the HSE. Most hon. Members have commented that the tripartite approach has worked well, and should continue to do so. I agree with the hon. Gentleman that we should concentrate on the relatively small number of employers who still do not take health and safety seriously, which is unforgivable. I also agree with his point about large divergences between similar companies in the same kind of business. That is not acceptable.

We are not only considering companies. As my hon. Friend the Member for Reigate (Mr. Blunt) pointed out, many health and safety applications are received in relation to defence, in which he is an expert. The hon. Member for Riverside spoke about leisure facilities, which also present many dangers.

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It is right that the report has been produced 26 years after the formation of the HSE. Working practices have changed significantly since 1974, when the majority of people worked in large manufacturing companies. Currently, 99 per cent. of enterprises have fewer than 50 employees, 80 per cent. of enterprises are run by the self-employed, and the service sector accounts for more than 75 per cent. of employment. Clearly, as the number of manufacturing jobs is still falling significantly, that trend will continue.

Changes in trade union membership patterns have been mentioned, although the hon. Member for Leeds, Central and I came to different conclusions about what that should mean for health and safety. Industries are also changing. Less heavy machinery is used, and fewer people are employed in the mining industry, which was traditionally a big source of dangerous jobs. There has also been a big increase in outsourcing, subcontracting and working from home. The last of those presents a particular challenge, although I do not suggest that, on the basis that some statistics suggest that most accidents happen at home, we should increase the HSE's work by providing for personal inspectors for everyone who works there.

The hon. Member for Castle Point (Mrs. Butler) said that different types of regulatory approach should be flexible, and I thoroughly endorse that. The health and safety regulation that applies to a school will differ from that which applies to the waste transfer station that she mentioned, where well-trained professionals rather than vulnerable youngsters will be present. It is right that we should adapt and find new ways of doing things. However, I am concerned that the HSE's work should not become overly prescriptive and that it should not expand its role simply because workplace patterns are more fragmented. I hesitate to use the term "modernise", which crops up in the report, but there must be good reason to modernise; one should not do so simply for modernity's sake, although the term is a buzz word with the Government.

I hope, therefore, that the report will not be seen as a solution in search of a problem, when there is not actually a problem. The figures might have reached a plateau, but they have probably reached a reasonable level. I fully accept that. as hon. Members have said, 400 deaths are 400 deaths too many, but we compare favourably with countries across the world. We need to avoid a blame culture, in which there is no such thing as a genuine accident.

I certainly want to avoid excessive regulation on small and emerging businesses, which are the key to the Chancellor's enterprise economy, about which we hear so much. People who work from home should not have to comply with the expensive regulations that apply to manufacturing industry, for example. The requirements on smaller businesses and on the self-employed should be minimalist, and costs should not be disproportionately high.

I want to query a few issues with the Minister. I agree with the report's conclusion that the preventative role of the Health and Safety Executive should remain its priority, because that is its most valuable role. Pro-active inspections form about half the executive's regulatory contact with employers each year. What is the Government's attitude to workplace injury reporting and to criticism that more injuries are not reported? I am certainly in favour of naming and shaming the worst offenders, as long as that is done fairly and on an even playing field so that firms are not victimised. We need to set out the criteria clearly so that we know when firms have strayed from an acceptable benchmark. I am most concerned about firms that repeatedly commit the same offences against health and safety standards. The hon. Member for Denton and Reddish said that we needed to concentrate on the worst offenders and on those who repeat offences. What is the experience of workplace injury reporting in the United States and Europe? Are there more criteria? Are more injuries reported?

I also back the idea, to a limited extent, of encouraging insurance firms to reflect best safety practices in their premiums and conditions. That is a case in which the marketplace can work effectively. The problem with that approach is that it might not necessarily have the same impact on larger and smaller firms, because premiums are a fairly small percentage of turnover for large firms. I caution against the possibility of encouraging larger firms not to report their injuries where that would have an impact on their no-claims bonus or the level of their premiums. Have the Government had initial talks with the insurance industry about that? When may we expect the Government's consultation proposals on corporate manslaughter, to which the hon. Members for Cunninghame, South (Mr. Donohoe) and for Riverside referred?

The report criticised the poor record in pursuing prosecutions in cases of serious injuries. Is the number and success of such prosecutions the best measure of the HSE's success? The United Kingdom has a relatively small number of workplace accidents and the demand for prosecutions may result in the victimisation of employers who have just been unlucky with unavoidable accidents. I certainly agree, however, that we must not hold back from throwing the book at the worst offenders.

The report and various hon. Members have called for greater penalties. That is worth looking into for larger companies, for which the maximum fine of £20,000 is a mere drop in the ocean. Such a fine is already a big deterrent for smaller companies. The hon. Member for Cunninghame, South raised an interesting point when he said that the highest penalty that has been imposed in the past six years on directors and mangers of businesses has been only £1,000. His criticisms and those of the hon. Member for Denton and Reddish were mainly of the courts because they were not meting out larger penalties. We should not focus only on the inadequacies of the HSE's powers.

I shall deal briefly with the hypothecation of fines to the Treasury. There is an interesting parallel to be drawn with the Financial Services Authority. I was a member of both the Joint Committee and the Standing Committee which considered the Financial Services and Markets Bill. The current proposal is that fines levied on financial firms for misdemeanours go to the Financial Services Authority—the regulator, which is akin loosely to the Health and Safety Executive. It will be an obvious temptation for the FSA to step up prosecution regimes

to expand its own empire, in order to increase the number of regulators whom it employs, the number of regulations that it delivers and the fine income from its members when firms fall foul of those regulations. It will be a vicious circle.

There is a scheme in the FSA to rebate to members the fine income against their fees. I can draw an interesting analogy. Refunds to people who are regulated by the HSE would ensure that the cost of complying with regulations is reduced and, thus, make it easier and give them greater incentive to comply with the extra regulations. It will make compliance more affordable. Does the Minister know how much money in fines has gone to the Government?

The Health and Safety Executive has already placed a large financial burden on business. Over the next three years, an extra £63 million will be spent on that—£43 million as a result of the introduction of charging in the gas, transportation and railway industries, which is a little publicised additional stealth tax. If the Government are not willing to hypothecate revenue from fines for health and safety-related matters, will they offer tax breaks for small firms, in particular, for the cost of consultancy advice on health and safety matters? As the hon. Member for Leeds, Central said, trade unions could charge for consultancy advice to members of the Confederation of British Industry.

Finally, I wish to query rail safety and its future. Ostensibly, the Health and Safety Executive performs the role of signing off the safety of rail signals, for example. When an accident is caused as a result of a faulty signal, it investigates why the accident happened and what remedial action should take place. Will the Government clarify that role?

The report is useful. The debate has been well constructed. I agree with the hon. Member for Denton and Reddish that we should concentrate on solving tomorrow's problems, not yesterday's, and work in partnership with tomorrow's businesses rather than using yesterday's excessive restrictions and regulations to solve yesterday's problems.

10.44 am

The Minister for the Environment (Mr. Michael Meacher): This has been an excellent debate, which has raised important points on which I shall reflect. I warmly congratulate my hon. Friend the Member for Denton and Reddish (Mr. Bennett), the Chairman of the Environment, Transport and Regional Affairs Committee, on the Committee's fourth report, which, like so many of the Committee's reports, is well prepared. The Government always take the Committee's reports seriously, and the fourth report is no exception. I shall try in the time available to respond to as many as possible of the main points that have been made, but if I am unable to do so I shall write to hon. Members.

My hon. Friend said that he thought that the tripartite system had worked, and I agree, but there remains a problem with getting through to small and medium-sized enterprises. It was said that the whole occupational structure of industry has changed and that there is a long tail of small companies. I do not know whether a change in the Health and Safety Commission will be necessary, or whether, as the Committee says, people should be encouraged to join their employer organisations or a relevant trade union. I am not sure that they are mutually exclusive. I strongly agree that that would be the way to make contacts with a much wider field.

The country's record on reducing accidents at work is good. It is better than that of the United States or the rest of Europe. That is unquestionably due in significant measure to the Health and Safety Commission and the Health and Safety Executive, but we cannot be complacent. I agreed with the hon. Member for East Worthing and Shoreham (Mr. Loughton) until he used the ill-advised phrase "a reasonable plateau". We cannot accept that. It has been repeatedly said that some 400 people still die each year in workplace accidents. Another statistic that I find just as alarming is that 25,000 people are injured or made ill by their work and leave the work force each year, never to return. Those are shameful statistics in the modern world of work.

My hon. Friend the Member for Denton and Reddish said that more investigations and prosecutions were needed—a point also picked up by the hon. Member for Twickenham (Dr. Cable). I agree. I am not satisfied with the number of investigations or prosecutions. It is, of course, a question of resources. When the Government came to power we immediately put extra resources into health and safety. As a result, in the past three years there has been an increase in regulatory activity. More specifically, that has meant inspector contacts with industry up to a record 188,000; enforcement notices up to a record 11,000, and prosecutions up to 1,800. I accept that that is from a low base and that it is not adequate, but we agree on the objective.

On the crucial question of penalties, the amounts are derisory. It is insulting that, when a member of a family has been killed at work, the penalties in some instances are as low as £2,000. I am pleased to say that the Court of Appeal has pointed the way and that the Howe judgment of 1988 encouraged the courts to adopt a tougher stance on sentencing. For example, Balfour Beatty learned the hard way when it was fined more than £1 million for the Heathrow tunnel collapse, when it was a miracle that no one was killed. That case showed the way in which the courts regard such accidents, and I strongly support that.

The Government will legislate—when parliamentary time allows, but not in the dim and distant future—for courts to have stronger sentencing powers for health and safety offences. That will include the prospect of jail for the majority of offences. In addition, the Home Secretary will consult soon on changing the law to make it easier for corporate bodies to be prosecuted for involuntary manslaughter. That matter was raised by several hon. Members and it would be a vital reform of the criminal justice system. Those serious measures will bring home the importance of better health and safety management where it matters most—in the boardroom.

We intend to do more to toughen penalties for breaches of the law by those with a casual, reckless and criminal approach to safety. The real aim is not simply to punish people, but to induce a positive management culture. A small minority always thinks that attention, time and resources need not be given to proper safety management, and the Committee agrees unanimously that it is those companies that must be targeted hard. We are considering making more innovative penalties

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available to the courts to hit hard and punish individuals responsible for health and safety failures as well as the companies. The suspension of managers without pay, the prohibition of director bonuses for fixed periods and the possibility of custodial penalties in the most serious cases involving recklessness and gross negligence are matters under consideration.

The last point that my hon. Friend the Member for Denton and Reddish made concerned occupational health and stress—the latter being perhaps the most widespread of several environmental health issues. I have long thought that Britain has never really had an occupational health system. It is clear that, in addition to reducing accidents, we must improve the nation's health at work. Some 2 million people suffer from ill-health caused by their work, and a staggering 500,000 say that their health is affected by the stress of their job. Too many people are made ill at work. That is why the revitalising health and safety agenda, which we shall publish shortly—I do mean shortly—will set out some pretty demanding targets for reducing the number of days lost through illness and injury at work.

My hon. Friend the Member for Leeds, Central (Mr. Benn) spoke about the need for sensible regulation. No one wants over-prescriptive legislation, but sensible and necessary regulation is important and has undoubtedly contributed to the gradual steady reduction in the number of deaths. I agree with my hon. Friend about the importance of naming and shaming, and I warmly welcome the HSE's initiative to publish a special annual report to name and shame companies and individuals convicted in the previous 12 months.

My hon. Friend the Member for Leeds, Central and others asked about insurance practice. Many who responded to our consultation document "Revitalising Health and Safety" thought that the insurance industry should do more to exert pressure on employers' health and safety performance, and I agree. I shall soon discuss with the industry further steps that it might take. Insurers already graduate employers' liability premiums according to the degree of risk, in the same way as is done for car users, whose record is taken into account, and that is helpful.

With regard to prevention, my hon. Friend was right to say—the figures are clear about this—that the number of accidents in firms that have health and safety representatives is about half that of similar companies which do not. I am glad that the HSE is publishing a discussion document on worker involvement, including a consideration of increased powers, which might entail issuing improvement or prohibition notices.

The speech of the hon. Member for Reigate (Mr. Blunt) was, on the most charitable interpretation, seriously misconceived, and, less charitably, nothing less than disgraceful in some of its implications. He said that it was too burdensome to address the problem of the remaining 400 people who are killed every year and to be concerned about the remaining 20 per cent. He drew a comparison with army training, in which one expects some casualties, but there is no comparison whatever between army training and the circumstances in factories where procedures are set down and equipment has to be provided in order to minimise risk.

I asked the HSE to supply the figures for previous cases in order to ascertain how many accidents were the responsibility of the employee—some, unfortunately, behave foolishly and pay for it with their lives or receive serious injury—and how many were the consequence of inadequate management. The figures showed that seven out of every eight were the fault of poor management.

The hon. Member for Reigate asked where the line should be drawn and wanted to secure a sensible balance. I totally disagree with him. However many lives short of 400 are lost—whether the hon. Gentleman draws the line at 100, 200 or 300—I am not prepared to accept them. I passionately believe that a great deal more can be done to reduce the unacceptable carnage at places of work.

We seek not to increase antagonism, but to accentuate a safety-conscious management culture, which is quite different. We want management on side—we do not aim to be punitive—and the vast majority of management is on side, but a significant minority is not. There is no question of delegating from line managers to health and safety representatives. Of course line managers retain the prime responsibility—from the boardroom downwards—but the representatives have an important role.

My hon. Friend the Member for Castle Point (Mrs. Butler) mentioned several examples, such as the local auction and the storage of liquid petroleum gas bottles, in which there was a difference of viewpoint between the HSE, the Environment Agency and the local planning authority. I shall certainly take a close interest in that matter and request an explanation. I promise my hon. Friend that I will investigate further.

My hon. Friend the Member for Cunninghame, South (Mr. Donohoe) asked when the Home Office would publish its consultation document on proposals for reforming the law on involuntary manslaughter, and I promise my hon. Friend that it will be published within the next month.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) mentioned the tragic deaths of two young people in a swimming pool at a holiday site. The matter is now the subject of a prosecution and we shall watch carefully to see how the case unfolds. She asked about statutory licensing, and, again, I undertake to examine the issue further and, if necessary, to reply to her in writing.

The hon. Member for Twickenham referred to there being too few investigator prosecutions. I have already said that the HSE's resources are inadequate and we have bid for a significant increase in the spending review. I insist on no reduction on front-line preventive work; additional resources must come on top of that. I am sure that all hon. Members would agree that prevention is better than prosecution after the event.

The hon. Member for East Worthing and Shoreham asked about reporting. There will always be questions surrounding non-reporting, but I am not satisfied with failures. New arrangements for reporting by telephone and through the internet should improve under-reporting. I understand that the HSE will set up a reporting centre for incidents by April 2001, which is expected to increase response rates. The HSE will also review the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 next year,

and consider how employees and their representatives can be actively involved in reporting accidents and ill health.

The question of ill health and fines was raised, for which the courts have responsibility. I am concerned that cases in magistrates courts are not sufficiently referred to Crown courts, where the penalties are higher.

Mr. Deputy Speaker (Mr. Frank Cook): Order. We come to our next subject for consideration.

Generic Drugs

[Relevant documents: First report from the Health Committee, HC 105 and Government response, CM 4673.]

11 am

Mr. David Hinchliffe (Wakefield): I am grateful for the opportunity for a brief debate on concerns regarding the cost and availability of generic drugs to the national health service, and on several of the points raised in the report of the Select Committee on Health that was published on 9 December. I express my appreciation to Professor Joe Collier, the Committee's specialist adviser on the inquiry, and to its Clerk, Dr. John Benger, and his excellent staff for their work on the report and their consistent work throughout the Parliament.

In recent years, the Health Committee has resolved to consider briefly some topical issues. Its attention was drawn to concerns on this subject by several hon. Members, especially my hon. Friend the Member for The Wrekin (Mr. Bradley), who might hope to catch your eye this morning, Mr. Deputy Speaker. He was active in expressing worries about what had been brought to his attention in his constituency. I should also mention the South Huddersfield primary care group, which covers two wards in my constituency. Its chairman, Dr. Bill Parker, and its chief executive, Mr. John Roebuck, drew my attention to the implications of the problems facing the group arising from generic drugs. Following representations, the Committee determined to take evidence on 4 November from a range of interested parties, including Government representatives.

Generic drugs are crucial to the national health service's drive to keep prescribing costs down. The performance assessment framework document from the national health service executive, "Quality and Performance in the NHS: High Level Performance Indicators and Clinical Indicators", describes generic prescribing as one of the

high level indicators of performance.

Generic prescribing grew from 11.5 per cent. of the NHS drugs budget to around 21.7 per cent. in 1997. The average generic prescribing rate for all practices was 63 per cent. by the end of 1998, and the Government have set a target of a 72 per cent. rate by the end of March 2002.

Our inquiry was prompted by a range of reports about huge rises in the costs of generic drugs. I shall give one or two examples, which are set out in more detail in the report. Amoxycillin cost 47p for 28 days' supply in September 1998, but a year later it cost £1.69, an increase of 260 per cent. Thryoxine cost 21p for 28 days' supply in September 1998, but cost £1.62 a year later, an increase of 670 per cent. The worst example which we found was Frusemide, which increased from 26p to £2.14 over the period, an increase of 723 per cent.

The scale of the problem was brought home by an excellent report on BBC 2's "Newsnight" on 19 October. With the co-operation of the BBC, we were fortunate to be provided with the raw data that informed the report, which showed that, of 464 commonly prescribed generic drugs, 132 had increased in price by more than 50 per cent. in the previous

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12 months. The impact of that was devastating for health authorities and primary care groups, which were in their first financial year under the new structure. Croydon health authority has told us that

> any overspend on PCG prescribing budgets will impact on other areas of health services expenditure, because now this budget is cash-limited as part of the PCG unified Hospital and Community Health Service.

Many hon. Members have spoken about the local implications of the increases. I met people from the South Huddersfield PCG last Friday; they told me that the projected full-year additional costs to their group were £248,000. To be fair, the Government have so far contributed £153,000 additional allocation to that group, but that high figure shows the extent of the problem. We have received evidence from other primary care groups. Birmingham PCGs anticipate an overspend of £800,000 on their prescribing budget, Manchester PCGs report an overspend of £604,000, even allowing for use of their contingency fund, and West Sussex health authority anticipates a deficit of £750,000.

The health service faced serious problems at a local level in the first year of the new operational PCGs. There was also an impact on individual patients, who had to come to terms with different packages, colours of tablets, dosage instructions and so on. That confused many of them, especially the elderly patients, and, inevitably, a great deal of NHS staff time has been used in explaining the changes to people who might not otherwise have understood them.

There has been no shortage of reasons advanced by different parties for the huge price rises. The generic manufacturers and industry representatives placed most emphasis on two factors. First, Regent GM, one of the largest manufacturers of generic drugs, closed suddenly after the Medicines Control Agency's findings that some of its drugs could have been contaminated by penicillin. At the time, that company had a market share of about 10 per cent. Secondly, there was a move away from bulk dispensing towards patient packs to comply with an EC directive.

Mr. Philip Hammond (Runnymede and Weybridge): Did the hon. Gentleman's Committee come to any conclusions about the action taken by the Government immediately following the closure of Regent GM? It was easy to anticipate that that closure would have a significant impact on the market for generic drugs.

Mr. Hinchliffe: If the hon. Gentleman will bear with me, I will cover that point. As he knows, we took evidence on that matter, and the report referred to our thoughts on it.

It would appear that, as late as 20 October 1999, the Government accepted the two key reasons for the price rises that had been identified by the industry. That was made clear in a parliamentary answer that day from the Minister of State, Department of Health, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), which gave the impression that those two reasons were central to the Government's understanding of the cause of the problem. The Committee concluded that the supply shock caused by the Regent closure might have been a catalyst for that problem, but could not be called the cause. We noted that it was significant that production levels had returned to normal but that prices had not. Our view, therefore, is that the industry overstated the impact of the Regent closure and that the Government may have been a little naive in accepting it as the major factor for as long as they did.

The patient packs question may be more complex. Government and industry agree that the move caused shortages of some products. In our report, however, we state that some products that were never in shortage underwent huge price hikes. The industry argues that it understood that the Department of Health had agreed a phased and orderly transition to patient packs, and that it had hoped for financial support for that from the Government. The Department of Health strongly rejects that suggestion. Ministers told us that it was "simply not the case" that plans had been agreed for an orderly transition. We felt that we could not take a view on whether the Government should have offered financial support for the transition but that the breakdown of talks had ultimately proved extremely expensive. The PSNC estimated that the cost of transitional support would have been around £20 million. Clearly, the cost to the NHS of the whole affair has been many times that amount.

We also criticised the Government for not giving a higher priority to ensuring that the transitional arrangements were properly co-ordinated. Even if the Department of Health is correct in saying that no formal agreement had been reached, the evidence we saw suggested that the industry could hardly be blamed for assuming that such an agreement was in the bag. Nevertheless, unlike the Department of Health last October, we were not convinced that any of these factors was in itself sufficient to explain the price rises that we had witnessed. The BBC "Newsnight" survey pointed out that of the 132 products surveyed that, had undergone price rises of more than 50 per cent., only 18 had been repackaged. We therefore looked elsewhere. The more the Committee studied this, the more we concluded that the operation of the drug tariff itself lay at the heart of the problem. This is a complex area, but I shall refer briefly to what we looked at and the basis for our concerns.

The Prescription Pricing Authority monitors the supply of a drug by two major wholesalers and three major manufacturers to ascertain the basket price. When two wholesalers or one wholesaler and two manufacturers declare that they have less than four weeks' supply of a drug it is placed in category D and the supplier is paid the price of the drug, which can be the brand name price, rather than the generic price. The flaws in that mechanism became all too apparent in the evidence to us. First, the four-week measure was outdated because most wholesalers now hold stock for 12 to 15 days. Secondly, it is up to the manufacturers and wholesalers who are monitored for the drug tariff to determine what levels of stock they maintain. We thought it unsatisfactory that the system relied on a few wholesalers and manufacturers who were free to determine levels of stock and thus could trigger category D status, which, in turn, had commercial implications for their industry.

In the year or so before we took evidence, the number of category D listed drugs rose from 30 to 192. An enormous burden was put on the Prescription Pricing Authority. In our view, it acted with commendable promptness and was among the first to realise the urgency of the situation. But that was at some cost: 140,000 overtime hours were worked between April and November 1999 and 230 more staff were recruited, at an annual cost of £3.2 million.

The final and most powerful factor in the equation was the nature of the generic markets. This was a commodity market, which the Minister admitted was not "working effectively at present". We felt that the flaws in the category D system, the fact that the drug tariff was slow to respond to trends between bulk and patient packs and the limited number of players in the generic market made the market ripe for manipulation.Who was manipulating it remains an open question. One group that was clearly fingered in the evidence to us was the short-line wholesalers. They moved in and out of the market with speed and were quick to spot trends. They were well placed both to corner stocks and to profiteer from shortages. Although we believe that they were well placed to exploit the market, we felt that they became the potential scapegoat for everyone else because they were the only major force not represented in oral or written evidence, as they did not have a collective trade body.

Mr. Hammond: Does the hon. Gentleman agree that short-line wholesalers also have the potential to lubricate the market and to act as a force for bringing in supplies from elsewhere whenever there is a shortage? In any market, players who duck in and out can enhance its working, as well as gum it up in other ways.

Mr. Hinchliffe: The nature of any market is exactly as the hon. Gentleman described. Our worry is that the current mechanisms created a shortage and allowed key players to cash in on that shortage. They were thus at an advantage and able to enhance their own interests at the expense of the national health service. We could not draw conclusions about the individual guilty party; the finger could be pointed at a range of people who had taken advantage of a difficult situation. We hope that we will learn lessons from what happened and, to be fair, the Government have attempted to draw conclusions from the difficulties that occurred.

Market manipulation, hoarding and collusion were not limited solely to the short-line wholesalers who were pointed out by several witnesses at the evidence session. The Government's recent consultation paper seems to agree with our conclusion that none of the original reasons cited fully explains the continued high prices in generics. The paper stated that the Government had not been made aware of any factors that would justify prices remaining at their current high levels for so long.

Our final conclusion drew attention to the absurdity of the current situation; we were assured that manufacturers took steps to block excessive orders, but that the wilier short-line wholesalers might buy up large quantities on a Saturday morning. The report stated:

> It seems to us entirely undesirable that the proper functioning of the market in generics should have to rely on companies having to refuse to sell their products and on management being present on a Saturday morning to prevent sales from taking place.

We felt that the price rise of the past 18 months must have enriched many individuals at the expense of the national health service.

I come now to what has been done and what needs to be done; the first thing to remember is that most of the players in the industry told us that they were unhappy with such a disorderly market and would welcome more regulation and control. Thus the Government are in a strong position to act to avoid a recurrence. As I said, the Government did not grasp the urgency of the situation as early as they should have done; perhaps it is not surprising that they dissented from that analysis. In their reply to our report, the Government argued that at no time did they give a firm commitment to fund the transition to patient packs. They also maintained—contrary, in my view, to the evidence—that what the Pharmaceutical Pricing Authority noted in March 1999 was not what we termed a looming crisis but a

> rising trend in medicines in Category D.

That explanation is less than adequate. However, the Government acted promptly to reform category D; eight days after we took evidence the Department met the PSNC and agreed modifications to the entrance and exit procedures and to reduce the stockholding period to two weeks. More important still, the Department has pledged to undertake a fundamental review of the operation of the generics market and the drugs tariff, which we greatly welcome. The proposals set out in the consultation document show that the Government have tackled the problem directly and taken wholly appropriate measures. Just as our report criticised the Government, I hope constructively and not without reason, it is right to pay credit to the thoroughness of their new approach, which I welcome.

I also welcome the proposal to fix the prices of generic medicines that fall within the scope of the scheme at a ceiling that corresponds to prices between November 1998 and January 1999. That is an appropriate response to those profiteering at the national health service's expense and is the only measure that will bring the market into line reasonably quickly. The improvements in data gathering will be invaluable in the longer term in giving the NHS a better feel for what is going on in the market.

The generics market has, in general terms, served the NHS well. The Committee was anxious that the real benefits of generic drugs were being dissipated by a sudden and apparently inexplicable crisis in the market. I hope that the Health Committee's contribution to the debate helped prompt the thorough measures now proposed. We feel that a properly regulated generics market that is free from the turbulence of recent months would benefit the generic manufacturing industry as well as PCGs, health authorities, patients and taxpayers.

11.19 am

Mr. Peter Bradley (The Wrekin): May I take this opportunity to commend the Health Committee for arranging this debate and for the investigation that it undertook last year into this important issue? I welcome the opportunity, too, to play my part in exposing what I consider to be cynical and organised profiteering by some sections of the pharmaceutical industry—a form of profiteering that has driven many health authorities,

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including my own in Shropshire, and many health trusts and PCGs, to the point of bankruptcy, ironically at a time when investment in the NHS is at an all-time high.

Mr. Hammond: I am sorry to interrupt, but the hon. Gentleman makes a serious allegation. He used the phrase "organised profiteering". Is he suggesting collusion between companies?

Mr. Bradley: I am grateful for the hon. Gentleman's interest. I am scarcely under way; indeed, I do not believe that I have reached the first semicolon. As my contribution unfolds, he may have a clearer idea of my views.

The Government were elected on a pledge to restore the national health service, and we are now witnessing unprecedented levels of funding, including, this year alone, an additional £2 billion as part of a £21 billion package. That extra investment is intended principally to benefit patients and, indeed, people who work in the NHS. It is not intended to enrich already pretty affluent and successful directors and shareholders of drug companies. Too high a proportion of that new investment is entering through the front door of the NHS, only to disappear out the back as quickly as it arrives.

I am not arguing against the profit motive. Last week, in this very Chamber, when debating the conduct of privatised utilities in my constituency, I made the point that private sector companies are perfectly entitled to take a profit and to make their margins. However, in this sector, as in others, private profit should work in the public interest. I do not believe that that has been the case over the past couple of years in the NHS drugs market.

I acknowledge the pharmaceutical industry's contribution to our economy. It directly employs some 60,000 people, and it is argued that a quarter of a million people indirectly owe their employment to the pharmaceutical sector. Investment in research and development is £7 million a day, and that high investment must be redeemed through the market. We can take pride in the fact that six of the 25 best-selling drugs are made in this country. The pharmaceutical sector in this country earns £2 billion-worth of exports annually.

None the less, I am not happy about the power that pharmaceutical companies wield throughout the NHS or the stranglehold that they have seemed to have had in the past in negotiating with the Department of Health. Their powerful employment base and their research and development activities in this country give them undue leverage in such negotiations. Nor am I happy about the ways in which they can distort the medical research sector through their enormous financial clout. We have talked a lot about the market, and I am sure that we shall hear more about it this morning. It stands to reason that pharmaceutical companies have a vested interest in investing in research connected to treating conditions rather than preventing them. We can hardly blame the sector for taking an interest in that from which it will profit most, but it nevertheless has an undue influence on the general character of research in this country, which is much to be regretted. Moreover, there is a growing disquiet about the ability of the pharmaceutical sector in this country and elsewhere to patent the very means of life and death in the research being undertaken on genes. Lastly, but most serious in the context of this debate, it is my view that the drugs industry has systematically ripped off the national health service.

In an Adjournment debate last year, before the category D issue became evident, I drew attention to the cost of hospital-led prescribing. For many years, the drug industry has made disproportionate profit from the NHS by that means. The equation is simple. Drug companies provide branded drugs as loss leaders to hospitals, because they know that only 20 per cent. of NHS drugs are dispensed in hospitals and that 80 per cent. of drugs are prescribed or dispensed in the community. That is the catch. They hook the patient in hospital, and when discharged, the patient will tell a doctor that he or she now wants the drug that was prescribed in hospital, and that the consultant believed was the best for his or her condition. In many cases, general practitioners will prescribe the branded drugs. They may be unaware that the cost of those drugs in the community is astronomically higher than it is in hospitals, where, for example, Imdur costs 2.5 per cent. of its value in the community, and the popular drug Frumil costs 6 per cent. of that value. That is a cynical and calculated scam and it is all too effective.

The problem is serious. In 1997-98, the NHS overspent its drug budget by £69 million, which is the equivalent of about 4,000 grade D nurses. If generic rather than branded drugs had been prescribed, £66 million of that £69 million could have been saved, and patients would have suffered no discernible deleterious effects. Of 100 English health authorities, 78 overspent their drugs budgets—five by £2 million or more, and 34, including my local health authority, Shropshire, by more than £1 million. That is an intolerable drain on the NHS's budget.

I will briefly refer to a second problem. Dispensing doctors often load additional costs on the NHS, because their remuneration system contains an in-built incentive to prescribe branded drugs, which are more expensive than generic drugs. In 1998-99, even before category D became an issue, those two problems already cost Shropshire health authority £1.2 million. In 1999-2000, that cost was more than £1.5 million.

Last year, primary care groups were introduced in Shropshire and elsewhere. Primary and secondary health care sectors were working more closely together, and innovative software was introduced to help GPs to identify the best-value drugs that they should prescribe or dispense. There was at last an opportunity to reduce the NHS drug costs. The Government negotiated a 4.5 per cent. reduction in the cost of branded drugs through the pharmaceutical price regulation scheme, but ironically, just when it seemed that there would be good news for the NHS and its patients, the category D list issue loomed.

At the same time as the cost of branded drugs was to reduce, the cost of generic drugs escalated. My hon. Friend the Member for Wakefield (Mr. Hinchliffe) described the consequences of that. In autumn 1998, only 30 drugs were on the category D list of the generic drugs that were difficult to obtain. By summer 1999, 170 were on the list, and the number rose further to about

190. The cost of some generics increased by more than 700 per cent., and the drug barons claim that the closure of Regent GM was a major factor. That may have had an effect, but it is difficult to accept that the closure of one manufacturer in such a buoyant and profitable sector could have had such a disproportionate effect on the market.

Mr. Hammond: I thought that drug barons came from Colombia. The hon. Gentleman talked about a shocking 700 per cent. increase. Does he know what percentage of the NHS drugs budget covered the increase in the cost of generic drugs during that year? He will find that to be a less dramatic figure than that which he quotes.

Mr. Bradley: If the hon. Gentleman is going to mount a defence of the pharmaceutical sector later in the debate, I will be fascinated to hear it; he will be one of the very few outside the industry to have attempted that. The overall cost to the NHS of both generic and branded drugs has risen considerably in recent years. That has occurred for many reasons, some of which are quite acceptable, such as breakthroughs in drug technology and the availability of drugs, which we welcome. My argument, and that of the Select Committee, is that there was not a reasonable explanation for the increase in the cost of generics last year.

The argument about the switch from bulk supplies to patient packs is not credible either. It is difficult to accept that an industry as sophisticated, profitable and succesful as the drugs industry could not have anticipated better and planned more effectively for that transition, even if it were not without problems.

There is overwhelming circumstantial evidence that the market was rigged and that there was stockpiling and hoarding among wholesalers and pharmacies, if not by manufacturers. The cost to the NHS is at least £0.25 billion, and probably higher; perhaps the Minister will be able to provide more precise figures. That was a major blow to the primary care groups in their first year, at a time when they were seeking to establish confidence and extend and improve primary health care. It was a major blow also to their patients—the people who really matter in all this.

In Shropshire, the category D issue—the increase in the price of generic drugs—meant that the difference in the cost of drugs to the health authority between November 1998 and November 1999 was about 16 per cent. Between £2 million and £3 million is the price tag that Shropshire health authority has had to meet for the increased prices of generic drugs. That is without considering the additional and undue costs of hospital-led prescribing and dispensing GPs. I would estimate that, last year, Shropshire health authority lost from its budget £4 million to £5 million-worth of resources that should have been spent on front-line health care.

The Government have acted—I believe, belatedly, although I welcome their action. They provided £90 million last winter to compensate—at least in part—for the additional burden on primary care groups and health authorities. The Government are moving to cap drug prices, and we await with great anticipation the results of the OXERA review of the generics market.

Finally, there is a reference to the Office of Fair Trading last August and I, for one, am looking forward with anticipation to its findings. However, I will not be foolish enough to hold my breath, since I referred to the OFT an issue relating to this sector as long ago as 27 April last year, and I am still awaiting its response. I do not consider it to be in the public interest that, when serious issues such as these are raised with the OFT, it should take quite so long to come to a conclusion.

Whatever the OFT's findings are, it is essential that the Government ensure that this form of price fixing in the NHS can never happen again. The pharmaceutical companies are entitled to their profit, but they are not entitled to rip off the NHS. Whatever the OFT establishes, someone along the supply line got very rich very quick, and did so at the expense of my constituents. Every penny of the billions of pounds that the Government are now investing in the NHS on behalf of the taxpayer is precious. I look forward to hearing how the Minister will ensure that every one of those precious pennies is spent on health care for my constituents, for the Minister's and for everyone else's.

11.34 am

Sandra Gidley (Romsey): As a new Member, I am afraid that I have not had time to read the report. Until recently, I might have had to declare an interest. However, I have now given up pharmacy. It may be of interest for Members to hear about my practical experience.

The big factor for me is the impact on the patient. There is no doubt that the change to patient packs—and possibly the closure of Regent—has had a real impact on patients. We have struggled to obtain supplies of drugs. A number of people had to go without their medicine for a few days because, in Southampton—where I worked—we could not get supplies. That is a worry on a level that is other than financial.

Nobody has yet mentioned an additional impact on the NHS. Previously, a lot of patients were issued private prescriptions by their GP because it was cheaper for them to get a private prescription for a generic drug than it was to pay £6—or £5.90, as it was last year—for an NHS prescription. Because of the big price increases, patients now find it cheaper to spend £6 on an NHS prescription. Obviously, that is another load on the NHS. I do not know how big an impact that will have—nobody has done any work on it—but it is another factor in the equation.

I doubt whether the drug tariff is bedtime reading for many hon. Members. However, I would be interested to see how it is to be updated with reference to the 14-day lead time. Currently, it is updated monthly. In the past, there has been a time lag between pharmacies' having to pay increased costs for the drugs and that fact being recognised and their remuneration coming through. In the past, the tariff system has worked against the financial interests of pharmacists. A system that responded more quickly would be in the interests of all concerned.

The introduction of patient packs was a complete fiasco from a professional point of view. There has been no standardisation on the size of pack and no move to encourage GPs to prescribe according to the size of pack. The resulting mess leads to confusion for the

[Sandra Gidley]

patient and has an impact on the pharmacist, who has to cope with the extra volume of stock. It may be too late now, but we must learn the lessons from that and plan for the future.

The hon. Member for The Wrekin (Mr. Bradley) was concerned about hospitals prescribing branded drugs, and said that that was being forced on to the community. That is not a problem. GPs these days are painfully aware of the cost of drugs. They understand that generic drugs will save them money and most are keen to get the best benefit from their budgets for their patients. That was a red herring; it does not happen in practice, and certainly not in my area.

Mr. Peter Bradley: I welcome the contribution of the hon. Lady, the newest Member of the House, and I congratulate her on her diligence in speaking again today, having made her maiden speech only last night. I provided figures in my speech that suggested that, before the category D issues arose, the cost to my health authority of the hospital-led prescribing scam—as I described it last year—was more than £1 million, and that that cost was replicated throughout the health sector. Seventy-eight of 100 health authorities had a similar experience. Surely her anecdotal evidence does not measure up to that statistical evidence.

Sandra Gidley: I admit that I can only speak for the area in which I worked. Yes, manufacturers provide drugs in their packs and the patients like to think that they are getting the same again. However, where there is a history of generic prescribing in an area, patients quickly realise that they often receive packs with different presentations. In the area that I represent, GPs are cost-conscious, and generic prescribing is the name of the game. Most of them have a little button on their computers which, when pressed, automatically generates prescriptions in a generic form. That causes some confusion with items such as baths oils, but, on the whole, it works in the best interests of the patient.

I agree with what has been said about dispensing doctors—I would, wouldn't I? The evidence shows that where doctor dispensing is the norm, the drug costs are higher. That should be looked at.

When prices are agreed for the drug tariff, surely the onus is on the Government. Twenty years ago, when I first qualified, the Government slashed the prices that they would pay for drugs such as valium and vitamins and targeted particularly a company called Roche. If they could do that then, and if they could encourage the 4 per cent. cut in drug prices a few years ago, I see no reason why, with the will, they could not do that today.

The onus should be on the manufacturers to justify the price rises. I do not believe that Regent was a major factor because the closure of a factory does not mean increased costs. It does not suddenly cost more to produce a drug just because somebody is not doing it. That is a difficult argument to follow.

There is no doubt that, in many cases, the packaging costs more than the drugs being supplied. That is a worry, but patient safety is a factor. We now have to enclose leaflets to explain to the public the properties of the drug and its side effects, which is welcome, but that cost has not been mentioned.

As an observation, I would say that the vast majority of pharmacists are honest. However, I know of cases where weaknesses in the drug tariff have been exploited. If the drug tariff were one's bedtime reading, one could make a lot of money. For some drugs it is necessary to endorse the pack size dispensed, which may be 28 tablets in a little box or a little bottle from a pack of 1,000. Pharmacists are supposed to say what has been given out. The costs are different and the vast majority of pharmacists will note accurately what is given out. However, some do not and there is no way of checking what has been supplied by the pharmacist. That should be tightened up so that those claiming the higher-priced packs can be checked. That would be beneficial for the profession and the public purse.

I welcome this debate. There is a problem, but we must be careful that we do not penalise pharmacists who have to suffer a time delay. Sometimes one has to pay more for drugs without getting the money back. That must be addressed. We must also address the need to keep prices down so that GPs, or whoever is paying for the drugs, can spend the money on other patient services.

11.43 am

Dr. Howard Stoate (Dartford): I still hold some sessions as a general practitioner and, therefore, declare an indirect interest in the debate. I want to put that on the record.

There was once a time when the cost of drugs was of concern to only the Government. General practitioners had no interest in it because the budget was open-ended and there was no cash limit on the cost of drugs available to GPs. They could prescribe exactly what they chose in the interests of patients and it made no difference to them. That was undesirable in many ways. It did not foster cost-effectiveness or prompt GPs to look at their prescription habits. It did not prompt them to check wastage or compliance with patients or to look at the overall structure of what they were doing. They wrote the prescriptions and somebody else paid the bill.

That was a huge opportunity cost on the NHS. If there was inappropriate prescribing and wastage, and if GPs inadvertently used the most expensive version of a drug by branding it, money was used that could have been spent in other parts of the NHS to benefit patients in other ways. That was undesirable and, over the years, Governments have sought to address that problem by introducing various schemes to make GPs more cost-effective.

First, we had PACT—prescribing analysis and cost—under which, every month, GPs are sent a statement of the cost of their prescribing in relation to their colleagues and the national picture. That enabled them to see where they stood. They also receive an analysis of the percentage of generics used so that they can compare themselves locally and nationally. Also, the monthly PACT statement shows the target budget for the year so that GPs can assess whether they are overspending or underspending.

Some health authorities have introduced prescribing incentive schemes where practices that achieve a locally set target can recoup some money. For example, if a GP saves 2 per cent. on a drug bill this year, some money will go to the practice to spend on equipment or other

patient services. That is welcome because it provides an enormous incentive for GPs to look at the cost of prescribing.

Mr. Philip Hammond (Runnymede and Weybridge): I was interested to hear the hon. Gentleman's historical analysis of the increase in generic drug prescribing. Would he care to pay tribute to my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) for his key role in setting off the trend dramatically to increase generic prescribing in the NHS?

Dr. Stoate: I will do that because, to be fair to the previous Government, they did address the problem. In fact, my next sentence was going to be in favour of fundholding. Fundholding introduced cost discipline on GPs and, to some extent, it was worth while. The problem is that fundholding was unfair and produced a two-tier service. It took resources away from some practices and gave them to others. There were clear losers as well as winners, but the principle was right in that it introduced a discipline for GPs. They looked carefully at what they were doing, analysed the effects and made sure that money was spent in the best possible way. I welcome that, from whatever Government it came.

We now have primary care groups, which represent the Rolls-Royce of reorganisation for GPs. Primary care groups embrace all GPs, not just those who are entrepreneurial enough to make a go of fundholding at the expense of their colleagues. The good news about that is that every GP now has a clear incentive to be cost-effective. The downside is that, just as GPs were getting used to the new unified budgets and to the idea that what they spent on prescribing could not be spent on referrals and so on, they were suddenly hit by the whammy of a huge increase in the cost of generics which, as has been mentioned, has spiralled out of control.

Some of the examples are striking. I shall give the hon. Member for Runnymede and Weybridge (Mr. Hammond) an example. It was estimated last year that about £200 million was spent on the generic problem. That equates to about 3 per cent. of the NHS drug budget—a significant sum. Three per cent. is a significant cost, particularly at times of low inflation, of which the Government can rightly be proud. We are talking about large sums of money and a significant impact on NHS costs.

That has caused a huge overspend and, as my hon. Friend the Member for Wakefield (Mr. Hinchliffe) said, it has caused massive pressure on the Prescription Pricing Authority, from which it has not yet recovered. For example, this week I received my PACT statement for December—over four months late. It is impossible for a GP practice or primary care group to budget properly for their drug costs if they are only now receiving statements relating to last December.

Mr. Hammond: I am glad that the hon. Gentleman has raised that—it was raised in the Select Committee report and it confused me then. Is the hon. Gentleman suggesting that GPs who are prescribing generically—in the cheapest and most cost-effective way—should change their prescribing practice, which could only mean issuing fewer prescriptions, in response to information that their budget is becoming overspent? Is that what the hon. Gentleman recommends?

Dr. Stoate: Quite the opposite. Most GPs are very cost-effective prescribers, and there are now many reasons for them to be so—primary care groups also have incentives to be cost-effective—but if they cannot judge what they are spending on an item because the response from the Prescription Pricing Authority is four or five months late, it makes it extremely difficult to set budgets. It makes it almost impossible to get involved in a meaningful prescribing incentive scheme, simply because the data are meaningless. One cannot equate what one is doing now with figures that may arrive many months late.

Of course all GPs have an interest in the increasing use of generics. As the hon. Member for Romsey (Sandra Gidley) rightly said, many GPs now have a simple conversion system on their desk, which is a welcome development.

I want to make a clear distinction between the manufacturers of branded and of generic medicines. It is not fair to blame the branded manufacturers. The vast majority of companies that manufacture branded drugs do not also manufacture generic drugs. We must not confuse the two. The generics manufacturers must shoulder their part of the blame.

Mr. Peter Bradley: I acknowledge the distinction that my hon. Friend is making, but does he not accept that in many cases there are links between the companies and that many of the ultimate owners own both branded and generic companies?

Dr. Stoate: I was of that opinion before the Select Committee conducted its inquiry, but the vast majority of the evidence that we received was that they are entirely different companies, owned by different people, although I accept that there must be some overlap. I want to ensure that we place the blame where it belongs.

Enormous difficulties have been caused for general practices, primary care groups and trusts. I welcome the fact that the Government made available £90 million last year to cover some of the overspend, but there are two problems: many primary care groups are complaining that they remain overspent through no fault of their own; and the money should have been spent on nurses, hospitals and equipment. The NHS could ill afford to lose that £90 million, so it is a great shame that the Government had to use it in that way.

Schedule D is well and truly overdue for reform. For all the reasons that hon. Members have mentioned, it is too open to manipulation. I do not want to point the finger directly, but any market that is effectively controlled by a basket of five suppliers and manufacturers, with a series of short-line wholesalers hanging out on the wings, is almost certain to be ripe for manipulation by one person or another. I would like to believe that the majority of people in the system are honest, but I cannot believe that they all are. There is far too much evidence that manipulation has occurred, with all sorts of distortions of the market, stockpiling and the deliberate running down of stock to force drugs onto schedule D. That is extremely worrying.

[Dr. Stoate]

The Government have already suggested that they want to replace schedule D with a maximum prices scheme. That will go a long way towards solving the problem, but I urge caution. If we introduce maximum pricing—I have heard rumours that this is happening already—what is to stop manufacturers simply removing themselves from the generics market altogether and saying that, for the price that the Government are prepared to pay, they are not prepared to manufacture? That would have severe repercussions.

I currently chair the all-party group on pharmacy and I have discussed some of my worries with representatives of pharmaceutical groups and community pharmacists. The worry is that if manufacturers stop producing generics, the pharmacists will be in a very difficult position. They will have only three possible responses.

First, pharmacists could refer the patient back to the GP and say, "I'm sorry, we can't get the drug because the manufacturers have stopped making it in sufficient quantities at the price that the Government are prepared to pay. Go and get an alternative prescription." Secondly, they could say "I can't get the drug, but it's worth shopping around in case another pharmacist can." That would be very unsatisfactory for the patient. Thirdly, the pharmacist could dispense a more expensive version and bear the cost himself or herself. That would also be very undesirable and an unreasonable burden on community pharmacy.

The Select Committee is considering how to enhance the role of community pharmacists, who are clearly concerned about the problem. If generics became in short supply because the price went down too far, that would be a cynical manipulation of the market and would be extremely regrettable. What does my hon. Friend the Minister think we can do to prevent that, if we do indeed abandon schedule D and replace it with a maximum prices scheme?

I welcome this debate, which is on an important subject, and would appreciate a response to the points that I have raised.

11.55 am

Dr. Peter Brand (Isle of Wight): Like my colleague the hon. Member for Dartford (Dr. Stoate), I declare an interest as a member of a primary care group. I am not as sure as he is whether such groups are the Rolls-Royce of primary care or whether we are developing a Rover—time will tell.

I congratulate the Chairman of the Select Committee, the hon. Member for Wakefield (Mr. Hinchliffe), under whom it is a pleasure to serve. The Select Committee system seems to be very effective, especially in relation to the health service, because quite often we have only to announce that we are to launch an investigation, and we get Government action even before we report. The Minister is clearly proud of that fact. It saddens me, however, that it took the Select Committee only one day's worth of evidence, plus a perusal of the written submissions, to come up with real problems and suggest real solutions, prompting Government action that was too late and too slow.

Our investigation focused not only on generic prescribing but on the bigger issue of the place of market forces in the supply of drugs to the national health service. At present, there is no such thing as market forces in NHS drugs procurement. We have an extraordinary system in which, if there is a cartel fixing prices, the Government appear to be part of that price-fixing ring, either as a willing victim or a dupe—I am not sure which. The evidence on which decisions are made is seldom published, and the way in which the tariffs are set and the pharmaceutical price regulation scheme produces its magic figure is highly secretive.

We have a nonsensical system in which the Department of Health is the licenser of the drug, promotes research and development and takes seriously its responsibility for supporting an industry that is important to this country, both economically and from a jobs perspective, but is at the same time the major purchaser of that industry's products. That system is long overdue for an overhaul. I know that the industry is not keen on introducing a further hurdle, but we must understand that there has been a massive escalation of drug costs in the past 10 years, not only in real terms—in cash terms, the cost has gone up from just over £2 billion to £5 billion—but as a proportion of NHS expenditure.

The point was well made by the hon. Member for The Wrekin (Mr. Bradley) that that is much to be commended in some instances, where there are now pharmaceutical ways of treating people rather than carving them up or relying on very restrictive life styles. As a clinician, I am extremely grateful to the pharmaceutical industry, without which we doctors would be much less effective—in fact, we would be totally useless.

The Government should consider experiences elsewhere. In New Zealand, the drugs budget was rising by about 10 per cent. a year, as tends to be the case here. A new contracting system was introduced that stopped prices surging ahead and slowed down the rise to 3 per cent. a year, which is probably a better reflection of the increased use of drugs.

We have a system in which a drug is licensed for use, but that licence does not automatically allow it to be prescribed in the NHS. There should be a separate round of contracting to determine which drug and which manufacturer supplies the NHS. That would overcome the problem to which the hon. Member for Dartford referred. If a manufacturer bids to supply a generic drug to the NHS, it will not move in and out of that market willy-nilly; it will be geared up for a big contract. A contracting round—presumably carried out annually, or on a rolling annual basis—would achieve value for money for the NHS. It is not clear that value for money and fair remuneration are achieved at present.

Mr. Hammond: I am fascinated by the hon. Gentleman's comments, but it flies in the face of all accepted principles of economics to suggest that having a single supplier and allowing other potential competitors to fall away would benefit the buyer. In the long run, that would be extremely detrimental to the buyer.

Dr. Brand: No, there is not a single supplier. There are multiple competitors and the reference price would be

set in the contracting round. If other manufacturers wanted to compete by charging less than a particular price, we could ensure a supply of products—including branded products—at an affordable price. Research shows that the NHS drug budget could save more than £1 billion, which would pay for new drug development and ensure that new drugs were available without postcode prescribing. That could end the enormous anomaly of prescription charges.

We must either overhaul the prescription-charging system, which is based on clinical categories established in about 1950, or scrap it altogether. I think that we should scrap it because that would make life much simpler. The £300 million that it costs could be easily recouped by better contracting by the NHS. That would also move us away from the perverse incentive to which my hon. Friend the Member for Romsey (Sandra Gidley) referred; it is splendid that a knowledgeable professional has taken part in the debate. Doctors, such as the hon. Member for Dartford and myself, tend to speak on all NHS matters, but we must remember that others have a great deal of professional expertise.

We have a perverse system in which the rewards for pharmacists and dispensing GPs depend on the cost of the drug that they hand out. That cannot be a sensible way to run an economy. We must find better ways of rewarding our community pharmacists for their professional work. We rely far too much on their expertise as business men and shopkeepers who sell all sorts of other goods, which underpins their professional work. We must find a system in which they are rewarded for doing the right thing rather than for using drugs with high tariffs and high on-costs that give them a higher share of profit.

The drug industry has done tremendous things for clinical practice in this country and it is important to have an open scheme for ensuring that it has enough money for research and development. That could be done through the Medical Research Council, for example, and the Department of Trade and Industry should provide any necessary help with investment. The current system, in which the Department of Health is the main consumer and the supporter of the industry, has led to obfuscation and secrecy, which, in the 21st century, is no longer suitable.

12.5 pm

Mr. Philip Hammond (Runnymede and Weybridge): This has been a useful and well-informed debate. We must view the problem in context. The hon. Member for The Wrekin (Mr. Bradley) used some inflammatory language and spoke about price increases of several hundred per cent. There have been large percentage increases in the price of individual drugs, but the hon. Member for Dartford (Dr. Stoate) put that in context. We are talking about a problem that has added between 3 and 4 per cent. to the prescription budget and perhaps 0.5 per cent. to health authority allocations overall. I would not deny that that is a significant problem, but using inflammatory figures such as 700 per cent. does not help to achieve a solution.

Mr. Bradley: Is it not a fact that the cost of Frusemide increased by 720 per cent. in a short time? That is not inflammatory; it is inflationary.

Mr. Hammond: The hon. Gentleman's fact is indisputable, but it is important to understand that we are talking about a 3 or 4 per cent. increase in the overall prescribing budget. That is a significant figure, which we must address, but not a catastrophe of the proportions that bandying around figures of several hundred per cent. might suggest.

I congratulate the Select Committee on its extremely well written and coherent report, which provided a helpful analysis. I found it extremely useful, especially in pointing up the weakness of the operation of category D of the drug tariff in terms of the method of entry and exit and the lack of incentive for a pharmacist to prescribe the cheapest possible available category D product that meets the doctor's prescription.

The hon. Member for Isle of Wight (Dr. Brand) hit the nail on the head when he said that the United Kingdom drugs market is managed. When we hear phrases such as "market manipulation", we must remember that we are talking not about a free and open market but about a market that is managed by virtue of there being only one overwhelming buyer. The solution that the hon. Gentleman proposed would make the problem that he identified worse, not better.

To bring the tone of the debate back down from some of the extremes that have perhaps been reached, we should acknowledge that we are debating structural defects in a managed market. That is a matter not of honest or dishonesty—words that have been used this morning—but of market players responding to signals from the market. Those signals may be false and may lead the market in the wrong direction.

Mr. Bradley: I certainly did not say that anything dishonest or illegal has happened in the market—nor did I hear other hon. Members say that; but does the hon. Gentleman nevertheless accept that there has been manipulation and that that has cost the NHS and patients who depend on it a considerable sum, which should have gone into front-line health care? That is a serious matter, and it is not diminished by the fact that the companies or individuals who have rigged the market have behaved within the law.

Mr. Hammond: On reading the report of the debate, the hon. Gentleman will find that the words "honesty" and "dishonesty" have been used, but I readily acknowledge that the Select Committee report has identified a defect in the way in which the market operates. We can all agree that the market has not operated and does not operate properly, but, to achieve the targets on which we all agree, it is important not only that the market in generic drugs operates properly but that the Government's target of significantly increasing the percentage of generic drugs in the mix is met.

Paragraph 14 of the Select Committee report talks about delays in feedback. I had an exchange about that with the hon. Member for Dartford. It would be bizarre to suggest that GPs should change their prescribing practice as a result of the feedback that they got from the Prescription Pricing Authority. I accept that, from a budgeting point of view, they need that information, but, from a prescribing point of view, I hope that they do not need it if they are already prescribing generics.

There is no doubt that, under the present system, the overspend has impacted on GPs and on their budgets. I wonder whether the Minister has given any thought to

[Mr. Hammond]

whether, given the nature of the managed market in prescription drugs, it might be better for the system of GP budgeting to be based on the drug tariff in place at the outset of the budget period—together with a considered measure of what inflation is likely to be in that period—so that it is the Government who take the risk of dramatic fluctuations in prices from the posted drug tariff at the outset, rather than that risk being borne by GP practices and primary care groups, which have no way of inputting to the management of the economy in drugs and are thus vulnerable to a risk that they cannot control.

I have read the Select Committee report and it is evident that the Government did not know what was going on in relation to the generic drug marketplace in 1999. When they did find out, they failed to act effectively. Ministerial answers, with the benefit of hindsight, clearly provide an inadequate explanation of what was going on.

I think that we have agreed that, whatever the arguments about the continuation of higher prices in the market, there is no dispute about the events that triggered those changes in the marketplace: the closure of Regent and the patient packs fiasco. The first was a problem that the Government did not precipitate, but which had clearly predictable outcomes. I would be interested to hear from the Minister what the Government did in the immediate period after the closure of Regent—and, indeed, in anticipation of the Medicines Control Agency's closure of Regent—to deal with what were entirely predictable consequences.

In the case of patient packs, when I was first appointed to the Opposition Front-Bench health team, one of the first functions that I attended was the British Generic Manufacturers Association dinner in the summer of 1998, at which Baroness Jay was the speaker. I was surprised by the genuine sense of anger among the people to whom I spoke about what they saw as a complete volte face by the Government. They had given them a clear and long-term indication, both at political level during the time of the previous Administration and at official level, that they supported and condoned the move towards developing patient packs in accordance with the European Union directive, and changed direction 180 degrees when they came into office.

It is a problem for which the Government bear full responsibility. It is an example of staggering Government incompetence and an abdication of Government responsibility for moving the industry into compliance with the EU directive in a timely way. The industry was forced to implement the directive independently. Ironically, the switch of supply to patient packs is likely to leave short-term shortages of bulk supplies. Because there is a marketplace of sorts out there, short-term shortages of supply will lead to an increase in prices and opportunities for brokers. I use the term "brokers" rather than "short-line wholesalers" because, in many senses, they share the same characteristics as brokers: they are players who come into the market to seek to arbitrage defects in the workings of the market.

The inevitable conclusion from reading the Select Committee report is that, in seeking to save £20 million, the Government have precipitated a chain of events that has cost the NHS many times that figure. I say with respect to the Chairman of the Select Committee, the hon. Member for Wakefield (Mr. Hinchliffe), that I thought that paragraph 31 of the report, which is a gentle criticism of the Government's actions—or inactions—was a model of understatement. I could almost sense the clenched teeth as I read it. I know that Ministers would agree that the hon. Gentleman is not always as gentle in his comments on Government policy.

Again, it was ironic that the Government, who have made so much of the bureaucracy around the extra-contractual referrals regime that was implemented by the previous Government—which generated some few thousands of pieces of paper per health authority—should be responsible for a bureaucratic explosion in the activity of the pharmaceutical pricing agency. We understand from the Select Committee report that 230 additional pen-pushers were taken on to process the extra paperwork that the fiasco has generated. A total of 140,000 hours of overtime were incurred, which sits rather ill with the Government's commitment at the last general election to cut bureaucracy in the NHS and redirect resources to patient care.

I hope that the Minister will tell us about the Government's ideas for reform of the drug tariff system. I hope that she can tell us what the current status is of the fundamental review that was set up by her noble Friend Lord Hunt. The review is due to report in the summer, but the document published by the NHS Executive on 20 April, which indicated a set of proposed maximum prices, appears to many people to pre-empt the outcome of that review. I would be grateful if the hon. Lady could clarify how we should interpret the publication of that document.

It seems that the maximum price approach is precisely the wrong one for the Minister to pursue. Examples from around the world and across history show that imposing maximum prices on a market where there are shortages will simply starve the market of product. Although the decision on how to proceed must be one for Ministers, they can be sure that we will hold them to account if the result of their reforms of the drug tariff system is to make supplies of certain drugs unavailable in the UK, or—perhaps more realistically—to push the UK into being the swing marketplace for producers, which they sell into only when demand is low elsewhere, or when they happen to have surplus production capacity, so that patients in this country cannot be sure of the continuing availability of drugs.

This is a sorry story of Government incompetence, which has been hidden behind an elaborate conspiracy theory. The Select Committee's report was a good job of work, if understated in its criticism of the Government. The danger in reacting too late to the situation that the Select Committee has identified is that the Government will do what they have done already in the patient packs situation, and, in trying to save some money for the NHS, will introduce a regime which, in the long run, costs the NHS more and damages the interests of patients and GPs.

12.18 pm

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I am grateful to the Chairman of the Select Committee on Health, my hon.

Friend the Member for Wakefield (Mr. Hinchliffe), for initiating what is a timely debate. I pay tribute to the use of Westminster Hall. It gives us an opportunity to discuss Select Committee reports and to recognise their significance.

The Select Committee was quick to recognise the significance of last year's events in the generics market. The report on its inquiry made an important contribution to that debate. We certainly had its recommendations in mind when we developed our recent proposals for setting maximum prices for generics. I welcome the opportunity to provide some more details.

I am surprised at the comments by the hon. Member for Isle of Wight (Dr. Brand), who said that it took the Government too long—they were too late—in the same breath as welcoming the Government's swift action. I hope that, in the course of the explanation that—

Dr. Brand: Will the Minister give way?

Ms Stuart: There is very little time and I should like to outline the position, but the hon. Gentleman cannot have it both ways. It seems that we responded quickly, but also too late.

As the Select Committee's report says, the reasons for what happened during previous years are by no means clear. A measured and appropriate response had to be given at the time. Hindsight is a wonderful thing, which we all sometimes wish we had, but the Committee assessed the circumstances fairly. I wish the comments of the hon. Member for Runnymede and Weybridge (Mr. Hammond) had been as measured and considered as the Committee's response.

We regard the increase in generic prescribing rates over a number of years as a success story for the national health service. It is widely accepted that non-proprietary or generic drugs are as effective as, and in general cheaper than, their proprietary or branded counterparts. That is why we are taking action to secure higher rates of generic prescribing. The proportion of generic prescriptions in England increased from 43 per cent. in 1992 to 63 per cent. in 1998. I am sure that my hon. Friend the Member for Dartford (Dr. Stoate) will be pleased to learn that we too are committed to ensuring that every penny spent in the NHS is focused on patients.

The increase to which I referred has allowed us to channel money, and we are determined to build on that success. Indeed, we have set ourselves the fairly ambitious target of increasing the average generic prescribing rate to at least 72 per cent. by the end of March 2002, and we are well on the way to meeting that target.

Our policy of encouraging generic prescribing depends on a reliable supply of old and new generics, which must offer value for money. We believe that that can best be secured through a soundly managed and fully competitive generics market. I must take issue with the economic analysis presented by the hon. Member for Isle of Wight about how we can square the circle in this regard: how can a sole purchaser exist alongside competitive forces?

By and large, the system has worked well, but last year it clearly failed. In response to that failure, in December we commissioned a fundamental review of the generics supply chain from Oxford Economics Research Associates. The hon. Member for Runnymede and Weybridge asked what action we were taking. When the first soundings were coming in, we were assured by the market that the situation was temporary rather than long-term, but we began discussions. It was then suggested that the market was not competitive. We referred the matter to the Office of Fair Trading, and are still awaiting its report.

When it became clear that the situation was not temporary, we took two steps. One was the long-term review, whose objective was to decide whether the existing arrangements best served the NHS, and to consider possible alternatives. OXERA's work on the fundamental review is well under way.

Our priority is to safeguard the position of the NHS, and services for patients. Last year's price increases in the generics market put substantial and, we believe, unwarranted cost pressures on the NHS. The cost to the NHS in England is expected to be some £200 million in 1999-2000. My hon. Friend the Member for The Wrekin (Mr. Bradley) described the pressures placed on primary care groups and health authorities. The Government intervened, and provided an extra £90 million to deal with the pressure immediately. Some of that will have to be absorbed by contingency funding.

I do not subscribe to the view of the hon. Member for Runnymede and Weybridge that we should change the budget for primary care groups and primary care trusts, taking the drugs budget out. I think that we are talking about the allocation of, as it were, a whole envelope. When things happen unexpectedly, as they did last year, the Government provide extra funds.

We had to intervene, because it would have been irresponsible not to do so, but it must be recognised, given the nature of the market, that we do not intervene lightly. Logic suggests that in commodity markets prices can go up as well as down. A number of factors were involved, many of which have been mentioned today. I will not go into details, but we are responsible for ensuring a secure supply chain. That means that the number of permanent players in the market must be fairly fixed: movements in and out of the market would not be conducive to permanent supply. That is why we are talking to the industry, and why we are removing category D, which has clearly contributed to the instability.

The fundamental review will allow us to make strategic decisions about the future shape of the market. We are talking to all the interested parties: this is a genuine consultation. At the same time, it appears that there is continued pressure on the NHS, and I think it important to describe our short-term response. That involves negotiating with industry—consultation will end on 24 May—on the imposition of a maximum price range for generic drugs. We propose to use powers provided by the Health Act 1999—subject to parliamentary approval—to introduce maximum prices that will be applicable across the United Kingdom, which will be reviewed in 15 months' time.

Mr. Hammond: Will the Minister give way?

Ms Stuart: Ever so briefly.

Mr. Hammond: Having given the hon. Member for Isle of Wight (Dr. Brand) a lesson in economics, will the

[Mr. Hammond]

Minister tell the rest of us what normally happens to supply in a marketplace when a product is priced at a certain level, and someone imposes an artificially much lower price?

Ms Stuart: As the hon. Gentleman said earlier, this is a managed market. In a managed market, mechanisms must be introduced to allow the industry to operate, and also to allow the NHS to secure safe supply. I therefore do not think the question entirely relevant.

As I have said, there is a short-term review and a long-term review, and they are working in tandem. Members have asked how the two interact.

I welcome the hon. Member for Romsey (Sandra Gidley). It is delightful to work with a new Member, especially when it is another woman: we do not have enough of those. The hon. Lady raised two significant points on the basis of her experience as a pharmacist. She mentioned patient behaviour, and control of prescribing by pharmacists. We will take her points on board, and feed them into the long-term review that is being conducted by OXERA.

I thank my hon. Friend the Member for Wakefield for his succinct and precise summary of the Committee's findings. My hon. Friend the Member for Dartford described the PCT arrangements as a "Rolls-Royce": I consider that equal to Rover—as a Member whose constituency is next to Longbridge, but not in any other context. He described the difficulties, but also the benefits, of the system, and explained how we should manage it in the interests of all players. He expressed concern about what would happen if manufacturers simply said that they would not go on producing. That is exactly why the long-term review and the consultation with the market are genuine. This is a two-way relationship. If we exclude the last year—which was really quite unusual—it is possible for the long-term arrangements to be successful, and we will build on that.

It was suggested that the introduction of patient packs was a major contributory factor. There is no evidence for that. Let me put on record, however, that we have not left it to the industry to comply with a European Union directive that was introduced in 1992. The directive requires the provision of a patient leaflet, and also the provision of certain information on the label. That cannot be equated with a patient pack. We are complying with the directive. The previous Government thought patient packs were the way forward, but the present Government gave no indication to the industry that we would pursue that. However, I would by no means describe our disagreement with the policies of the last Government as a U-turn.

We need to recognise the tremendous importance of pharmacists, but also the Government's responsibility to ensure that the market is successful, and that NHS patients are supplied with drugs as and when they are needed—but at a price and within a structure that give us, as taxpayers and as a Government, value for money. I believe that the two reviews—the short-term review on maximum price, and the long-term review—will deliver that.

Disability Living Allowance

12.30 pm

Mr. Brian H. Donohoe (Cunninghame, South): It usually gives me the greatest pleasure to initiate debates on issues that are within the Government's competence, but, sadly, that is not so in this case. This debate is based on my concerns about various shocking cases of which I am sure that the Minister is already aware. I would perhaps not be so concerned if the issue arose in only an isolated case, but, on the basis of my information, it seems to be arising across the country. I feel—as I am sure that other hon. Members do—that my constituents have a right to consistently high service standards, but, in disability living allowance, they are not receiving them.

I should like to raise three issues, the first of which is the problem of inordinate delay in DLA administration. The second is the difficulty in obtaining, quickly, accurate information. The third is the difficulty in finding anyone within the Department of Social Security with any knowledge of anything within its remit on the details of a particular case.

Delay is perhaps the most important issue. I am told that, when a person applies for DLA, it takes 11 weeks for a decision to be made. That situation is most unsatisfactory, and I should be interested to hear from the Minister just how he intends to improve it. About 87 per cent. of cases are dealt with within 53 working days. Although those cases satisfy the Department's own targets, I think that it is a very poor performance, and that the targets are not sufficiently strong. I suggest that the Minister has to resolve that obvious disparity. Furthermore, the situation is not improving, but—although the Department's own business plans make no mention of it—deteriorating.

Some cases that I have had are taking years to resolve. I shall give just three examples. In August 1998, Mrs. Fulton, a constituent of mine, tried to renew her DLA. In March 1999, she got in touch with my office, as the DLA unit was showing persistent incompetence. Such was the incompetence that the unit offered £200 as an ex gratia payment. The unit lost files. It was inaccurate, even sending out an inaccurate reply from its chief executive. Although the case began in August 1998, it went to appeal only last month. However, because of further incompetence, Mrs. Fulton will have to go to the commissioner to resolve the situation. Absolutely no solution to the case is yet in sight.

The Minister will also know about the second case, concerning another of my constituents—who does not want his name to be mentioned in this debate. His DLA was stopped in February 1998. The tribunal was in October 1998. However, because of the Benefits Agency's incompetence, the appeal could not be heard. I understand that, as the Benefits Agency had not reviewed its original decision, an appeal is now not legally possible.

The individual contacted me in August 1999. He said that there was to be a second appeal tribunal—which, eventually, occurred in February 2000, after further massive incompetence within the Department. However, a review of the case is still not possible. In a recent letter from the chief executive, the information on

the case was three weeks out of date. Now that we have brought attention to the case, we have finally been promised that there will be a review.

The third case is that of another of my constituents, Mr. Stewart, who first contacted my office in May 1999. He had two claims, the first of which—dating back to 1995, when the original claim was made—was with the ombudsman. The second claim was for renewal of benefit. The latter claim has, so far, taken 19 months, but it has still not been decided by a commissioner. There is absolutely no indication when a decision on it will be made.

Mr. Stewart's initial claim to the assessors was made in March 1997. I am sure that the Minister has a copy of the assessors' damning report on the handling of the case, and that he will mention it in his reply. However, even in that case, no date for a tribunal has been set.

How have such delays been created, and how can they be stopped? Time limits on resolving cases must be established, and there must be some way of enforcing them. Perhaps automatic compensation should be made to constituents with cases such as those that I have mentioned.

Accurate information is another problem, as it is almost impossible to obtain such information from the Department. Locally, I have no problems with the Benefits Agency. I have the manager's telephone number, I lift a telephone and contact him or one of his officers, and I receive a response almost automatically—in most cases within a day; certainly within a fortnight. The local situation with the Benefits Agency differs extremely from the national one, particularly on DLA. Replies take at least a month. Frequently—as I have outlined in the above cases—they are inaccurate.

I realise that the national organisation is larger, but I reject completely that it should be so inaccurate in its replies. I should also expect, as a member of Parliament, to receive much quicker responses. The worst element of the situation is that at no stage does any checking seem to be done within the chief executive's office itself. Letters seem to be written by someone outside the agency, without being checked for accuracy by the chief executive himself or by anyone in his office.

No one within the chief executive's office or the agency itself seems to know what is going on. Frequently, when a constituent's case has to be dealt with by action beyond a usual decision, review or appeal, my office has to contact someone within the agency who—I should like to think—has some understanding of that case. My experience is that, in such cases, one is passed from pillar to post. One telephones the Benefits Agency, but is then knocked about from one person to the next. One tries to resolve the problem, and one thinks that one has done so. Then, nothing happens. One again contacts the agency, but then has to deal with another person. It can go on for month after month without a resolution.

I ask the Minister to consider for a moment the possibility of establishing at the agency a "Member of Parliament's hotline", such as that operating at the Child Support Agency. It would at least ensure that we know that the individual whom we talk to will go and do something on the case. A similar set-up at the DLA unit is long overdue.

Currently, it is impossible in any circumstances quickly to resolve even obvious problems. It is certainly impossible to resolve problems with a telephone call. When one tries to do so, one encounters complete bureaucracy. Finally, one has to write to the chief executive, who—right across the board—knows nothing about the case and shows no understanding or competence in his replies. I believe, based on both the evidence that I have gathered and anecdotal evidence, that my constituents are not receiving the service to which they are entitled.

I encourage welfare groups in my area. My constituency is not one of the leafy suburbs, but an area of high unemployment and high dependency on entitlements from the state. Those people tell the same story of delays and inaccurate information. It is bad enough that the Benefits Agency fails to reply to letters, but I am told that Ministers never reply either. That is worrying.

I am concerned that the Benefits Agency seems to think that everything is fine. Its annual reports do not mention the problems. I trust that, on the basis of what I have said and what he must know from other hon. Members, my hon. Friend the Minister will try to do something to change the situation.

Some parts of the Benefits Agency give people a reasonable service. I do not have a problem locally. However, I hope that my hon. Friend can ensure that the obvious problem in the disability living allowance unit will be resolved. I hope that he can assure me and, more importantly, my constituents, that changes will be made.

12.40 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): I congratulate my hon. Friend the Member for Cunninghame, South (Mr. Donohoe) on securing this debate. He has raised some important deficiencies in the administration of that important benefit, which the Government take seriously.

Disability living allowance and its sister benefit, attendance allowance, which is payable to people who make claims after the age of 65, make a very important contribution to the welfare of the 3.3 million people who currently receive them. The Government have a responsibility to administer the benefits fairly and efficiently. I agree with my hon. Friend that members of the public have a right to a consistently high standard of service from the Benefits Agency and the DLA unit. In most cases, they get it, but in some cases they do not. My hon. Friend has highlighted three particularly worrying cases. We must address the problems that have led to those cases not being properly managed.

I shall respond to my hon. Friend's three cases in as much detail as I can. I am grateful to him for giving me advance notice of them so that I can look into the background. Despite the problems, it would be a mistake to believe that they are typical of the service that the Benefits Agency provides. We receive and process 70,000 new claims for DLA and attendance allowance every month, as well as 12,000 renewals and 5,000 appeals. Usually, we avoid making serious errors. However, the fact that we normally get it right is no excuse for getting it wrong on occasions. I hope to have a little time to talk about the Department's policies to improve the quality of administration of DLA.

[Mr. Hugh Bayley]

I agree with my hon. Friend on the important role of welfare groups in providing advice and assistance to people claiming those benefits. I have recently been convening meetings with the National Association of Citizens Advice Bureaux throughout the countries of the United Kingdom, including a recent meeting in Edinburgh for welfare rights advisers in Scotland to discuss medical services reports, which are a vital component of the benefit. My officials and I have had a lot of good feedback and some good ideas from those meetings. As a result of ideas put forward at the meetings, we have recently started to ensure that SEMA, the contractor of medical services, regularly meets the head of the independent tribunal service, Judge Harris, to get feedback on the outcome of appeals. The Department's chief medical adviser was already doing that, but the contractor was not. The two now meet the tribunal service regularly to get feedback. It is important for us to listen to those who are working in the field with people claiming the benefits.

My hon. Friend raised several issues relating to the general delay in processing the benefits. He was concerned that 11 weeks was a long time to process a new claim to benefit. Because of the nature of the benefit, we have set a 53-day target. Whereas entitlement to most benefits depends on facts—such as whether a person has savings, whether they work or whether their husband has recently died—entitlement to disability living allowance depends on opinions about issues such as whether a person needs care throughout the day and the night. Decision-makers often need to seek medical evidence from GPs or other medical professionals to build up a complete picture of the care and mobility needs arising from the person's disability. Writing reports for the Benefits Agency is not a high priority for most doctors. I know from individual cases that hon. Members have written to me about that it can often take two or three reminder letters and several weeks to get the necessary medical report for making a correct determination of entitlement to benefit. Would that it were easier and quicker, but it is because of the nature of the benefit that the target time is so long.

We have special rules that ensure that claims from people with progressive diseases and those who are terminally ill are dealt with quickly. The Benefits Agency is currently clearing 86 per cent. of such cases within 10 days.

I accept that the Benefits Agency's performance against the target of processing 85 per cent. of new claims within 53 days has been worsening. Last year, we did not meet the target for mainstream DLA claims, excluding the special rules cases, although we did meet it for attendance allowance. I shall deal later with how we intend to improve the administration of the benefit.

I shall refer to the constituent, whose name my hon. Friend did not give, as Mr. X. His entitlement to benefit was suspended when he was imprisoned in December 1995. On his release in December 1997, he asked the Benefits Agency to reinstate his disability living allowance, which it did from the day of his release, on 10 December 1997. In February 1998, the Benefits Agency sought additional evidence from Mr. X's GP to confirm that his medical condition and the mobility and care needs arising from it had not changed. As a result of the GP's evidence, the adjudication officer decided that Mr. X no longer qualified for the care component of disability living allowance, with effect from 4 February 1998.

Since July 1996, BA staff have been required to seek additional evidence in all cases involving claims for the highest rates of both components of DLA, which included the case that my hon. Friend raised. In retrospect, I agree that it would have been sensible for the additional evidence to be sought before the benefit was reinstated in December 1997, although there was no legal requirement for that.

Mr. X appealed against the decision to change his benefit entitlement, but, as my hon. Friend has said, the appeals service referred the case back to the Benefits Agency, because it did not consider that the decision-maker had conducted a mandatory review of the decision to change an award of benefit.

Under the old rules for DLA appeals, there had to be a review process before an appeal could be heard. The Benefits Agency, on the other hand, felt that it had followed the law correctly in both its review decisions to reinstate the benefit on Mr. X's release from prison and to reduce his benefit following the receipt of new medical evidence.

I strongly regret that the difference of opinion between the Benefits Agency and the tribunal service led to an impasse that lasted two years. The BA believed that it would be unlawful to review Mr. X's benefit for a third time and the tribunal service judged that it would be unlawful for it to hear an appeal which, it felt, had not been previously subjected to a second-tier review.

Under the old legislation, the impasse was insoluble, however, the Government have introduced new decision making and appeals legislation which gives us the opportunity to do something that could not have been done in the past—to implement a further review. The DMA legislation in relation to disability living allowance was introduced in October 1999 and amended the legislative framework by introducing a far simpler and more flexible system. As a result, the case is now being reconsidered by a Benefits Agency decision maker and Mr. X was sent a decision yesterday. Normal appeal rights will, of course, apply to that decision. So the works are ungummed, but I regret that the system led to an impasse that lasted two years.

Although it acted within the law, the way in which the case was handled by the Benefits Agency has caused considerable delay for Mr. X, and, through his Member of Parliament, I offer my sincere apologies.

I now turn to the case of Mrs. Fulton. I am informed that, on 16 June 1999, Mrs. Fulton appealed against the decision not to extend the care component of her DLA beyond 30 January 1999. On 16 August 1999, the disability benefits unit sent all relevant documents to the appeals service. The appeal was arranged for 20 December 1999, but the hearing was adjourned as the tribunal did not have all the necessary documents. I have been unable to establish whether all of these documents were sent by the Benefits Agency, whether they were received by the appeals service or whether they were lost in transit. However, I accept that the lack of certain documents should have been spotted by the appeals service before the hearing. I am pleased to inform my hon. Friend that the appeals service has now introduced

procedures and training for all clerks to appeals tribunals to ensure that cases are checked for completeness before a date is set for a hearing. Once again, I accept that there was a problem and we have taken action to seek to ensure that it should never happen again.

On 22 February 2000, the tribunal reconvened, but again adjourned. At the hearing, it requested a doctor's report to provide additional information about Mrs. Fulton's mobility and care needs. The tribunal has the authority to consider Mrs. Fulton's entitlement to both components of DLA if it considers that there are good reasons for doing so. Obviously, if it identifies certain questions that it needs to determine properly to deal with the case, it needs to obtain the necessary evidence. That is a matter for the tribunal service, which is entirely independent of the DSS and not accountable to Ministers.

I am sorry for the inconvenience that any mishandling has caused Mrs. Fulton. As my hon. Friend mentioned in his speech, two ex gratia payments of £100 each were made to Mrs. Fulton for this inconvenience, the first in August 1999 and another in April 2000.

The case of Mr. Stewart, the third constituent to whom my hon. Friend referred, is a long and complex one and I am afraid that I can say less in response to the points that he raised. As the case is currently the subject of an investigation by the Parliamentary Commissioner for Administration, it would not be appropriate to comment on the service that Mr. Stewart has received from the various welfare agencies.

I understand that Mr. Stewart's appeal against the decision of the appeals tribunal to award him the lower-rate care component for a fixed period is currently being considered by a social security commissioner and questions concerning the handling of the case should be directed to the Lord Chancellor. Like tribunals, social security commissioners are not accountable to the DSS. However, my hon. Friend asked what might be done to allow people who take their case beyond the appeal stage to the social security commissioners and to check on its progress. I can confirm that people in that situation would need to contact the appeals service and ask for a form called OSSC1, on which to register their appeal to the commissioners. On that form are the contact details for the office of the social security commissioners.

My hon. Friend made an interesting proposal that Members of Parliament should have a helpline or a complaints line in relation to DLA and attendance allowance similar to that for the Child Support Agency. If I recall rightly, under the previous Government when there were difficulties following the introduction of DLA, there was such a helpline. I shall certainly look at what happened then and consider whether it would be appropriate to reintroduce it.

My hon. Friend also mentioned the independent assessors report. Although he gave me advance warning, I have not yet seen the report, so I shall respond in writing to the issues that he raised.

The level of service provided by the Benefits Agency and the appeals service is undoubtedly unacceptable in these cases. I apologise directly and unreservedly to my hon. Friend's constituents. I cannot undo the problems that they have encountered, but I can tell my hon. Friend what we are doing to prevent similar problems from occurring in the future.

The length of time that it takes for DLA and attendance allowance claims to be processed has increased and the Benefits Agency is taking steps to address the issue urgently. I am taking a close interest in that work. We are moving part of the work load from areas where the backlog is greatest to areas with less backlog and streamlining the processes to remove bottlenecks. We are simplifying some of the forms and letters to customers, recruiting and training additional staff and making maximum use of overtime within the strictures of the working time directive. That will have an effect, but it takes about six months to train a decision maker on DLA and attendance allowance as they are the most complicated benefits. So I am afraid that it will be some months before we reduce the times to acceptable levels.

We have introduced a programme of work within the Benefits Agency specifically designed to improve the way in which DLA is administered. This programme—the disability benefits modernisation programme—has introduced a new system for reviewing awards—called periodic inquiry—to ensure that customers receive their full entitlement to benefit. In the majority of awards that change it means an increase in benefit, although it can lead to a reduction in benefit in some cases. In addition, we are testing more personalised ways of dealing with new claims to benefit. Elderly people in particular find the application form daunting. It is a 40-page form which asks a lot of searching questions which are necessary in relation to securing entitlement to benefit. Indeed, it was designed as a self-assessment benefit in which claimants, who know best the effect of their disability or illness on their daily lives, to make an assessment of their needs. Therefore, claimants have to provide a great deal of information. We are testing the effectiveness of taking claims verbally, with somebody going out to meet claimants.

Hon. Members may also be aware that we are currently committed to introducing a fairer system of determining entitlement to disability benefits—called activities for managing life. It involves a set of proposed new tests that have been developed by and with voluntary bodies representing disabled people. If such a system came into use, it would be a significant change which the House would not expect us to introduce without careful consideration, consultation and testing, although I hope that we will be able to test the ideas produced by the working group some time next year.

The launch of the appeals service has reduced the number of outstanding appeals—

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. We must now move on to the next debate.

Rural White Paper

1 pm

Mr. David Prior (North Norfolk): The rural white Paper has been a long time coming. Its delay is one of many reasons why people living in the country believe that the Government do not understand rural issues and are not concerned about their needs. I ask the Minister to ensure that, when we finally see the White Paper later this summer, there is not too much talk about vision, and instead some tangible, practical ideas to make rural life better.

The last thing that we want is a White Paper full of spin and good intentions, covered with words such as "sustainable", "inclusion", "integrated", "empowerment" and "workable modernisation", which sound wonderful, but often to not add up to more than a row of beans.

The countryside is not afraid of change. After all, the agricultural revolution came before the industrial revolution. The replacement of the horse with the tractor between the two wars had far-reaching implications for rural life, and agriculture, on which the rural economy is still largely based, has undergone great swings in the agricultural cycle over the years.

The changes taking place are profound. If one had told a farmer even 20 years ago that the production of wheat was less important than the number of skylarks, he would have thought that one was mad. He may still think that, but wildlife and the environment are now considered more important than maximising crop yields. How the pendulum has swung over the past 20 years.

There is another major factor at work. The population in the countryside is growing, but the services that people expect are lagging far behind those available in the towns. Public transport is non-existent in many areas; police services are grossly overstretched; social services are poorly funded; and there is a lack of affordable housing for local people. There is a growing feeling that the Government have been content to spend more in urban areas at the expense of those living in the country.

Finally, the rural community, which used to comprise thousands of more or less self-contained villages, with shops, pubs, schools, police, houses, churches and chapels, is dangerously fragile. That has happened over many years. The car, the supermarket, and intensive large-scale farming practices have all had their impact. Especially for the old and the young, living in the country is often lonely and expensive, and it is difficult to make a living there.

The rural White Paper will need to address these and other issues. Inevitably, it will have to contend with multiple and conflicting objectives. There will be a temptation to descend into platitudes, and Sir Humphrey will have to be kept in close check.

I shall set out a few of my own ideas, drawn from my experience of having lived in the country for most of my life and of representing North Norfolk, a very rural constituency, for the past three years.

First, I shall speak about farming. Every aspect of farming—livestock, vegetables or arable—is going through the wringer. Rightly, subsidies for production are being phased out, and prices are coming down to world market levels. The post-war period in which food production and yield improvement were king, is over.

A new regime which provides subsidies for landscape management, less intensive farming systems, wildlife habitat and environmental benefit, is with us. I hope that that will increasingly be extended to include rural development. Area payments, graduated and linked to the environment or the intensiveness of agricultural practice are, in my view, the way forward.

Against that background, farmers must be able to rely on the Government to provide them with a level playing field so that they do not have to compete against other countries with less rigorous hygiene, animal welfare and environmental standards. It cannot be right, for example, to import from Asia chickens that have been fed on substances banned in this country, or to import from Europe pork from pigs that have been raised in welfare conditions that are rightly illegal in Britain.

Imports that do not comply with our own minimum legal standards should be banned, and to the extent to which farmers are saddled with extra costs not recognised in the market, they should be compensated. Furthermore, food labelling should accurately state the country of origin, not just where it was processed or packaged, and it should contain more accurate information about the production methods used.

Finally, the Government must cut regulation. The Minister of State, Ministry of Agriculture, Fisheries and Food, the right hon. Member for Gateshead, East and Washington, West (Ms Quin), has just written to me stating that

> we must regulate only where it is really necessary. . . The Government's policy on implementing EU obligations in relation to farming will be to avoid all "gold plating" of the legislation, its implementation and enforcement; to regulate in the least bureaucratic and burdensome way and to avoid implementing legislation ahead of specified EU deadlines. We will also negotiate in Brussels to secures measures which minimise regulatory burdens.

Tell that to the marines. Sadly, that does not apply in practice.

I shall deal now with the services that people need in the countryside. The Government must recognise that it often costs much more to provide local public services in rural areas, where the population is sparsely spread, than in towns. That applies to policing, school transport, social care and smaller schools.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend is right about the sparsity factor in the allocation of Government resources. Will he also note that there are some rural communities in which the population is scattered, as well as sparse? That certainly applies to the Lincolnshire fens, which I represent. A scattered population must also be taken into account in the allocation of public services.

Mr. Prior: My hon. Friend makes a good point, which is as valid in North Norfolk as it is in The Deepings. Lack of public transport denies access to goods and services that many people in towns take for granted. Central Government support for rural areas must reflect that.

There is a consensus that we must have more front-line policemen. The number of policemen has gone down by 50 in Norfolk since 1997, and by some 2,000

across the country. That trend is in the wrong direction. Much crime in the countryside is not reported, particularly on farms. Response times are far too slow. Many groups of travellers seem to be almost untouchable and beyond the law.

There is little visible police presence in many of our market towns. The morale of the police is not high, swamped as they are by paperwork and bureaucracy. Too little of their time is spent out and about in the community. Moreover, even when convictions are obtained, the courts seem reluctant to hand out longer custodial sentences, most notably for persistent offenders.

The cost of policing geographically widespread areas such as Norfolk is not reflected in the current funding formula that determines the central government grant. That must be addressed as a matter of urgency in the White Paper.

I am sorry to have to say it, but the confidence in the police to maintain law and order effectively has been severely dented over the past few years. As Fred Broughton, the chairman of the Police Federation, said earlier this week:

> The Police Service has now lost confidence in the system and the public has lost confidence in the Police Service. The public are not getting the service that they are entitled to.

On transport, the Government's high fuel tax policy may make sense in big towns where there is alternative public transport, but it penalises the rural motorist. The Government should consider differential petrol and car tax for people living in the country, and should devolve resources and decision making to district, town and parish councils, so that flexible and voluntary community transport schemes can be supported.

The Minister should note that 75 per cent. of English rural parishes have no daily bus service, 94 per cent. have no train service, and 79 per cent. have no community transport service. For most people living in the country, the car is a necessity, not a luxury. Young people looking for jobs, and pensioners, suffer the most. How does one travel to work or to get training without a car? How does one get to the doctor or pick up one's pension or visit the hospital without a car?

Sadly, the Government's rural bus partnership fund has been a major disappointment. I hope that the White Paper will reassess that grandiose but unsuccessful scheme, so that the resources can be channelled into routes and vehicles appropriate to local requirements.

I debated the subject of housing with the Minister only a month ago. Many local people can no longer afford to live where they were born. As Bob Prince of the Broadlands housing association put it:

> Affordable housing is a big issue, particularly in hot spots like Cromer and Sheringham, where young families are being squeezed out of the market by second homes and high house prices.

I have two proposals for the White Paper. First, I believe that owners of second homes should pay the full council tax, not 50 per cent. as at present. That should be at the discretion of the local council, and the additional tax raised should be ring fenced and made available for low-cost, affordable housing. That would be fair and would remove any resentment. It would be levied only in districts where there is a concentration of second homes, and the proceeds would help local people on low incomes or with special needs who wish to live locally.

Secondly, district councils should be able to negotiate between 25 and 30 per cent. of social rented housing in new housing developments. Those houses should be made available to local people. However, I do not believe that weakening the existing planning regulations is the right way forward, and I hope that there will be no such relaxation in the White Paper.

I turn last to the health of the rural community. I am indebted to a fascinating booklet by my constituent Alice Dennes, which is called "A Look at Neatishead". It describes the history of that village in north Norfolk over the past 200 or so years. She reminded me that villages used to be self-supporting, and that people had a range of trades. There were saddlers, butchers, bakers, tailors and people in many other trades that sadly have died out over the years, while forges, schools, brick kilns, chapels and churches were common throughout the countryside.

In the Countryside Agency's annual report this year, the chairman stated:

> There is an unsettling fear that villages and market towns are losing their sense of community . . . Many rural services are closing, posing particular problems for the less well off trying to get basic services if the post office, the doctor's surgery or village shop had disappeared.

I hope that the Government will bring forward concrete proposals to help local services such as post offices, rural pubs, rural garages or village shops. Specifically, I want there to be greater relief from business rates for rural businesses and activities. I want the Government to reverse their policy of paying directly into bank accounts benefits and pensions that hitherto have been going through post offices.

I hope that the Government will do that in part by giving more resources to parish and town councils. The last thing that the White Paper should do is put any more power into the hands of regional government. This country needs less central control, and less of bureaucratic central government. What it wants is more solid, decent, feet-on-the-ground common sense from local people. Parish councils and town councils have a vital part to play in local government.

What I shall call the metropolitan view sees the countryside through rose-tinted spectacles. It regards the countryside as a place to visit at the weekend and as a theme park where the sun always shines. The reality often is not like that. For many people, the countryside can be a lonely place. Travelling around the countryside can be difficult, as can finding a job. Old people who live in the countryside can find it difficult to look after themselves. Moreover, farming—such a crucial part of rural life—is going through a period of profound and radical structural change.

I hope that the White Paper will recognise those problems and that it will make concrete proposals that will help the great transition through which agriculture is going; that it will provide greater financial support for local services by recognising the greater cost of delivery; and that it will accept that rural deprivation exists and that it must be addressed. I hope that it will begin the regeneration of our village communities and market towns.

1.14 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): The hon. Member for North Norfolk (Mr. Prior) made an interesting speech. It contained some tangible proposals on many matters that will be given consideration in the rural White Paper. The hon. Gentleman has picked a good day for this debate, as I believe that the report on the rural White Paper from the Select Committee on the Environment, Transport and Regional Affairs is published today.

Before I deal in detail with some of the issues that have been raised, I shall make one or two comments about what the hon. Member said and about the general tone of his speech. People listening to him might be forgiven for thinking that all the problems of the countryside—which I acknowledge exist—began on 1 May 1997. They might not know, if they confined themselves to what he said, that many of the policies pursued by the previous Conservative Government exacerbated the problems rather than helped solve them. The previous Government's social policies widened the gulf between the fortunate and the less fortunate, and problems of the sort that the hon. Gentleman outlined are the inevitable result.

I note that much of the hon. Gentleman's speech consisted of calls for more subsidies. That comes ill from a member of a party that is for ever going on about the need to reduce public spending. When the Conservatives were in office, cutting public spending was exactly what they did—year by year, and on many of the matters for which the hon. Gentleman now calls for greater subsidies.

The Conservative party is willing to organise mass hysteria at the drop of a hat when there is any suggestion of a tax increase, but money for greater public spending on public services has to be raised from somewhere. I think that it is about time that the hon. Gentleman and his party paid more attention to that point, as we could then have a realistic debate.

However, one of the lessons that the Government have learned over recent years is that problems cannot be solved merely by chucking money at them. I think that the hon. Gentleman, in a sober moment, would agree with that. He mentioned agriculture subsidies, but if problems really could be solved by chucking money at them, the farming industry would have been sorted out years ago. Enormous sums of public money have been poured into agriculture. Often, the result has been increased production of products for which there is no market. It does not make sense to go on doing that, and the Government are facing up to the problem—indeed, the previous Government, in their latter days, were beginning to do the same.

The hon. Gentleman mentioned the Government's high fuel tax policy. I thought that that was particularly cheeky. I see that the hon. Gentleman is grinning, so it is clear that he acknowledges the point that I am about to make. He knows as well as I do that the fuel tax escalator was introduced by the previous Conservative Government, and that its operations were suspended by this Government.

With regard to affordable housing, I repeat the point that I made earlier: a lot of affordable housing disappeared during the 18 years in which the Conservatives were in office. I accept that the hon. Gentleman makes a serious point about a serious problem, and I shall come to some of the details in a moment. However, it ill behoves a Conservative Member to complain about the lack of affordable housing, given that the previous Conservative Government presided over a huge redistribution of wealth in favour of the fortunate and away from the less fortunate.

I turn now to the substance of the debate. First, I want to state that thriving rural communities are an integral part of the Government's vision of a fair and decent society. I know that the hon. Member does not like the word "vision", and I, too, have my suspicions about it. The Government's manifesto included specific pledges on the countryside—to recognise the special needs of rural areas, not to allow rural transport and other public services to deteriorate, and to give greater protection to wildlife, even at the expense of a bit of production. In addition, we are taking a series of measures to help farming through its current crisis, the seriousness of which I readily acknowledge.

Secondly, although there are problems specific to the countryside, it would be wrong to look at rural areas in isolation. People who live in the country will benefit as much as those who live in the cities from the huge amount of extra money that we are putting into health and education. The new deal programme has lead to a huge fall in long-term youth unemployment, and young unemployed people in both rural areas and the cities have benefited.

However, the Government recognise that country areas have distinctive problems that require distinct solutions. That is why we are in the process of producing a rural White Paper. It is being prepared in tandem with the urban White Paper, and both White Papers share a common set of themes.

The first aim is to achieve sustainable—I know that the hon. Gentleman does not like that word, but the Government are in favour of sustainable economic growth—with a better balance between regions, in regions and in individual cities and rural areas. Secondly, we must tackle social exclusion and ensure that everybody has the opportunity to fulfil their potential. Thirdly, we want to ensure that we meet the need for more homes in the most sustainable—that word again—way. Fourthly, we must ensure that everybody has access to the services that they need. Finally, we must strive both to ensure that everyone has a reasonable quality of life wherever they live, and to protect and enhance the environment.

We expect the rural White Paper to focus on sustainable growth and regeneration in rural areas, new directions for agriculture, access to services in rural areas, social exclusion, conservation and recreation, and ensuring that the whole of government is aware of the rural dimension.

I shall now address one or two specific issues that the hon. Member raised. First, let us consider crime in rural areas. At the outset, I want to emphasise that it is important to keep a sense of proportion. We should not pretend, on the basis of one or two well-publicised incidents, that people in the countryside are somehow "under siege". I saw those very words in a recent Sunday newspaper headline. It is simply not true. There is

significantly less crime in rural areas than in cities, especially inner cities. Crime in Norfolk in most of the main categories—robbery, burglary, sexual offences, car theft—is well below the average for England and Wales. There is less crime in the part of Norfolk where the hon. Member lives than there is elsewhere in Norfolk. I say that to put his remarks in context, not because there is cause for complacency.

There is no cause for complacency. The Government are anxious to encourage rural bids for some of the money that we are making available to fund 5,000 extra police officers. We also want more closed circuit television cameras in rural areas. Policing in rural areas will be one of the issues that the White Paper tackles.

The White Paper will also consider how to ensure that rural communities have access to the services and quality of life that they can reasonably expect. That will cover local facilities such as shops and post offices, health, education, transport and affordable housing. The Government have already taken action in a variety of ways to support rural communities and services.

One scheme, already in operation, is the mandatory rate relief for village shops and post offices. That means that the sole shop or post office, with a rateable value of less than £6,000 in a settlement of fewer than 3,000 people, is eligible for 50 per cent. rate relief. That can be increased to 100 per cent. for any rural business with a rateable value of less than £12,000, if the local authority believes that that would benefit the community.

The Government also recognise the importance of access to financial services in rural areas. As the hon. Member pointed out, we debated that recently. We are committed to maintaining a nationwide network of post offices, which increasingly give bank customers convenient access to their accounts. That is an area of potential expansion for the Post Office.

The hon. Gentleman suggested that it was Government policy to do away with rural post offices. Nothing could be further from the truth, but we have to face the reality that more and more people choose to have their benefits and pensions paid directly into a bank account. There will therefore be a decline in that aspect of post office business. It happened under the previous Government, and it will happen under ours. Post offices must build up alternative services. They can expand into banking services, especially when banks are progressively withdrawing from rural areas.

The Government have invested almost £500 million in supporting the Horizon programme to automate every post office in the country by next year. That will enable the Post Office to offer improved services under agency agreements with banks and building societies. Some post offices already do that.

Let us consider transport. The hon. Member expressed disappointment, but Norfolk has not fared badly from the extra subsidies that we provided for rural bus services. Overall, we have provided an additional £170 million in the three years since 1998, including new support for rural bus services and encouragement for community transport initiatives. We have also extended the rural bus subsidy grant for three more years until at least 2004, and provided an extra £5 million for the rural bus challenge. That makes a total of £20 million this year. Norfolk has received £1.5 million each year through the rural bus subsidy. That has already supported 66 new and improved services in Norfolk.

The Government recognise the need for a good supply of affordable, good-quality housing in rural areas, especially to enable people to live near their work, and young people to live where they were born and bred.

We have taken steps to improve the quality and increase the supply of affordable rented housing. We have also introduced measures to help people who want to buy their own homes, through the low-cost home ownership scheme in rural communities.

The Housing Corporation continues to have a significant role in providing new housing. We set a rural housing target each year to ensure that sufficient priority is given to the needs of small communities. The current target is for 3.4 per cent. of new homes to be in villages with populations of fewer than 3,000. Since 1989, when the programme began, it has provided an additional 16,000 homes in rural areas.

The planning system also has a part to play. Where there is evidence of need for affordable housing—low cost and subsidised—local planning authorities can require the inclusion of an element of such housing as part of a wider residential development of suitable sites.

The rural development regulation, which is worth £1.6 billion over seven years, signifies a substantial boost to agriculture. That is part of an ambitious plan for a major switch in farm spending from simply increasing production to advancing environmentally beneficial farming practices, modernising and restructuring.

To bridge the gap until the rural development regulation comes into effect, the Prime Minister announced in March £200 million extra funding, including some £26 million for the restructuring of the pig industry, in which the hon. Member for North Norfolk has an interest. Our programme covers all parts of the agri-food chain, from the farm to the supermarket shelf, and is aimed squarely at helping to chart a way out of the current crisis, helping farmers to find new and better ways to make their businesses more resilient, efficient and responsive to demand.

I hope I have said enough to demonstrate that, like the hon. Gentleman, we take rural issues seriously. That will be apparent when he reads the rural White Paper. I hope that he will address some of the issues a little more generously when we next debate them.

Mr. Deputy Speaker (Mr. Nicholas Winterton): We can move to the next debate a little early as the hon. Member for Ilford, South (Mr. Gapes), who has initiated it, and the Minister are in their places.

National Missile Defence

1.28 pm

Mr. Mike Gapes (Ilford, South): The proliferation of ballistic missiles is a matter of growing concern, especially because they are capable of delivering weapons of mass destruction—nuclear, biological and chemical. The United States has identified North Korea, Iraq and Iran as states which, within a few years, could deploy ballistic missiles capable of reaching US territory. We can argue about how quickly that will happen, but we can assume that, before too long, several states will be able to reach US territory with weapons of mass destruction. There will also be a similar concern in Europe.

How do we respond? It is worth remembering that, for 50 years, Europe and the United States have been within range of Russian or Soviet ballistic missiles. We have relied on a policy of deterrence to counter that threat, without the need for national missile defences. Why does the prospect of much smaller quantities of ballistic missiles in less militarily significant states cause such alarm in the United States, and why does it appear to be placing in question the basis of the deterrence policy that has been in existence for many years?

In July last year, President Clinton signed into law the Missile Defence Act, which declared a policy to deploy a national missile defence

as soon as technologically possible.

Perhaps the Minister will inform us whether the Government believe, as the United States appears to believe. that the traditional policy of deterrence is no longer adequate to deter states such as Iraq.

If a rogue state wished to kill large numbers of Americans, it would be far more likely to choose methods of delivery other than ballistic missiles. A light aircraft spraying anthrax over New York, a suitcase bomb or some other means of delivery would be easier, cheaper and probably more effective.

National missile defence is aimed at tackling one means by which a state might deliver a weapon of mass destruction. However, that means is probably one of the least likely. Such a defence could not work against a spray tank or a nuclear bomb on the back of a truck or in a suitcase.

Furthermore, one must question whether it is technically feasible to hit a bullet with a bullet, which is what we are discussing. It is easy to deploy countermeasures to a national missile defence, such as dummy warheads and chaff. Therefore, we not only have to hit a bullet with a bullet: we have to hit the right bullet with a bullet. Nor is it sufficient to deploy a national missile defence on the basis of a handful of tests. The defence must be the weapon that works perfectly at the time of the enemy's choosing and the first time that it is used for real. Otherwise, it will have failed. How many weapon systems have achieved that standard of success?

There is widespread concern throughout the world as well as in parts of the United States that the American Congress and Administration are rushing ahead with this technology before it is properly tested and that there is a political and commercial momentum behind the project, which is becoming so strong that all the unfavourable technical shortcomings and practical arguments are being ignored or glossed over. Let us remember that if a single nuclear warhead landed on any American city, it would represent a massive failure of security policy.

Of course, such a defence will be massively expensive. The Pentagon estimates that to deploy and maintain a single site with 20 launchers in Alaska would cost $26.6 billion. I wonder whether that money could be better spent on conflict prevention, non-proliferation strategies and conventional capabilities that are already proven, rather than on this fanciful technological fix.

We can question whether the system is necessary to deal with rogue states, whether it will work as required and whether it is appropriate. It is certainly not a solution to the threat of the delivery of weapons of mass destruction. My main concern, however, is about the implications of the programme for the future of arms control.

Under the first stage of national missile defence, the United States wants to deploy 100 interceptors in Alaska and to upgrade its early warning radars, including that at Fylingdales in Yorkshire. Even that limited deployment would require an amendment to the 1972 anti-ballistic missile treaty. It would require the elimination of the article I ban on nationwide defences and the revision of article III, which places limits on the allowed deployment areas. Article IX of the treaty prevents the deployment of ABM systems or components outside of national territory, which suggests that an upgrade of Fylingdales would require that article to be amended. Perhaps the Government could clarify or confirm whether that is the case.

Even the first stage of a national missile defence requires some serious amendments to the treaty. Amending article I, which forbids the deployment of missile defences to defend the territory of a country, would break the very principle on which the treaty is based. If we then moved to the second stage of national missile defence deployment, which would involve 250 missiles at each of two sites, along with further radars, further amendments to the ABM treaty would be required.

Let us be clear. The ABM treaty is intended to prohibit national missile defence. It permits only 100 launchers to defend a single site. Therefore, what the United States proposes is fundamentally at odds with the entire purpose of the treaty. If we amend the treaty to permit, rather than prohibit, national missile defence and then seek a further expansion of those defences, at some point it will cease to be an arms control treaty; it will become an arms expansion treaty.

Last month, in a welcome development, the Russian Duma voted by 288 votes to 131 to ratify the START 2—strategic arms reduction talks—treaty, seven years after it was signed and four years after its ratification by the US Senate. That was a welcome achievement by the newly elected President Putin—it was something that his predecessor President Yeltsin, had been unable to obtain.

At the non-proliferation treaty review conference earlier this month, the five nuclear weapons states, including the United Kingdom, said that they were

looking forward to the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons.

Can the Minister confirm whether that means that the Government support the ABM treaty as it is constituted, or do they support an amendment to the treaty? How do the Government envisage strengthening the ABM treaty? Strengthening a treaty that forbids national missile defence should not mean amending it to allow such defence. Do the Government share that view or is their interpretation different?

The Americans are trying to persuade the Russians to accept the amendment of the ABM treaty in return for more favourable terms under a possible future START 3 agreement, although so far Russia is refusing. Indeed, when Russia recently decided to ratify START 2, article 2 of the Duma resolution stated that the Russian Federation would feel bound by the treaty only if the ABM treaty remained intact. In an address to the Duma, President Putin said:

> If the United States withdraws from the ABM treaty following ratification of START-2 and 1997 agreements, Russia will pull out of the entire system of agreements on strategic nuclear forces as well as START-2 and will carry out its own nuclear deterrence policy.

That is a strong statement and there is no reason to believe that President Putin was playing to the gallery when he made it. Indeed, I believe that it reflects Russia's national position.

At the end of last month, George W. Bush, the Republican candidate for the United States presidency, said that, if he became President, he would reserve the right to proceed to a much more extensive missile defence programme than any currently under discussion in Washington. From a Russian perspective, that surely adds further to anxiety about national missile defence. Why should Russia do a deal which may well be torn up next year by an incoming American President?

The Russians object to national missile defence for the same reason that the United Kingdom wants missile defences to be restricted, and believe that national missile defence preserves the credibility of their deterrent forces. If the Russians start to think that national missile defence can shoot down their warheads, they will want more of those warheads to overwhelm those defences. That is what the previous Conservative Government argued when they deployed more warheads on Trident than were deployed on Polaris, saying that that was necessary to overwhelm Soviet missile defences around Moscow.

Will the Foreign Office ask the Ministry of Defence how it will respond if Russia starts to deploy its own national missile defence? Will the MOD be forced to consider reversing the Government's welcome cuts in warhead numbers announced as part of the strategic defence review?

Another response to national missile defence could be to rely increasingly on launch on warning, or, in other words, launching a retaliatory strike on detecting an attack, rather than waiting for incoming missiles to land. That is the hair-trigger posture, which, as anyone who knows anything about strategic nuclear matters is aware, is inherently dangerous because it heightens the risk of accidental nuclear war. Indeed, for many years, people have been trying to find ways of moving away from those hair-trigger dangers.

Incredibly, documents published in the most recent edition of the useful American publication *The Bulletin of the Atomic Scientists* suggest that the United States is encouraging Russia to maintain a hair-trigger alert to allay Russian fears about national missile defence. The Americans say that they plan only a limited national missile defence which cannot challenge the credibility of Russian nuclear forces. However, Russia believes that that limited national missile defence is only the thin end of the wedge and that, at some later date, it will be expanded to provide a capability that will be effective against its nuclear forces as well as those of so-called rogue states.

Let us imagine that the United States deploys its national missile defence. What happens when, at a later date, scientists say that they are able to do more, and ask for missiles, radars and satellites so that they can work to achieve invulnerability against Russia as well as Korea. Is it credible that an American President in those circumstances would refuse to do that? He would be denounced and people would cry, "Why do we insist on invulnerability against North Korea, but accept vulnerability to Russia?" The argument about the thin end of the wedge is therefore persuasive.

If Russia does not compromise and the US proceeds with unilateral deployment of national missile defence, thereby abrogating the ABM treaty, what happens then? Russia has made clear that the START process would stop. It might not be able to afford to re-arm, but it would not feel bound by the START treaties. Verifiable reductions in Russian nuclear weapons would be a thing of the past and Russia's launch-on-warning posture would be strengthened, as it would fear that it would lose weapons if it did not use them. China will expand its nuclear forces, taking further cuts in global nuclear weapons off the agenda.

The comprehensive test ban treaty would be threatened because Russia and China in particular might insist on developing and testing new warheads that are more capable of penetrating the new missile defences. Agreeing the fissile material cut-off treaty would be more difficult, as China has already said that national missile defence will oblige it to continue producing fissile material for more weapons. Therefore, there would be no ABM treaty, the START process would reverse, the comprehensive test ban would unwind and there would be no progress on the fissile material cut-off treaty. The future of the non-proliferation treaty itself would appear uncertain. The nuclear weapon states committed themselves in article VI to act in good faith in disarmament measures. However, they would be seen to have reneged on that and, as a result, more states might consider nuclear weapons of their own and the whole non-proliferation regime would be under threat. Indeed, India and Pakistan might be even less likely to join the non-proliferation treaty.

There is still time for the United States and Russia to do a deal, but, given the forthcoming US elections, the prospects are not good. We must therefore start to consider what will happen if there is no deal and the US withdraws from the ABM treaty. Under those circumstances, would the Government co-operate with whatever the Americans ask for on radar upgrades and so on? Are we prepared passively to accept the new reality because it appears inevitable, even though we may not like it? Do we just sit and watch all the arms control treaties unravel, our own security situation worsen slowly and our relations with Russia deteriorate, damaging European security?

[Mr. Mike Gapes]

The issue has the potential to become the most divisive in NATO for 20 years. I do not want to go back to the situation in the 1980s, as those of us involved in the debate at that time know how damaging it was to the cohesion of the NATO alliance. The United States says that it will consult its allies before deciding to proceed. It is time for all NATO allies forcefully to make our views known. Do we share the views of Javier Solana, the EU High Representative, who states that national missile defence could be decoupling? Do we believe that it is worth jeopardising the future of the NATO alliance, European security, strategic arms control and security on the planet in the hope of, or aspiration to, some misguided technological fix? Clearly, we must say no to that and convince the United States that it must not go ahead with abrogating the ABM treaty.

1.49 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): I am grateful to my hon. Friend the Member for Ilford, South (Mr. Gapes) for giving us the opportunity to debate this important issue. I pay tribute to his long-standing involvement in international affairs, to his close interest in nuclear issues and to the passionate and eloquent way in which he presented his case.

I know that the United States interest in the possible deployment of a national missile defence system has engaged the close interest of many hon. Members over the past few weeks and months. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Neath (Mr. Hain) responded in some detail to concerns raised on the issue during a debate in Westminster Hall on 3 May on the non-proliferation treaty review conference. My right hon. Friend the Secretary of State for Defence also set out the Government's views on the matter in some detail in the House during the defence debate on 4 May. I know that the Select Committee on Foreign Affairs is also examining the issue in some detail, as part of its on-going inquiry into weapons of mass destruction.

I think that it is fair to say, therefore, that there has been no shortage of recent debate and discussion on the issue. For that reason, I apologise in advance if anything that I have to say is familiar to hon. Members who have followed the issue closely. I have no dramatic statements to make in response to my hon. Friend's initiative. He will not be surprised to hear that the Government's approach to the issue has not changed during the past fortnight. As my fellow Minister of State said on 3 May, and in his speech in New York to the NPT review conference, we recognise that United States interest in national missile defence raises some complex issues. As has been evident from the debate, these of course go wider than the potential impact on the anti-ballistic missile treaty.

First, I shall focus on that question, which has been the starting point for this afternoon's debate. In expressing views on the ABM treaty, we have been careful to emphasise that it is primarily a matter for the parties to that treaty. As my hon. Friend knows, we are not such a party; that is an important distinction in international law, and one that we need to keep firmly in mind when debating this issue. It explains why we have not been, and will not be, directly involved in negotiations on the future of the treaty. It explains also why we have not offered proposals of our own on whether or how the treaty might be amended to accommodate the limited national missile defence system that the United States Administration has discussed with Russia.

Some hon. Members have asked, not only today but on previous occasions, whether, in the Government's view, the sort of NMD system that the US is considering would be compatible with the present terms of the ABM treaty. The US is not arguing that the system would be compatible; indeed, it has acknowledged that if it were to decide to proceed with the deployment of the sort of system that it currently envisages, amendments to the present terms of the treaty would be required. That is why the US has sought negotiations with Russia to that end.

Presidents Clinton and Yeltsin agreed at Cologne in June 1999 that the US and Russia should hold discussions on the ABM treaty and on further reductions in their respective nuclear arsenals. We welcomed that move. A number of rounds of such discussions have since taken place. It is no secret that these discussions have not been easy. However, it is not for us to attempt to intrude on them in an effort to be helpful. We have no intention of further complicating what are already highly complex and sensitive discussions. Neither the US nor Russia, nor anyone else, would thank us for that.

We have stressed consistently at the highest level that if the US decides to proceed with the deployment of a national missile defence system, we strongly hope that it will be in the context of agreement with Russia. We have made clear to both sides the importance that we continue to attach to the ABM treaty, and our wish to see it preserved. My right hon. Friend the Prime Minister spelt that out clearly in his meeting last month in London with President Putin. He also made it clear that we hope that Russia will engage in earnest in negotiations with the US on this issue.

Russia cannot have failed to appreciate the strength of concerns in the US about the acquisition of long-range ballistic missiles by countries of concern. As both my right hon. Friend the Secretary of State for Defence and my hon. Friend the Minister of State, Foreign and Commonwealth Office have said, we understand these concerns. We do not believe that any responsible Government, including the Russian Government, can afford to ignore that threat. At the same time, we continue to value the strategic stability which the ABMT provides.

We believe that it is in Russia's interest, too, to see that stability is preserved. The Russians have made it clear that they wish to see significant cuts in US and Russian nuclear arsenals. So we believe that it is strongly in Russia's own interests to engage seriously with the US over its concerns about the long-range missile threat, and at the same time over the START 3 treaty.

The US Administration have said publicly that the President would have to decide whether to withdraw from the ABM treaty if the US decided to proceed with the deployment of a limited NMD system but had been unable to persuade Russia to agree modifications to the treaty to permit it.

A second question raised by hon. Members over the past few weeks has concerned potential UK involvement in any US NMD system. Let me be clear about the present position. The US has not taken a decision to deploy such a system. It will not do so until later in the year, at the earliest. Only if and when that decision has been taken might the US Administration put any request to us in relation to the possible use of facilities in this country for NMD purposes.

Reports that we have already agreed to host elements of the system are simply untrue. We cannot reasonably be expected to say now how we might respond to such a request, if and when it comes, as we cannot know now in what circumstances such a request might be put to us. All that we can sensibly say is that we would naturally give any such request careful consideration, in the light of the circumstances at that time.

My hon. Friend talked about deterrence. Neither we nor the United States are about to give up our long-standing policy of deterrence, notwithstanding my hon. Friend's eloquence and passion. However, the question of so-called rogue states is more complex. Many are concerned in the United States that they themselves may in future be deterred from intervening in support of their allies by rogue states possessing long-range missiles and weapons of mass destruction. That concern requires consideration going far beyond long-standing thinking about traditional defence and deterrence. However, it does not mean giving up that fundamental tenet of our policy.

It has been suggested during debates over the recent past that there have been significant differences in the views expressed by Ministers and Departments. I am happy to have the opportunity to put the record straight. No such differences exist. I hope that what I have said will have made that position absolutely clear.

I reaffirm that progress on arms control remains one of the Government's highest priorities. As we have been discussing the issue, our officials have been working hard in New York for a successful outcome to the five-yearly non-proliferation treaty review conference. I am sure that the House will join me in expressing the hope that their efforts will meet with success.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Thursday 18 May 2000

[MR MICHAEL J. MARTIN *in the Chair*]

Construction Industry

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Clelland.*]

2.30 pm

The Minister for Housing and Planning (Mr. Nick Raynsford): I am pleased to have the opportunity to initiate this debate on the future of the construction industry. It is entirely appropriate to use the facilities of Westminster Hall for a debate that, I am delighted to see, has attracted a significant number of hon. Members from different parties, which reflects the importance of the industry. It is not appropriate to refer to both sides of the Chamber because there is a lot of overlap, which is thoroughly healthy.

The construction industry is important for a number of reasons, one of which is its scale. It has an annual turnover of £65 billion—some 8 per cent. of gross domestic product—it employs 1.4 million people or 1.7 million if the professionals and consultants are included, and it consists of 160,000 companies. But it is not just size that matters. The construction industry is important because of its vital role as a key delivery mechanism for the improvement of our economic and social infrastructure. The public sector alone accounts for some £25 billion of the industry's turnover, which is 40 per cent. of the total. Railways and other public transport facilities, hospitals, schools, universities, housing and other public services depend on high-quality construction. Similarly, in the private sector, services and industries depend on efficient, reliable, good-value construction for the delivery of plans to improve their services to consumers.

The Government came to power with a commitment to invest in the modernisation of Britain and to improve its economy and social infrastructure. Construction plays a vital role in the delivery of those improvements. British construction companies are world leaders in many respects. They are renowned for innovative engineering, high-quality design and architecture, and they are world leaders in project finance. They are major players in the supply of materials and components, project management and professional consultancy. They earn around £10 billion a year in overseas earnings.

However, the industry also has problems. It has traditionally been fragmented and even the largest United Kingdom contractors are small in comparison with the major continental, American and Japanese companies and, in a globally competitive market, that sometimes matters. Profit margins have traditionally been low and construction companies have seen relatively poor stock market valuations.

The industry is one of the UK's worst polluters. Every year it produces some 70 million tonnes of waste material, with some 13 million tonnes of that being material that is delivered to sites but never used. The industry does not have a good record on training, despite the sterling efforts of the Construction Industry Training Board. It has one of the worst records of any industry for health and safety with around 4,000 serious accidents and only rarely fewer than 80 deaths a year. The work force is ageing and has a very small proportion of women and representatives of ethnic minorities. Only 3 per cent. of construction professionals and 1 per cent. of craft operatives are women and only 1.7 per cent. come from ethnic minorities, compared with 6 per cent. in the total work force. In the domestic sector, the industry's reputation is tarnished by the often outrageous activities of cowboy builders.

Our task is to help the industry to build on its strengths, to continue the process of improving its standards and at the same time to bear down on the problems and difficulties that hold it back.

Aware of the vital role of construction, and of the need for radical improvements in performance, my right hon. Friend the Deputy Prime Minister asked Sir John Egan to chair a construction task force to review the performance of the industry and to recommend changes to improve its delivery and effectiveness. Sir John and his team reported in July 1998. "Rethinking Construction" is an excellent report, which built on, supported and extended the work and recommendations of Sir Michael Latham's equally important report "Constructing the Team" which was published a few years earlier. We owe a considerable debt of gratitude to both Sir Michael and Sir John for their mould-breaking contributions to improving the culture and performance of the construction industry.

"Rethinking Construction" came to radical conclusions, yet it reflected a substantial consensus emerging among many leading figures in the industry. Its recommendations have won wide acceptance, not in every detail but as a strategy that points the way forward and gives urgency to the process of reform. I shall not delay the proceedings by trying to summarise in detail the report's many recommendations.

The key conclusions were that capital costs and construction time could be reduced by 10 per cent. a year, year on year; performance on predictability in relation to budget, time, defects and accidents could be improved by 20 per cent. a year, year on year; and productivity, turnover and profits could also be increased by 10 per cent. a year, year on year. At first sight, those appear to be bold targets. However, they are only modest advances on the targets that Sir Michael Latham set out in his earlier report. As the task force pointed out, the best clients and suppliers are already close to achieving them.

The task force identified a need for leadership by clients, and especially by Government and the public sector. That leadership would demonstrate what could be achieved and would disseminate those lessons across the industry as a whole. That represented a major challenge for the Government, the public sector and UK plc. It was also a unique opportunity. We have responded to that challenge and grasped the opportunity.

The construction industry is large and varied. It is deeply embedded in the fabric of our economy and society, and I do not pretend that there are any magic

[Mr. Nick Raynsford]

wand solutions. Success will depend on concerted and sustained action across a broad range of issues, which must be pushed forward boldly, pursued persistently and stuck to resolutely. It is less than two years since "Rethinking Construction" was published, but I am pleased to say that there are already signs of substantial progress.

Before I outline what has been achieved, I must stress the importance of the broader context within which the construction industry must operate. As an investment industry, it is especially vulnerable to wide swings in demand. Anyone in construction can tell us that the boom-and-bust approach that characterised the economic management of the previous Government had a disastrous impact on the industry.

The first, and perhaps most important, role for the Government is to manage the economy so as to deliver the steady growth that is vital to a healthy construction industry. Because of prudent macro-economic management, construction is benefiting from an economy that is growing steadily. The prospects for continuing steady low-inflation growth have rarely looked better. That is true for the United Kingdom domestic economy and for export markets on the continent. It is beginning to come true in south-east Asia, where Japan and the other tiger economies are now recovering from the shock of their recent collapse.

Secondly, apart from creating the right macro-economic environment, the Government have also broken away from the pernicious tradition of annuality in Government spending. With three-year spending plans and the move towards resource accounting, not least for local authority housing revenue accounts, we are enabling public sector clients of construction in both local and central Government to plan their spending over a period of years. That will enable them to secure a steadier and more cost-effective programme of construction work, and to build longer-term relationships, which is a fundamental element of the partnering approach that is advocated by Sir Michael Latham and Sir John Egan. From next autumn, local authorities will be required to draw up business plans to help all concerned to plan for the most effective use of resources. The best value reviews, assessments and performance measures will also contribute a powerful incentive to improve whole-life value through construction.

Thirdly, we have provided for sustained programmes of expenditure on the extension and improvement of many public services, notably hospitals, schools, social housing and transport infrastructure. As announced in the Budget, spending on gross capital formation will increase over the next five years from £24.1 billion a year to £41 billion a year.

In those three ways, the Government have played a key role in helping to ensure that the construction industry benefits from a steadier and more predictable work load than for many years. That gives the industry a secure base and the prospects that it needs to make essential major investments in new technology, improved processes and recruiting and training a high calibre work force.

We have also taken a series of measures to promote the radical reforms advocated in "Rethinking Construction". First, 18 months ago, we helped the industry to set up the Movement for Innovation—M4I—board and the housing forum to promote and disseminate innovation in the industry at large and in the housing sector. We invited the leading plants and suppliers to propose demonstration projects that would illustrate innovative approaches, measure their performance and share and help to spread their experience and lessons. I am pleased to report that 235 demonstration projects, worth about £3.5 billion, have been submitted, including 56 housing projects and 179 non-housing projects. That is seven times the level for which Sir John Egan called in his report. It is a great tribute to the construction industry that it has responded with such enthusiasm, and on such a scale, to the challenge laid down in "Rethinking Construction".

Secondly, we established the central and local government task forces to promote radical improvements in the performance of public sector clients. In April last year, my right hon. Friend the Chief Secretary launched the achieving excellence campaign, with challenging targets, action plans and regular measurement and monitoring of performance to raise the performance of Government Departments and agencies. The pioneering building down barriers project, which is run by the Ministry of Defence and supported by my Department, has shown impressive results. Whole-life costs are down by between 7 per cent. at Wattisham and 14 per cent. at Aldershot. Construction time has been reduced by 20 per cent., and wastage has been almost eliminated.

Turning to local government, the Deputy Prime Minister and Sir Jeremy Beecham wrote to local authorities last July, inviting them to commit themselves to similar targets and programmes as part of the best value initiative. The local government task force had its first substantive meeting in January this year, and launched its campaign at a conference six weeks ago. We already have 70 demonstration projects from local authorities, including road repairs, bridges, schools and housing.

Thirdly, also last July, and again building on Sir John Egan's recommendations, we challenged the leading clients from both the public and private sectors, to draw up a clients charter to encapsulate and drive forward a radical improvement in client and industry performance. A draft of the charter is currently out for consultation. I am confident that by around the end of the year, we will have achieved our target of getting enough clients signed up to account for 50 per cent. of construction procurement. That will provide a major impetus for improvement across the industry.

Fourthly, we have set in hand an important initiative to improve the industry's performance on respect for people issues—that is, valuing the people who work in the industry and encouraging policies that promote diversity, health, safety, good site conditions, welfare and training. That has been widely welcomed—not least by industry leaders, who appreciate that their growing recruitment and retention problems can be resolved only by delivering radical improvements in the way in which they treat their work force. That includes attracting more women and ethnic minorities to view construction as a potential career. This autumn, we

hope to start trialling, with the demonstration projects, a set of performance measures on respect for people issues.

Fifthly, we took the initiative to improve the industry's performance in respect of sustainability and minimisation of waste. In February last year, we issued a consultation paper and encouraged the establishment of an industry group, under Sir Martin Laing's able chairmanship, to raise awareness, demonstrate the business case for sustainable construction and help the industry to measure its performance. Last month, we published the strategy paper "Building a better quality of life". It sets out our priorities, including better use of existing assets, improved design to minimise waste, minimising whole-life consumption of energy, and a variety of other measures designed to achieve improvements in environmental performance and greater profitability for the industry. The assumption that environmental targets can be met only at a greater cost is one of the fallacies of the current debate. Cutting out waste saves money, and many environmental improvements will benefit the profitability of the industry.

Sixthly, we are taking steps to encourage improved design. In particular, we want public sector clients to lead the way by adopting a team-based approach to design. Design should be visually attractive and imaginative, respect its locality and environment, allow quick, reliable and safe construction, and deliver maximum value, effectiveness and efficiency. As recently as this week, we launched a new design guide to encourage quality design throughout public planning.

Mr. Tony Baldry (Banbury): I should be grateful if the Minister would explain to what extent the house-building industry has been consulted on the design guide. Those in the industry seem to feel that the Minister was criticising them for not executing good design. What was the policy imperative that brought about the design guide? Was it simply that, in future, building density will be far more concentrated?

Mr. Raynsford: The hon. Gentleman raises a valid point about the purpose of the design guide. I shall return to his earlier question on consultation in a moment, but the purpose of the design guide is to improve standards of design. Those who look at the performance of designers in this country will know that, at their best, they are world class. Sadly, that high quality is not to be seen in all the buildings that we construct. There are too many examples of shoddy, second-rate buildings that damage our environment, and we want to raise the general standard. I should say in a completely non-partisan way that the Secretary of State for the Environment in the previous Conservative Government, the right hon. Member for Suffolk, Coastal (Mr. Gummer), had an equal passion for improving the quality of design. We are simply pursuing and developing that agenda.

I have met regularly with house builders, and forcefully made the point that we are keen to improve standards of design, so they are well aware of our views. It is in everyone's interest that the guidance is followed. It is not restrictive; it does not try to impose a blueprint; it does not say, "We know best"; but it does say, "We want to improve the quality of design in the interests of the environment, the public and good quality building."

In respect of measures relating to the construction task force, I turn to the publication last May of the first set of key performance indicators, which were based on the "Rethinking Construction" targets to which I referred. Last month, we published figures for the end of the first full year, which showed improvements in some areas but plenty of scope for progress. Measurement is a key to driving forward improved performance—whether in terms of value for money, construction time and predictability, health and safety, diversity or sustainability. It will enable individual companies or projects to compare their performance with others, identify areas of weakness and provide a tremendous motivation for continuous improvement. We are steadily improving and extending the measures, so that, before too long, they will cover the full range of issues to which I have referred. In time, they will provide a powerful incentive and tool for improving performance.

The construction task force suggested that its recommendations would be widely taken up only when they were seen to be successful, hence the emphasis on demonstration projects. We must show what can be achieved, before we start to disseminate the lessons.

We must create the mechanisms to help the industry to be aware of and understand the lessons. That is why, 18 months ago, we established the construction best practice programme. It is has grown increasingly popular, and, so far, there have been more than 70,000 requests for help or advice. Next week the M4I board will launch the knowledge exchange, a net-based system to help the industry to hear about good practice and exchange experience.

It is still early to judge the impact of the initiatives. It is scarcely 18 months since we began the drive to promote the implementation of "Rethinking Construction". The main representative bodies of the industry—the Construction Industry Training Board, the umbrella groups and the professional bodies—agree that "Rethinking Construction" has given an invaluable impetus to reform. Unquestionably, the initiatives that I have described have aroused real enthusiasm across a wide swathe of the industry and a real determination among many leading clients and suppliers to rethink construction.

I have focused on our efforts to improve the performance of the industry. However, we have also taken important initiatives to protect consumers and improve standards in the domestic sector. In April 1998, we published a consultation paper on tackling cowboy builders. In July 1998, in response to the views expressed about that paper, we brought together a working group, under the chairmanship of Tony Merricks, to develop a practical scheme to tackle cowboy builders. The group reported to me in August 1999, and we accepted its recommendations. Last month, we launched the first of two pilots in Birmingham. Once sufficient numbers of builders have been assessed and registered, the scheme will be open to consumers in Birmingham, probably in June or July this year. A second pilot will be launched in Somerset next week. By the end of the year, we should have gained enough experience from the pilots to decide whether the scheme should be extended nationwide.

Mr. Baldry: I am grateful to the Minister for giving way a second time. We have a strange format here, Mr. Deputy Speaker, which does not encourage

[Mr. Baldry]

interventions and lulls us into a false sense of consensus. That is why our forefathers were wise not to have a horseshoe shape for the main Chamber.

Is the Minister concerned that, in the whole of the midlands, only about 100 building firms have signed up for the pilot scheme? That suggests that a purely voluntary scheme will not work, particularly if it is a complicated scheme for which people have to fill in huge numbers of forms. Clearly, firms are not supporting the scheme, and many of them probably feel that they are better off with the cowboys.

Mr. Raynsford: I rather value the horseshoe shape in this Chamber. I believe that encouraging consensus, where genuinely possible, is a thoroughly good thing.

I would have thought that there would have been consensus on this issue. I have with me a copy of a report from the beat the cowboys working party produced by the previous Government. It was published in 1988.

Mr. Baldry: Before my time.

Mr. Raynsford: The hon. Gentleman, who served as a Minister with responsibility for construction in the intervening period, will, no doubt, wish to explain to the House why the previous Govt took no action to implement the recommendations of that working party. So far, about 250 builders in the Birmingham area have registered an interest in the new quality mark scheme, although we have not yet launched the formal publicity and marketing campaign. The reports suggesting that there is no interest are wide of the mark.

Such schemes will always have a chicken and egg problem. Builders will not be keen to sign up until they see positive results, as consumers start placing their orders. Equally, the scheme cannot be promoted to the public until enough builders have signed up and there is a reputable group from which the public can choose. That is the chicken and egg issue. We are determined to have a strong and reputable group of builders in place, before we launch the scheme to the public. I am confident that we will achieve that. In that way, we will ensure effective action to tackle cowboy builders 12 years after the previous Government talked about it but failed to act. More than 200 builders in Birmingham have shown sufficient interest to join the scheme and have been sent registration packs—and that is before serious marketing has started.

Finding a builder who delivers competent, reliable work is never easy. The quality mark scheme is aimed at giving domestic consumers the information that they need to choose a competent builder or tradesman to maintain, repair or alter their homes. Builders who register with the scheme will be assessed against basic criteria of technical competence, financial soundness and training, including management, and craft skills. They will agree to follow a code of practice, to conform to a complaints procedure and to use an insurance-backed warranty scheme. We will develop the scheme carefully, building on the experience that we gain from the pilots. It represents an historic innovation and a major step forward for the industry and especially for consumers. We must not let them down. If it takes a little time to get it right, it will be time well spent—not 12 years, I hasten to add, but a matter of months.

Some feel that a voluntary scheme may not be sufficient to curb the cowboys. We agree that tougher measures are needed. In parallel with my Department's initiatives, the Department of Trade and Industry published in July last year the White Paper "modern markets: confident consumers". That included proposals to amend the Fair Trading Act 1973 to provide a power for the courts to grant injunctions against specific practices carried out by specified trades, a power for the courts to ban from trading for a period traders with a history of disregarding their legal obligations and a power for the Secretary of State to make orders by secondary legislation to specify that certain unfair practices should become criminal offences.

Rogue traders usually operate at local level. Colleagues at the Department of Trade and Industry propose that the new powers should be available to local authority trading standards officers as well as to the Office of Fair Trading. Those legislative changes, taken together with our quality mark scheme, will in time have a major impact in helping consumers to find a trustworthy builder or tradesman and in helping consumers and trading standards officers to put a stop to the outright rogues.

I have outlined a number of initiatives that we have taken to promote a radical improvement in the performance of the construction industry and to protect consumers from cowboy builders. Time prevents me from covering many others, such as changes to the building regulations to assist people with disabilities and improve energy efficiency in buildings as well as the measures that we have taken to assist British construction companies to compete successfully and secure work in overseas markets.

Our initiatives have been widely welcomed by all the representative bodies. Perhaps most encouraging of all, the old adversarialism, which was the bane of construction, has begun to give way to a genuine determination among leading clients, professionals, contractors and suppliers to work together to promote innovation.

Mr. David Drew (Stroud): I do not want to put my hon. Friend on the spot, but I was pleased to receive a submission from the Federation of Master Builders. The first point that it identified was the equalisation of the VAT regime to help with repair, maintenance and improvement. I know that that is subject to review by the Treasury, but, given the strong support from the Rogers urban task force, I hope that anything that the Minister can do in his Department, which I have to believe is in favour of the move, will help the construction industry by making sure that we have a level playing field from the outset.

Mr. Raynsford: My hon. Friend raises a fair point, which exercises many people in the industry and in the House. While taxation is a matter for the Chancellor, there is genuine interest across Government in the way in which we can use economic instruments more effectively to promote our objectives. Following the Budget, there has been a move to consult about changes to stamp duty and to encourage activity in urban areas. A wider debate about the use of economic instruments,

including VAT, is likely in the months ahead. We shall make clear our response to the important Rogers report in the forthcoming urban White Paper.

With a sound economic basis for solid growth and a real sense of excitement about the scope for transforming the industry's performance and profitability, prospects for the future of the construction industry are better than at any time during the past 20 years. However, this is no time for complacency. The clear lesson from the past few years is that British construction has the capacity to be—and at its best, it already is—a world-class industry. A commitment to continuous improvement and a determination by the industry and the Government to work together to drive forward the Egan agenda, are the only ways to ensure that the industry can take on and beat the best in the world. That is our objective, and we are determined to achieve it.

3 pm

Mr. Robert Syms (Poole): I should start by declaring an interest. The Register of Members' Interests shows that I am the director of a family property company that has a subsidiary that is involved in building, and I am a fellow of the Chartered Institute of Building. For three years, I have tried to avoid getting involved in debates on the building industry, but because my colleagues are serving on Committees upstairs, I volunteered to participate in this debate.

It may be the effect of this Chamber's shape or the fact that it is Thursday afternoon, but I have to say that I agree with quite a lot of the Minister's comments—I am sure that many other hon. Members do too.

The building industry is difficult to measure. When I was doing some research for this debate, I found that some sources suggested that the appropriate figure was more than 5 per cent. of gross domestic product, others put it at 9 per cent. and the Minister gave the figure of 8 per cent. One source states that the industry employs 1.4 million, but that figure can be worked up to nearly 2 million if one includes professionals and those who supply the industry.

During the past three years, I have observed that on occasion statements are made in the House because a particular firm or industry has problems, but on other occasions hundreds of jobs, or a few thousand, may be discussed. The building industry involves thousands of jobs. I do not need to remind hon. Members that dividing the number of people who are employed in the industry by the number of constituencies shows that, in our constituencies, more people are employed in building and its allied industries than in any other industry.

What the industry produces is vital. In the modern age, we spend most of our day in a product of the building industry. The importance of producing decent, quality buildings has become more pressing with our move from the previous century to this one.

The building industry always has certain problems—it is a cyclical industry. The Minister said that boom and bust had been eliminated, but that remains to be seen. Throughout my lifetime, and those of my father and grandfather, both of whom were builders, there have been cycles. Sometimes, the upside of a cycle can be just as devastating for the industry as the downside. When one is competing for contracts and hoping that one will have the labour for a particular job six or 12 months hence, a housing boom may cause one concern because someone may come along and offer one's workers higher wages, and one might be left with labourers who are not sufficiently skilled to complete the contract.

Those who work in the industry experience terrible problems getting paid—customers do not always provide builders with their due. If one supplies a person with a refrigerator, one can always take it back, but if one has built an extension on a house, and a long legal argument ensues, it is much harder to do that. Bills and cash flow are important to the industry.

The industry has a tremendous image problem. Much of the difficulty involves cowboy builders, who were discussed earlier. People who have visited me in my surgery because of problems with builders usually thought that they would make a saving, perhaps by making a cash payment. They experienced difficulties because they did not go to someone who was reputable and were not willing to pay a proper price for a proper job. People sometimes get caught in that way.

I welcome the Government's and the industry's initiatives.

Mrs. Claire Curtis-Thomas (Crosby): I was interested by the hon. Gentleman's comments on debt and cash flow in the building industry, which may be an historical problem. Does he agree that the introduction of the Late Payment of Commercial Debts (Interest) Act 1998 has done much to help small businesses, especially those in the construction industry?

Mr. Syms: The 1998 Act has been helpful to some businesses, but a real problem remains. People sometimes commit to building jobs, but do not appreciate the full cost or the expense of additional extras. They may suddenly find at the end of a job that they do not have the resources to pay for it. One ends up in arguments or litigation much more frequently than one used to years ago.

The biggest enemy of cowboy builders is the industry itself, as those who work in the industry appreciate the damage that they do to it. The quality of work must be secured. I am glad that the Treasury is considering the VAT regime, but at present it does not provide great incentives for getting rid of cowboy builders because people often try to save a little by avoiding tax.

I welcome Michael Latham's report; it was a good start in the effort to create a strategy for the industry. Sir John Egan's report is also very good. Of its key points, I think that we would all agree with the need for committed leadership for the industry, a focus on the customer—these days, one lives and dies by the way in which one treats one's customers—integrated processes and teams, a quality-driven agenda and a commitment to people. All those aims are vital for the industry.

While echoing the caveats of my hon. Friend the Member for Banbury (Mr. Baldry), I welcome the attempts at the quality mark scheme in Birmingham and Somerset. One needs a critical mass in these matters, but there must also be a method of differentiating quality builders who will provide a decent product from those who are less good. We hope that the industry will adopt that scheme and give it an opportunity to run. If it does not work, we shall have to try something else.

[Mr. Syms]

There is also a problem, as always, in relation to employment training and skills shortages. Because of the cyclical nature of the industry, qualified people often leave it and do not return, perhaps because they get work in factories, where they find the temperature warmer and the work easier. At the moment, there is labour market pressure because of the years of economic growth that we have experienced, and because of events in Ireland. Growth rates are quite high, and there is a construction boom over there. Women and ethnic minorities were mentioned, and it is true that there are not enough members of either group in the industry. However, anyone who has worked in the construction industry will appreciate the contribution made by the Irish contingent, and its absence might be causing a problem.

Mr. Stephen O'Brien (Eddisbury): It is important to recognise that in Ireland a great deal of the construction spend is a combination of catch-up from a very low base and a culture in which a replacement building is put in place, especially for family dwellings, without demolishing the previous one. In this country, we have one of the world's longest tail demolition rates—a fact that will help when making a comparison. Furthermore, a great deal of Irish construction is still financed by European Union grant aid, because Ireland is on a different base formula.

Mr. Syms: My hon. Friend makes a good point. I am aware of the fact that there are many experts and people with many years' experience in the industry here today.

In terms of skills shortages, the number of applicants for civil engineering courses has fallen from 5,100 in 1994 to 3,800 in 1997. That trend must be reversed, and we must make the industry more attractive to those looking for a long-term career. Everyone these days seems to want to go into the media, but one can have a worthwhile career in the building industry.

We must continue the line adopted by Latham and Egan in terms of the need for better leadership in the building industry, and the need to do all that we can to weed out the cowboy builders who give the industry such a bad name. The industry also needs a stable economic environment, and I hope that the economy continues to grow. As I have said, economic cycles have always been with us, and I believe that they always will be. However, if we can maintain more balance between the upswings and the downswings, perhaps we shall stand a better chance of succeeding.

The Government have got one thing badly wrong. That is the construction industry scheme, in relation to the tax scheme that has been introduced. I know that it had its genesis under the previous Government, because I had a go at Ministers about it then, although they did not seem to listen. The present Government made several changes when they introduced the scheme. Under the old scheme, using the 714 certificate, one could fax through and photocopy certificates, which worked pretty well. It is unbelievable that anyone could introduce a scheme in which people now have to drive around and physically show the certificate to the person with whom they are doing business. In the age of electronic commerce, that is not a terribly good idea. However, I am glad that the Government have taken on board some of the problems and started to amend the scheme.

Treasury officials always complain that the industry does not pay its full whack of tax and national insurance, but it is difficult for it to do so, given its structure. In trying to crack down under successive Governments, the Treasury has not thought through the consequences, and has sometimes done the industry great harm. As always, those who are law abiding and try to do what the Government want by obeying regulations do not benefit, as opposed to those who ignore the regulations and work in the cash economy.

This is a vital industry: if it prospers, the nation will prosper. Provided that we can find decent leaders and encourage young people to attend appropriate university courses and training schemes, we can provide better buildings that will benefit everyone in this country.

This is a good subject to debate in this Chamber. It has not been discussed sufficiently, whether in the House or in Standing or Select Committees. I hope that this will be the first of a number of debates on the construction industry, and I look forward to members of all parties bringing their experience to the subject.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. John McWilliam): Order. Before I call the next speaker, I should say that several hon. Members are seeking to catch my eye. If all want to speak, could they please try to be as brief as possible?

3.11 pm

Mr. David Chidgey (Eastleigh): I will take your words to heart, Mr. Deputy Speaker, and give other hon. Members the chance to bring their experience to bear on this important debate.

I should begin by declaring an interest. I am a civil engineer—non-practising, but I am hoping to do better—and a fellow of the Institution of Civil Engineers. It is good to see that many of the hon. Members who are chartered engineers are present today, and I shall extend that observation even to the odd architect. [*Laughter.*] He is a good chap really.

Mr. Deputy Speaker: Order. The hon. Member for Chipping Barnet (Sir S. Chapman) has been a Member of Parliament for a long time. He has been called lots of things, but never odd. [*Laughter.*]

Mr. Chidgey: I shall contemplate your intervention, Mr. Deputy Speaker, when time permits.

I want to deal with three points in this debate, which is concerned primarily with the construction industry. However, we have spent time discussing the somewhat different issue of housing, and with regard to the Minister's response to an intervention on tax regimes, a little more support for the use of tax regimes to encourage housing development on brownfield sites, rather than greenfield sites, would have been helpful. That is an area in which much can be done.

Before developing my main argument, I should repeat an apology. Because of a constituency engagement, I cannot stay for the end of the debate. I have already spoken to the Minister about the matter, so I am sure that he will understand.

There have been mammoth changes in the construction industry in my professional life, and we must prepare for the future challenges. The construction industry has formed a very important part of our employment base for many decades, if not centuries. As has been said, when there is a recession, the construction industry always bears the brunt and experiences the first fallout. We are not talking about the loss of a few thousand jobs; often, as many as half a million jobs are lost in a short space of time. In the main, those people do not return to the industry, even when the economy picks up or there is a boom, so the industry is always playing catch-up.

Changes in the construction industry in the past few decades are important to the way in which we view its future. When I started as a professional civil engineer in the 1970s, the construction industry was benefiting greatly by the oil boom in the middle east, and British contractors and consultants led the way because of our long-standing ties with those countries and Governments. That was a great source of export income for this country, and presented significant opportunities for the industry and the development of its skills. Of course, it did not start there. In the 1950s, the industry had a great dowry from the days of empire. In post-colonial times, local civil services continued to award contracts to British contractors and consultants because that was the system that they knew and respected; they understood the way that we worked and were reassured by that. The problem was that people sometimes became complacent in the knowledge that work would come their way.

At that time we had a huge, worldwide export market, in which the construction industry was a major player. The Minister's comment that our industry has the potential to be world class rather shook me, because, until fairly recently, I had always thought it to be so. Traditionally, it has been world class and a world leader. I accept that it has to change: we can no longer scour the world to pick up civil engineering contracts in roads, bridges and railways. Times have changed since the days when thousands of men could be put on-site for a job somewhere on the sub-continent of India. The middle east market is much smaller than it was, and is serviced mainly by local employees, technicians and engineers.

The internationally funded projects that we used to bid for, and win, are nowadays too few, and too unprofitable—far too many British firms compete for returns that are far too small. For example, a few years ago there were some 4,000 registered consulting engineers in this country. Whenever those 4,000 engineers bid for a European-funded project, they were bidding for a place on the shortlist for the European contender. That was an almost impossible situation.

Mr. Lawrie Quinn (Scarborough and Whitby): In 1998, professionals in the construction industry who worked in overseas markets contributed £2.3 billion to the British economy in invisible earnings, which equates to 20 per cent. of the total. Is that not a sign that we are world leaders and world class, and that we should continue to market that throughout the world?

Mr. Chidgey: I am grateful to the hon. Gentleman for making the important point that 20 per cent. of our invisible earnings come from the professional and technical skills of the construction industry. However, two decades ago the proportion was 40 per cent. or more. The industry vied strongly with the financial institutions, which are always quoted as the main source of invisibles. Yes, we are still major players, but we will not be in any shape to continue along those lines unless we look to the future and address the problems.

The high-value overseas markets for our construction industry, in terms of construction management and engineering skills, are no longer in the world as we used to know it, but in north America and Europe.

Mr. Jim Cunningham (Coventry, South): Does the hon. Gentleman agree that when we talk about the value of the construction industry in relation to exports, we should consider the fact that Berlin, for example—especially east Berlin—is a vast construction camp where many British companies are involved?

Mr. Chidgey: I am grateful to the hon. Gentleman for that intervention. I recently had the good fortune to visit Berlin on parliamentary business, and saw the latest developments in the German Parliament's move from Bonn to Berlin, which is probably the biggest construction project of its type in the western world.

I do not know whether there are opportunities for the British construction industry beyond those that we have grasped, because I am not involved in that day-to-day aspect of the profession. The point that I am trying to make is that the market has changed dramatically. The industry has made great strides in recognising that, in order to stay in business, but the Government must recognise it too.

Consulting engineers and contractors have changed their way of operation in response to the Latham report and they are responding now to Sir John Egan's efforts in the Movement for Innovation board. I welcome that, because it is a good initiative. We can do a lot more, and I hope that the Government will be minded to take the necessary interest to ensure that we do more to introduce best practice, initiatives and progress.

I am aware that other hon. Members want to speak, so I shall be brief in my final comments. Much more could be done in the United Kingdom. We have an horrendous legacy of decaying infrastructure, which is inevitable because we were one of the first countries to industrialise, so our infrastructure is that much older. It needs attention and we must consider how to maintain, improve and develop it to meet the needs of society in transport and public buildings. We must examine more closely and work more readily on sustainable development. I want to place on record the work of the Institution of Civil Engineers in throwing off the image of dusty, dog-in-the-manger engineers which the profession had and being forthright and visionary in their approach to sustainable development. We should welcome that and pursue it, and the Government have a role to play.

Our export market presents a tremendous challenge in sustainable development and the environment. When we consider a healthy environment, we tend to think of reducing the pollution and fuel consumption of cars on motorways, but for people in much of the world it means clean water, sanitation and food that they can rely on, and that presents tremendous opportunities for British companies.

[Mr. Chidgey]

We have the opportunity to develop sustainable skills. There are too few engineers and technicians. I heard today that half the structural engineers employed in this country are now imported not just from Europe, but from further afield. We are importing the basic engineering skills that we have taken for granted since Victorian times, which is an illustration of how far we have gone in being unable to sustain the skills that we need to drive our economy.

There is a huge problem with the public attitude that engineering and manufacturing is a dying industry. With the problems at Rover and Ford at Dagenham, parents do not encourage their children to go into engineering because they believe that there may be no decent jobs available. Nothing could be further from the truth. Engineering is the essential industry that drives our economy and sustains the quality of life that the people of this country have the right to expect. The Government have a duty to ensure that they can achieve that.

3.22 pm

Mr. Jim Cunningham (Coventry, South): Unlike some Opposition Members, I would not claim to be an expert on the construction industry. I am a layman, but I want to raise a number of issues. I welcome the report and the Government's intention to take action and to set up pilot schemes. It is always wise to set up pilot schemes because mistakes can be discovered as well as the good points.

The construction industry is important to the economy not only because of the jobs that it provides locally, but because of exports, especially hidden exports. When I intervened earlier, I alluded to Berlin, which I visited 18 months ago. There is a vast construction camp in east Berlin, for which British companies provided designs, skills and know-how. Some projects are massive, including the German Parliament building and others in places such as Dresden, which was bombed during the war.

The Construction Industry Training Board has projected an average annual increase of 2.5 per cent. in construction output in the west midlands, matching the national average, and there are more people employed in the construction industry in the west midlands than in many other parts of the United Kingdom, but people do not often think of that.

Large projects such as Coventry City stadium, which is in my constituency, and the Bull Ring in Birmingham involve a huge number of people from the industry in designing, planning, building and maintaining major schemes, and many smaller industrial projects are up and running or set to start later this year. It is good to see a buoyant forecast for the construction industry, especially after the lean years of the early 1990s, but there are still challenges to face, some by the Government, which I am sure that some of my hon. Friends will mention, and some by the industry.

On industry challenges, Sir John Egan's report "Rethinking Construction" raised such themes as a better response from industry employers to clients' needs, greater respect for people in the industry and the dissemination of best practice to maximise value for money, profitability, reliability and respect for people.

The quality mark initiative, a Government-sponsored scheme aimed at raising the standard of workmanship in the domestic repair, maintenance and improvement sector, is a great start, and I am pleased to see that consumers, builders and all the major stakeholders, including the construction industry and consumer groups, had a hand in developing the scheme from an early stage.

We welcome the news that consumers will be able to select reputable builders who have shown independent assessors that they have the skill to complete work to a high standard. That will enable firms to identify themselves as a quality enterprise and to differentiate themselves from the cowboys. I will watch the pilots in Birmingham and Somerset with interest.

In August last year the cowboy builders working group published a report that made recommendations aimed at protecting consumers from unfair practices, largely in the domestic repair and maintenance sector. The report's proposals have major implications for training in the industry at all levels and for the industry's operative registration schemes. The final report recommended that an independent body be established to own the quality mark and supervise its operation. Together with representatives from the construction industry, consumers and local authority interests, the group is charged with implementing the quality mark and ensuring that cowboy builders are corralled as far away as possible from trusting consumers.

There will always be groups who are more vulnerable and susceptible to cowboy builders than others. Nationally, Age Concern has decided that it, too, wants to take action against cowboy builders, who often prey on the elderly and the housebound. Its new scheme, First Checkpoint, is a way of doing just that. It has launched pilot schemes in three areas to protect vulnerable older people from cowboy builders and other rogue home maintenance tradespeople. Its aim will be to help older people to obtain good-quality home improvements on fair terms from the right people. The scheme already has community-wide backing in each area from trading standards, social services, crime prevention officers and neighbourhood watch associations.

One of the pilot areas is Coventry, and I am happy to give it my full support to stop disreputable and untrustworthy builders and tradesmen giving the construction industry a bad name. The cowboys damage the reputation of decent professionals, because even older people who do not suffer directly are put off having work done because of the stories that they have heard.

Some of the scams that people try to get away with are incredible. An 86-year-old housebound woman in Coventry was driven to her building society by a boiler installer to withdraw her £900 savings. The boiler that he installed failed to heat the water, and she had to spend another £700 having the work put right. A blind pensioner from Bradford was talked into signing a cheque for £180 to tarmac a drive, which was left unfinished. The firm in question had spent just two hours on the job. In another case roofers charged a disabled pensioner £40 for a roof inspection. They told him that the battens were rotten. Another roofer who

later checked the roof found that the tiles had been deliberately removed to expose the battens to the elements.

Shoddy home improvements cause distress, inconvenience and serious financial loss to vulnerable older people and their families. Accredited and experienced builders, architects, surveyors and home improvement professionals such as glaziers, plumbers and electricians, many of whom have been recommended, will be invited to register with Age Concern. They are needed either on a paid-for basis to carry out work for older people at the going rate or on a voluntary basis to help to ensure that the scheme is successful.

Age Concern has taken steps to protect older people from being ripped off by builders and tradespeople who join the scheme. Participating home improvement professionals will be able to provide three references from the previous year and will be fully insured. They will sign up to a code of practice and agree to site inspections by local Age Concern First Checkpoint schemes.

Last year, according to a survey by Coventry trading standards officers, there were 138 incidents involving cowboy builders and other rogue traders preying on local people. I am informed that that is just the tip of the iceberg. Before our debate, Sandra Williams, an advocacy officer for Age Concern, told me of a recent case in Coventry, in which a retired couple in their 80s noticed a leak in their bathroom. Their daughter, who would normally have helped them with such matters, was on holiday, so they found someone in the "Yellow Pages" and asked him to look at it. He claimed to be a member of the institute of planning and gave them a price, to which they agreed.

He did the work—poorly, it turned out—in a couple of hours and offered to drive the 80-year-old lady to the building society. She refused to go for the cash, pointing out that the invoice was for far more than had been agreed. Many people fail to do likewise, and there have been cases of people being taken to banks and building societies to withdraw hundreds of pounds. In the case of the couple in Coventry, the builder issued an invoice for £130 for materials and £90 for labour. An independent assessor said that the parts would have been £45, at most, and that the labour would have taken no more than an hour.

Why should lay people have to argue with those who are employed to do a job for them? We should be able to have confidence that we are not being ripped off, every time that we employ a tradesman or tradeswoman to fix a problem. In conclusion, I applaud the work done by the Department of the Environment, Transport and the Regions, and by my hon. Friend the Minister in trying to address the issue of accreditation. I ask the Minister to help organisations such as Age Concern, which have very little funding, but provide a valuable service in addressing the problems caused by cowboy builders.

3.32 pm

Mr. Nick Hawkins (Surrey Heath): I begin by declaring an interest as parliamentary consultant to the British Cement Association. Moreover, as a barrister, I did a number of construction industry cases and, as a corporate lawyer, I have worked for construction companies and other companies involved in building and property. I therefore come to this afternoon's debate with a considerable interest.

We should all be aware that a balance should be struck between the interests of our constituents, who wish to preserve the environment and the green belt from excessive development, and the interest of the country in high-quality development and the replacement of inadequate buildings with good ones. I know that the Minister shares my commitment to achieving that balance, not least because we were the only two Members of the House who attended the construction industry awards dinner. The Minister was present to give out the awards, and I agreed with much of his speech on that occasion, as I have agreed with what he and my hon. Friend the Member for Poole (Mr. Syms) have said today.

There can often be a measure of agreement in debates such as this. We all accept that there are challenges to be faced and a great deal of work to be done, but everyone involved in the reputable side of the construction industry has a great deal of which they can be proud. As many hon. Members, including the hon. Member for Eastleigh (Mr. Chidgey), have said, it is important to recognise that British construction companies are earning huge amounts abroad by producing high-quality buildings. I can tell the hon. Member for Coventry, South (Mr. Cunningham)—whose concerns I share—that what he saw in Berlin 18 months ago still applies. I was able to visit our German counterparts in Berlin during the Easter recess, where I saw how British companies continue to play a major part in the reconstruction work there, as in many other countries.

The Minister would also agree that, just as he faces challenges in his discussions with his counterparts in the Treasury, every level of the construction industry faces great problems. My hon. Friend the Member for Poole and other hon. Members who have spoken have rightly expressed concern at our failing to get taxation arrangements right. I therefore urge the Minister to continue the pressure that I know he has already sought to put on his counterparts in the Treasury. When amendments are debated by the Committee considering the Finance Bill, and perhaps in future legislation, it will be essential to realise that for small companies taxation arrangements and issues such as the replacement of the 714 form scheme—I think that everybody now accepts that the changes originally introduced by the Government were not helpful—can make the difference between profit and loss and between survival and prospering and bankruptcy. I see the Minister nodding and making notes. I am grateful to him, because I know that he has taken these issues seriously.

Further work still needs to be done on CIS 5 and CIS 24. I apologise to the Minister for the fact that, like the hon. Member for Eastleigh, I will be unable to stay until the end of the debate, but I hope that he will at least be able to say a little about those. I cannot stay until the end because I have to attend a meeting with one of his ministerial colleagues, but I apologise to him and to other hon. Members for leaving early.

I want to turn to some of the other issues, on which I think the Minister and I will again agree. First, much new housing construction is of high quality. The Minister may be aware of the green leaf awards for

[Mr. Nick Hawkins]

environmental standards. He will probably be pleased to know that last Friday I presented two of those awards to successful projects in my constituency. He is certainly aware that in my constituency there is a great deal of Ministry of Defence land, which will now be developed, and other brownfield sites.

When I presented the green leaf award certificates last Friday morning, I was pleased to see that one of the developments was a high-quality, low-cost development on a brownfield site. The developers, Barratt, and people from the Housebuilders Federation told me that the houses had replaced a disreputable nightclub that had had to be closed down, having been an enormous nuisance to people living in the area, and had then become a derelict site with crime, criminal damage and use by drug addicts and squatters. Local people, who in other circumstances might not have wanted the site to be developed for housing, were delighted to see it cleared and good-quality, low-cost affordable housing built on it. The high-quality developers are looking out for such sites.

The second site was an extremely high-quality development for retired people by English Courtyard at Mytchett Heath in my constituency. Having seen that large site being developed over the past three or four years, I know how greatly those who live in it appreciate the good balance between the number of housing units and the preservation of an arboretum, an open-air theatre and other high-quality facilities. The developers did not seek to cram in the maximum number of units. Again, the Minister nods. He shares my praise for developers who develop sites sensitively.

I want to make a final constituency point, of which I think the Minister is aware. It is agreed in the local plan that one of the larger Ministry of Defence sites will be developed—the former Alma-Dettinger barracks. A group of concerned residents, led by my constituent, Mrs. Shirley Coveney, is working with the developers—once again, Barratt—on a large site to try to preserve some of its best features and not allow everything to be knocked down, and to have a development along the same environmentally friendly lines as the Poundbury model village that His Royal Highness Prince Charles has so strongly supported on his estate.

I hope that there will be cross-party agreement on some of those issues, but many in the construction industry continue to be concerned about the effects of the climate change levy. On behalf of a range of industries—not merely those in construction but those in horticulture and others—I should tell the Minister that there are severe concerns. He and other hon. Members may not have focused yet on the impact that positive environmental measures have had on many people involved in construction, particularly in cement and concrete, in recent years. I know that he is aware of the environmentally friendly use of recycled waste tyres in cement and concrete production, and I hope that he will continue to support that, but I hope that he recognises that further progress is necessary and that he and Ministers not only in his Department but in all Departments, especially the Treasury, will take seriously the concerns that have been expressed by industry leaders.

Cement and concrete can help to prepare brownfield sites for new home development, because in-situ cement mixing can physically and chemically mobilise contaminants in the ground. The British cement industry, other industries and the university of Greenwich's centre for contaminated land remediation continue to collaborate on that. The Minister smiles; I know that he particularly welcomes anything involving the university of Greenwich. Once sites are decontaminated, the improved land can be used as ordinary building land. For example, the millennium dome is built on such a site, as are a new school in Leyton and housing in West Drayton.

Whisper concrete has been trialled extensively, and such experimental road surfaces can offer environmental benefits. My constituents express much concern about road noise from the M3, and nearby constituents have noise problems from the M25, so I hope that the Government will examine not only whisper concrete but other road surfaces. Some technical experts have written to me and have pressed the Minister's colleague in another place, Lord Whitty, on the possible use of Colsoft. Perhaps the Minister will consider that and examine my correspondence with the noble Lord.

I will briefly make one or two other points. Not only the construction federation but the Construction Industry Council and the Chartered Institute of Building have told me that further work should be undertaken to ensure better collaboration between some of the construction industry bodies. The Construction Industry Board, the construction research and innovation panel and the construction best practice panel sometimes experience liaison problems. Councillor Keith Bush, one of my constituents, is a diligent borough councillor and has done much work with the Chartered Institute of Building. Some bodies are partly or entirely funded by the Government, and he regularly discusses with me the need to ensure that they work together better. I am sure that the Minister will take account of that.

The plans to deal with cowboy builders need to be allied to changes in the value added tax regime, which I hope that the Minister will discuss with his counterparts in the Treasury. The Construction Industry Council believes that unless changes to the VAT payable on domestic repair and maintenance are made to help reputable builders, it will be difficult to make the cowboy builder schemes work. I am sure that all hon. Members will agree that although tougher measures are needed to tackle the cowboys, the real rogues will try to drive a coach and horses through the rules. The boys from the blackstuff, if I can caricature them as that, are not interested in schemes or rules. We must persuade people always to use reputable builders.

In answer to an intervention by my hon. Friend the Member for Banbury (Mr. Baldry), the Minister said that many building firms around Birmingham have expressed interest in the scheme. It is all very well to say that, but reputable companies must sign up for the scheme when its marketing takes effect. The acid test will be whether people use the reputable builders—I see that the Minister agrees.

Construction output is estimated at between £60 billion and £62 billion per annum. All hon. Members support a continuing increase in that, but it

must be high quality, and construction firms and building companies must not be strangled by red tape. When the Minister examines his pilot schemes, I hope that he will ensure that we do not repeat the problems with the replacement of form 714 and with taxation, and that we do not create an over-bureaucratic system.

When we debate again, perhaps in the main Chamber, the way in which housing and construction should develop, we should all bear in mind the fact that in south-east England, and especially in constituencies such as mine, there is enormous pressure not to spoil the green belt or the countryside beyond it. We must ensure that we maximise the use of existing brownfield sites and preserve the best of our existing buildings. The Minister will know that I have regularly championed the conversion of existing buildings for modern uses, not only throughout my eight years or so in this House, but in articles that I wrote before entering Parliament. We have seen good examples around the country, such as Dean Clough in Halifax and the way in which marvellous Victorian industrial heritage, such as Salt's mill, has been used as art galleries. There are marvellous examples of how those projects can be developed.

I ask the Minister to bear in mind the concerns being expressed about another fine Victorian building that might be under threat, Manningham mills in Bradford, which is not dissimilar to Salt's mill. I ask him to consider carefully the comments that experts have made about that issue in the press in recent days.

I have tried to cover a lot of ground quite quickly. The Minister was right to praise all the work being done by leading industry figures, such as Sir Michael Latham, Sir John Egan and Sir Martin Laing; I echo what he said. There is great hope for the future that construction will continue to be an industry of which everyone in Britain can be proud. However, we must ensure that there is delivery and that consumers dealing with small building firms are encouraged to choose only the reputable ones. We cannot stop every rogue who is operating, but we can ensure that there is real consumer protection, so that the good firms can flourish without being strangled by red tape and the rogues can be pursued and driven out.

We must ensure that larger firms are also encouraged to have high standards, particularly in relation to safety, which I regard as of paramount importance, but which has not been mentioned a great deal so far. At the same time, we must ensure that there is no risk that even large firms will be strangled by an over-bureaucratic approach.

3.47 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I do not bring with me any vested interest in the industry. I have a certain amount of experience, as the hon. Member for Eastleigh (Mr. Chidgey) knows from his earlier incarnation in materials testing and engineering geology. I suspect that I might have done some work for him when he was an undergraduate many years ago. I leave it to hon. Members to decide who has worn best. I also suspect that I have laid more bricks personally than the Opposition have dropped collectively.

I am concerned about cowboy builders, and we must get to grips with that issue. I have one case in mind from my own constituency. I shall not deal with it in any detail, because I hope that there will be a police prosecution shortly. The case is similar to that described by my hon. Friend the Member for Coventry, South (Mr. Cunningham).

I am concerned about another aspect. Again, I shall not name the firms involved, but one major construction site in Chester employs, quite understandably, a network of subcontractors. They are further subcontracting and saying to people down the chain, "We want you to work on a self-employed basis, rather than being directly employed by us." That is a clear and deliberate attempt—the owner of the principal contract understands this—to avoid paying into the national insurance fund and to avoid paying income tax. That practice must be wiped out; major companies that are subcontracting, and whose subcontractors are also subcontracting, must take action and be more responsible.

A constituent visited me a few weeks ago—a bricklayer who is nearing retirement. A company had dismissed him because he refused to work for it on a self-employed basis. He won a tribunal; the principal contractor dismissed the sub-contractor; the second sub-contractor did the same and is now in the process of a second industrial tribunal claim against the other sub-contractor. That practice is utterly unacceptable. It reflects the fragmentation to which my hon. Friend the Minister referred. In turn, that has a major impact on training, where apprentice bricklayers—the next generation of skilled workers—have been working with the contractors.

My principal topic this afternoon is health and safety. The practice that I described does not promote an effective health and safety culture. I thank my hon. Friend the Member for Corby (Mr. Hope) for bringing a Biblical quotation to my attention. I did not know that one of the qualifications for being a Parliamentary Private Secretary in the Department of the Environment, Transport and the Regions was Biblical scholarship. My hon. Friend pointed out that verse eight of chapter 22 of Deuteronomy states:

> When you build a house, you shall make a parapet for your roof that you may not bring the guilt of blood upon your house if anyone fall from it.

Safety in the industry is crucial. We all agree that preventable accidents and ill health are unacceptable. The industry has done much in recent years to reduce the number of fatal accidents, but the latest figures are still worrying. There were 70 deaths in 1998-99; 86 in 1997-98; and 93 in 1996-97—an unacceptable number of fatalities. The number of musculo-skeletal injuries is horrific. Averaged out over the previous five years, there were 83 fatal accidents, 3,164 major injuries and an estimated 123,000 musculo-skeletal injuries. Those injuries currently cost the country approximately £180 million a year—a burden that the taxpayer should not have to bear. Responsibility lies with all players in the industry, including employees, to drive those figures down. There have been some encouraging trends, as I said, and we must further encourage participants to move towards a healthier and safer environment.

The industry is examining the all-round competence, including knowledge of health and safety, of its workers. There is significant support for the construction industry training board construction skills certification

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system, which covers the skills of brickies, plasterers, carpenters and other jobs of significant risk. There are currently 292,000 cardholders of the certificate of training achievement for those operating cranes and hoists, which is a positive step in the right direction.

Last week there was a fatality on a refurbishment project at Cleanaway in my own constituency, when scaffolding collapsed. It is still under investigation by the Health and Safety Executive, but that sort of incident should not occur if we drive forward standards and improve certification at all levels of the industry.

Employees and trades unions can help tremendously. There has been a greater coming together and professionalism on major building sites in recent years. I hope that the work that has been done in more static occupations such as factory environments to promote health and safety and proper representation continues.

Mr. Quinn: Does my hon. Friend agree that one of the main problems with the construction industry is its mobile nature, and the fact that it is not easy to employ safety representatives on sites? Does he agree that the construction trade unions should be considering some type of roving safety rep scheme to bring about the change of culture that is needed on construction sites?

Mr. Miller: I am grateful to my hon. Friend. I recognise his experience in this sphere. That approach ought to be considered as it may provide a solution.

I refer my hon. Friend to my earlier remarks about subcontracting, which exacerbates the problem. I am not sure where the right model lies. It is possible that parts of the country where there is greater activity might provide different solutions, but something along the lines that my hon. Friend suggests needs to be considered.

I go along with the comments of Conservative Members about VAT. This is another Tory U-turn. That is wonderful. It was their party's policy to impose VAT on construction materials. I know that only too well because it happened when I was rebuilding my derelict house and I got caught for the 12.5 per cent. that the Tories slapped on them. It also taught me some interesting things, one of which was that the whole process was rigged with loopholes, all of which surrounded not the repair and maintenance of listed buildings or churches, but the extension of them, created for the benefit of one or two people down the end of the Corridor. It was outrageous. I could understand their being used to protect listed buildings to ensure their repair and maintenance, or churches, and our heritage, but it was done to enable listed buildings to be extended. That is an absurd set of rules, which I hope the Chancellor of the Exchequer will address in due course.

Public perception of the industry has improved tremendously. As my hon. Friend the Minister said, design and architecture have improved dramatically. Exciting new developments are taking shape all around us, ranging from the London Eye to some of the superb blocks of flats on the river. Even the character of housing estates in suburbs and towns is improving dramatically. The relevant professions deserve to be congratulated on that.

However, there is more to be done. I refer to the management of sites while developments are taking place in order to minimise disruption. The transfer of responsibility for roads and communal areas between developers and local authorities must be undertaken in a more systematic and tidy way. There have been a few unacceptable examples in my constituency, where I have had to persuade developers to finish work that they should have done before the transfer to the local authority. Some improvements can be made in quality standards in all areas. The public are entitled to a better recourse to the complaints process than they have through the current NHBC system, which has caused a number of problems in my constituency.

The industry is exciting. It provides a lot of work in this country. It has huge risks associated with it, but there are moves in the right direction to improve that. I urge the industry to work with all the partners, including the trade unions, to address those health and safety issues. I am sure that it will continue as an important and vibrant contributor to the British economy.

4.1 pm

Sir Sydney Chapman (Chipping Barnet): I am grateful to be called in this important debate. I should like to begin by congratulating all the speakers so far. The Minister is to be applauded for the tone and most of the content of his speech. I do not claim to be an expert on the construction industry, but I recognise it as one of the greatest industries in our country. Its definition varies, and that is amplified by the different figures that have been given. I would prefer to stick to the £65 billion output; last year it was £62 billion, so that it is a pretty conservative point to make.

The industry represents about 8 per cent. of our gross domestic product and, equally importantly, employs 2 million people. That figure is broken into roughly 1.25 million employees and 750,000 self-employed people. That underlines the variety in the industry, but adds to some of its complexities and problems.

Historically, the construction industry has had little influence in the corridors of power and there are two reasons for that. First, people who work in it are evenly spread throughout the country. There are no construction industry seats waiting to be swung by the drop of an electoral promise, in the way that there used to be car manufacturing or farming seats. Secondly, and this was exemplified by the hon. Member for Eastleigh (Mr. Chidgey), it is a disparate industry that almost has a genius for falling out among its different parts.

I can more truthfully describe myself nowadays as a non-practising architect, an honorary chartered surveyor and a has-been politician. I hope that the division in the industry is ending—there are some good signs for that. The Minister referred to the excellent far-reaching report of our erstwhile colleague, Sir Michael Latham. That spawned the Construction Industry Training Board and the Construction Clients Forum. Then there was the setting up of the Construction Industry Council, with 55 representative bodies. It might be appropriate at this time to declare an interest. I belong to seven of those 55 bodies. I am an honorary fellow of five of them, a member of the Royal Institute of British Architects and a fellow of the Royal Town Planning Institute. If I may declare a reverse form of financial interest, I have to pay the architects and the planning profession.

I can be brief because many of the points have been made. I should like to rehearse the five principal problems facing the industry, as I perceive them. First, historically—I am not making any party political points here—the industry has suffered from under-investment. I mentioned the 8 per cent. investment. Research shows that European Union countries have an average investment of about 12 per cent. We see the result of our investment in the huge backlog of infrastructure that needs attention and the huge number of homes that need to be brought up to modern standards, and it is perfectly legitimate of the construction industry to point that out. I recognise and welcome the construction task force that was set up by the Deputy Prime Minister and headed by Sir John Egan. I hope that its plans will be implemented.

The second problem is efficiency, but since everybody has talked about that, I do not need to. The third problem, which has also been touched upon, is the quite frightening skills shortage, particularly in the engineering sector. I hope that that can be addressed. It is easy to talk about spending someone else's money, but the Government, rightly or wrongly, have introduced a scheme to encourage more teachers by offering £6,000 to postgraduates who take up certificate of education courses for one year. Perhaps we are coming into an era when such an arrangement should be targeted at parts of the construction industry to attract engineers and the other skilled craftsmen.

The fourth problem, inevitably, is regulation. As hon. Members have said, not least the hon. Member for Ellesmere Port and Neston (Mr. Miller), health and safety are paramount in our society, never mind the construction industry. However, there is too much red tape, which has been added to unnecessarily in recent years. Much of the construction industry consists of small and medium-sized businesses, which have suffered from increasing burdens. An almost byzantine structure of separate regulations applies in this huge, all-embracing industry, and many of them overlap. They govern, not only the design and construction of buildings, but their operation. I offer the House an eight-word quotation.

Our regulatory framework is excessive or poorly conceived.

Those were the wise words of the Prime Minister and they fit the construction sector to a T-square. Even recent employment legislation has not helped. There is a division of opinion on this, but I question the value of the working time regulations.

The fifth problem facing the industry is the VAT inconsistencies, for which the previous Government are partly to blame. All Governments are to blame, however. I know that the Government are looking at the effect of VAT on maintenance and repair of buildings and that there is an EU directive problem, but my reading of the directive is that, if minded to, the Government could reduce VAT to 5 per cent. Let us remember that the repair and maintenance sector represents almost half of the output of this great industry.

I must make the point that the climate change levy is an absurdity. We seem to be encouraging the domestic sector to spend more money on energy while also taxing every other sector on the amount that it uses. Exceptions have to be made for big energy users so that, although they pay a huge penalty—and will continue to do so—they will get some recompense, which will not happen for more modest building material producers. The building products business is a big part of the construction industry. I feel strongly that in introducing the aggregates tax the Government have got it wrong. The aggregates industry proposed an improvement programme that would be far more protective that the aggregates tax ever could be.

The construction industry has a vital role in sustainable development. I define this as using resources to meet the needs of people today without irrevocably damaging the world for future generations. We must maximise the use of renewable energies and the recycling of waste. We must minimise contamination of land and water and stop poisoning the air. We must reuse existing buildings wherever practicable. The Government must implement a comprehensive waste strategy. I am confident that they will begin to do so. They must insist on the minimum use of energy in construction works and ensure that buildings are designed for maximum energy conservation.

The Government have promised to take the lead, and rightly so, as the biggest single client in the construction industry. I understand that they want to see buildings designed, procured and constructed in a more environmentally friendly way. The Under-Secretary, the hon. Member for Stretford and Urmston (Ms Hughes), rightly observed that Government action alone will not make construction more sustainable. There is a genuine challenge to the industry. Building a better quality of life must begin with a more sustainable built environment.

I am grateful to have had the opportunity to speak in the debate. I end simply by echoing what has been said about where we build in the future. We must build on brownfield sites wherever possible, if necessary, giving tax incentives to people to do so. We must build on greenfield sites only as a last resort—I realise that we shall have to build on some of them. We must never build on what is perhaps one of the most successful examples of post-war planning policy—green belt land.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Before I call the next hon. Member, I want to make it clear that payment of professional fees by Members is not a declarable interest any more than is the fact that I found a couple of my old slide rules the other day.

4.12 pm

Mrs. Claire Curtis-Thomas (Crosby): I am grateful, Mr. Deputy Speaker, to be able to speak in this important debate. I declare several interests. I am a passionate engineer, a fellow of the Institution of Mechanical Engineers, a senator on the Engineering Council, which regulates our professional body, an honorary fellow of the Institute of Chartered Surveyors and a devotee of one of the most outstanding professions in the United Kingdom that contributes more to the quality of life than any other discipline that I can think of.

It has been a great privilege to work in the engineering business for the past 20 years. I am sorry that I did not get into the construction business. Fortunately—I am

[Mrs. Claire Curtis-Thomas]

pleased that some of my colleagues are not with me today—I entered the mechanical engineering business, but had I known more about the civil engineering business I would probably have gone into that. There can be no greater tribute to individuals than to see their legacy stand after their demise. Some of the United Kingdom's building structures are first class. They are outstanding, and they draw visitors from all over the world—not least the building in which we stand today.

As an aside, I have to tell hon. Members that when the original plans for this building were submitted there was such an outcry—which continued before and after its construction—that, unfortunately, it led to the suicide of the original architect. That is terrible but it illustrates the way in which views about the edifices around us—I am thinking in particular of the millennium dome—change after a suitable period for reflection.

Mr. Syms: One hundred years.

Mr. Stephen O'Brien: If it stays up that long.

Mrs. Curtis-Thomas: Yes.

I turn to the serious matter of skills shortages and gaps, and regulation. Most of us who have lived through the latter part of the 1970s and right through the 1980s and 1990s witnessed the decimation of the construction industry. It went quickly from being a booming business, with more projects than it knew what to do with, into major recession. The skilled and semi-skilled work force at both technician and professional levels moved from the industry into other work. Some in the vocational and craft industry did not; they went into employment.

That was fine, but unfortunately it had a tremendous impact on further education colleges, higher education colleges and universities. There was a lag of some three to four years between the demise of the construction industries and the impact on the academic and training institutions—but that impact is still felt today. FE and HE colleges simply could not attract enough recruits through their doors to support the courses that they had offered previously. Therefore, the people who generated the skills and academic requirements for the business slowly diminished. Excellent lecturers and facilities in small FE and HE colleges and in universities diminished gradually but surely over time.

In the latter part of the 1990s, we began to see a welcome resurgence of the construction business. However, the skills and requirements needed to underpin it were in short supply. Many companies were unable to fill order books or respond to demand simply because they could not find recruits. The Government have taken a number of significant initiatives to tackle that, but Government action alone is not sufficient.

Last year I attended a conference under the banner "From Skills to Prosperity" in the north-west that brought together businesses and the academic community. It sought to match academic output with skill requirements in the region. The reality today is that there are many academic institutions with reasonable facilities that produce individuals who do not match local employers' requirements. Many local employers require skills that are not articulated by the academic and training institutions that could satisfy those demands. I would applaud any dialogue that encourages academic and training institutions better to fit their courses and training programmes to meet the needs of local employers. The lag in producing courses that meet demand is about three to four years, so I am seriously concerned that the current shortages will become significantly worse in the coming two to three years.

I am greatly disappointed that this nation now has to import such expertise. We stand to benefit a great deal from bringing engineers from other parts of the world, gaining from their experience and learning from their academic and professional courses.

Mr. Deputy Speaker: Order. Will the hon. Lady speak to the microphone? The people who transcribe the debate are not in the Room and they rely on the signal from the microphone.

Mrs. Curtis-Thomas: The arrival of engineers from other parts of the world is welcome because we learn much from them in terms of their approach to training and to our work. However, we are failing to tackle the crisis in our universities.

The perception of engineering was mentioned earlier. I will touch on this because it relates particularly to women. A significant number of mathematics and science graduates are coming out of universities. Much to my delight, women achieve far better grades than their male counterparts. It might be thought that the most wonderful resource is therefore available to us, but unfortunately, it is not interested in the construction industry. It is a source of personal sadness, because I know that the business offers opportunities for every sort of skill and intellect. I know that the Department of the Environment, Transport and the Regions is tackling the problem. I am pleased that there has been some improvement, but much work remains to be done.

I want to move on to the budget allocated by several different Departments to the public understanding of science. That budget is currently fragmented, so the impact of the collective budget is also fragmented. Many of us would agree that we should make considerable effort to improve the recruitment and retention of people in key United Kingdom industries. The budget, which is intended to encourage the public understanding of science and support the crucial industries, should be realigned to meet the needs of industries that underpin the UK's economic contribution.

Finally, I want to deal with regulation. I received some useful literature from the Construction Federation—two notes, one of which referred to the burden of regulation and excessive red tape. Because I am an engineer, I tend to the objectives, so I did not hesitate to ring up and say, "You referred to burdensome regulation and red tape. Please supply some details." I received a three-page note today, some of which I should like to share with hon. Members.

The concern expressed by the Construction Federation is not unique to this particular engineering discipline, but is shared by all the other disciplines. The regulations are generated by several Departments. The main ones that affect the industry include the Health and

Safety at Work, etc. Act 1974, the Fire Precautions (Places of Work) Regulations 1992, the MOD building regulations and the Disability Discrimination Act 1995.

There is no doubt that regulation is necessary, but there is concern that the co-ordination and impact of regulation is not as effective as it could be. I am heartened by the work of the better regulation unit and the insistence of both the previous and the present Administration that newly drafted regulations should have an accessible structure and a deliverable and enforceable mode of execution. We are not in a perfect position, but significant progress has been made to make the impact of regulation less burdensome.

Finally, I want to congratulate the Department of the Environment, Transport and the Regions on today's debate. I have enjoyed all the contributions. The construction industry is an unsung hero in terms of the excellence and wherewithal of our nation.

4.23 pm

Mr. Tony Baldry (Banbury): The hon. Member for Ellesmere Port and Neston (Mr. Miller) referred to vested interests, but there are no vested interests in this Chamber—only registered interests and experience. The hon. Member for Crosby (Mrs. Curtis-Thomas) demonstrated in her contribution how valuable it is to have people in the House who can draw on such genuine experience.

The Register of Members' Interests will show that I have several registered interests relating to the construction industry, though I do not intend to deal with any of them specifically this afternoon. I also have experience at the Bar where I specialise in construction disputes, and as an adjudicator for the Housing Grants, Construction and Regeneration Act 1996.

The debate is the first that I can recall to have been held specifically on the construction industry. Given the size of the industry, it is a good development. I hope that the debate will become annual, and perhaps the Minister will confirm that.

I oppose consensus, but the Minister keeps on making reasonable speeches. That is dangerous because it lulls people into a false sense of security. Ministers are not meant to do that. I sometimes think that I or the shadow Leader of the House, my right hon. Friend the Member for North-West Hampshire (Sir G. Young), might have made such speeches, with a few tweaks, when we were the Ministers responsible for construction, so I suppose that some continuum exists. The Minister did extremely well to avoid standing as a candidate for London mayor, and has done well to remain as the Minister responsible for construction for three years.

It was perfectly fair for the Minister to say that the previous Government published a report on cowboy builders in 1988. That was before I entered the Department, which had moved on to other issues by the time I entered. In fairness, during my tenure, we established a construction sponsorship directorate, we started to have fortnightly meetings with the industry and we initiated the Latham review, which produced the Latham report. However, dealing with cowboy builders was unfinished business.

I fully understand why Ministers are always reluctant to introduce statutory measures, because competing for legislative time is difficult and involves participating in the requisite Cabinet committees. However, I hope to show that statutory underpinning to a scheme for dealing with cowboy builders could be achieved within the existing law.

The public's perception of the construction industry is often based on their feelings for cowboy builders, and the reports that they read on them. Such builders are the bane of the responsible construction industry. Figures from the Office of Fair Trading show that home repair and maintenance is the fastest-growing source of consumer complaints. Builders receive proportionately more complaints than do car mechanics, estate agents or anyone else. That is a matter for concern. All hon. Members can give examples, from their constituency surgeries or postbags, of people who have been ripped off by cowboy builders, and one or two of those cases have been mentioned this afternoon.

Sadly, the constituents who are cheated are often among the most vulnerable, and can least afford such treatment. The Government's response has been unnecessarily timid. They are moving in the right direction, and the working group to consider the problem of cowboy builders was good news. The group recommended establishing a nationwide register to cover all building work, and the Government accepted its recommendation on the quality mark scheme for construction.

Earlier this year, the Government launched a pilot scheme in Birmingham, and parliamentary written questions could be tabled to tease out the disputed numbers involved in that. In response to my intervention, the Minister said that more than 240 builders in Birmingham had evinced an interest in taking part in the pilot scheme. If that is true, there must have been a sudden rush in the past few days.

I once told someone that I found *Building* magazine and *Construction News* compulsive bedtime reading, and that person said that I had a sad life. Undeterred, I read the 4 May edition of *Building* magazine, which said:

> Midlands builders snub cowboy pilot
>
> Fewer than 100 firms have called government hotline to join Birmingham quality mark trial.

Clearly, there is dispute over the figures, but the number remains proportionately small whether it is 100 or 240. The reason for that may be the amount of time that a builder must waste in providing proof that he is a competent builder, as described in the application packs. The packs appear to be prohibitive, as they are complicated, and at £500, the registration fee is fairly substantial. I fully appreciate the Minister's point that there is a chicken and egg element about this. However, if one does not achieve sufficient coverage of a quality mark scheme, one is further penalising good builders. It is they who take the time to fill in the registration forms and pay the fee, yet they do not benefit from the quality mark.

As I said when I introduced a ten-minute Bill on the scheme last year, it is more than patent that there will be several difficulties when voluntary schemes are not backed by the force of law. Consumers must come to terms with yet another identification mark, when a plethora already exists in the construction industry.

I was interested in the comments by the hon. Member for Coventry, South (Mr. Cunningham) on the scheme being introduced by Age Concern. It sounds perfectly

[Mr. Tony Baldry]

worth while and valuable, but will doubtless involve yet another logo or identification mark with which consumers in Coventry and elsewhere must come to terms. It will take some time before a voluntary quality mark achieves the necessary recognition among consumers to ensure that builders who have become sufficiently competent to acquire it are seen as such by consumers. As the Constructors Liaison Group said,

for any scheme to be effective consumers must be sure that the company they choose is technically competent. CLG is concerned that the pilot schemes as they are currently instituted do not adequately ensure this.

The Birmingham pilot does not seem to be commanding support, and that seems to be because it is impractical for small buildings firms. The greatest difficulties often exist in small firms. The forms issued require information about management systems and procurement systems that may be partially irrelevant to the average one-man band or smaller building company. It is more than plain that the lack of interest may be due in part to the six-part forms. As the chief executive of the Specialist Engineering Contractors Group observed,

The amount of time a small builder will have to waste providing proof that he is a competent builder laid out in the application packs is prohibitive...a good builder might feel he's better off with the cowboys.

Therefore, it is no surprise that not many firms in the midlands—the Minister's figure is 240, *Building* magazine says 100—have called the Government to register. Sadly, that lack of interest will, I suspect, mean that the trial is again delayed.

The Birmingham pilot highlights the real need for the Government to reconsider their approach. I firmly believe that the best way to combat cowboy builders is compulsory measures. Time and again, surveys have clearly shown that consumers want a Government-sponsored approach to cowboy builders. Why then do the Government not build on their existing proposals and combat the cowboys through statutory regulation? They could use the Building Act 1984 to extend building regulations and establish a new category of minor works. That would provide a framework for the regulation of builders and would be linked to membership of a professional body or trade association and third-party inspection.

Such an approach would give clear statutory underpinning to any quality mark scheme and would provide a clear incentive to those within the construction industry to achieve quality mark status, which could only be good news for consumers. It would also place the onus on local authorities to police more effectively the activities of unqualified builders. Above all, it would send the clearest possible signal to the consumer about who are, and who are not, quality mark builders. That signal would be far clearer than those offered by the Birmingham pilot.

This is not a new idea. It already enjoys widespread support throughout the construction industry. The Federation of Master Builders has said that it is doubtful whether the voluntary nature of the quality mark scheme will lead to better regulation of the industry and drive out cowboys. It believes that

a combination of simple, but formal registration, a mandatory requirement to provide an insurance backed and a reduction in VAT would be the ideal solution to curb rogue traders.

The FMB has a point about VAT. In France, VAT has been reduced and so has the black economy. It is not a point that I will pursue, but the essence of its comments remains the same: the Government's proposals will not work as effectively as we should all like.

It seems strange that the Government are not acting in that way because the final report of the working group on combating cowboy builders recommended

that DETR continue to consider how amendments to the building regulations, including their extension to repair and maintenance sector could be affected to reflect and complement the objectives of the quality mark.

Why do they not develop their proposals into a statutory obligation? It seems even stranger when one considers that the Government published a consultation paper only last year on the Building Act 1984 which acknowledged that the development of a quality mark scheme identifying competent building firms should be central to the effort to tackle cowboy builders. The DETR's new consultation paper states:

by having such powers at its disposal, the department may be able to introduce new regulations in response to changing national requirements without these becoming an onerous burden either on business, the householder or third party building control.

In other words, it readily acknowledges that it would be possible to give statutory underpinning to a quality mark scheme for construction to protect consumers without it placing any particular burden on the construction business, the consumer or local authorities.

The voluntary approach will not be effective. Only time will tell whether my fears are well founded. I simply hope that if it appears that a voluntary scheme is not attracting sufficient registration from builders or sufficient recognition from consumers, the Government will not be too proud to reconsider the issue, particularly when it is clear that the consensus in the construction industry favours mandatory underpinning.

I now wish to raise an entirely different matter. The Government have introduced new design proposals this week. I was interested in the Minister's comments about their origin. He was certainly right that previous Conservative Ministers, not least my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) had particular views on design. Sometimes I thought my right hon. Friend's views were particular to himself, but none the less he sought to encourage good design. The Minister's introduction goes part and parcel with new pressure for builders to intensify the amount of new housing that they put on land and increasing the density from 20 houses to 30 houses an acre. To put that into perspective, it would mean putting 30 houses on an area the size of Banbury United football pitch. It is the sort of density that we see in the back-to-back houses in the opening credits of "Coronation Street"—a programme that we watch when we are not reading *Building* magazine or *Construction News*.

The Government have got themselves into this position. They are trying to ensure that sufficient houses are built in the south-east, but they are also conscious of the considerable concern that too much land and green fields will be taken up for housing. Part of their approach to square that circle is to encourage builders to increase their housing density. Is that appropriate? Will there be sufficient space for play, recreation and family life if one encourages that degree of housing density?

Perhaps we should rethink the way in which housing numbers are determined and give local communities a greater say over the speed with which their towns and villages expand. In my constituency, there is considerable and growing resentment about the fact that large numbers of new houses have been imposed on towns such as Banbury and Bicester, which want to stabilise at their current size. I hope that the Government will reconsider the density figures. I cannot believe that building new housing at the specified level of density will be good news for future generations.

Those who work in the construction industry often bemoan the fact that there is insufficient interest in construction. Today's debate demonstrated that there is interest in and considerable knowledge about the industry. I hope that we shall have similar debates in future—that would be good news for the construction industry and those in the House who take a genuine interest in the subject.

4.41 pm

Angela Smith (Basildon): I thank those hon. Members who kept their contributions brief so that as many speakers as possible could participate. Rather than repeat points that have already been made, I associate myself with the comments that were made by my hon. Friends the Members for Ellesmere Port and Neston (Mr. Miller) and for Coventry, South (Mr. Cunningham) on cowboy builders and on health and safety at work.

Mr. Deputy Speaker: Order. Perhaps I can assist the hon. Lady, who encouraged hon. Members to be brief. There are rules about being near live electrical equipment in thunderstorms.

Angela Smith: In that case, perhaps I should be extremely brief. If the electricity supply allows me, I want to discuss the Minister's comment on whole-life value in construction and the way in which the construction industry is key to the delivery of economic and social improvements.

The construction industry does not simply build houses—it also builds homes and communities. We need to examine the impact that housing design and construction have on communities. I welcome the Minister's response to my question earlier this week, when "By Design", which involves urban design, was published. When we discuss the quality of the environment, we often refer to the countryside. However, those of my constituents who live in heavily populated urban areas also need to maintain their quality of life and the quality of their environment. I welcome the approach that the document adopted.

I speak with no expert knowledge, I do not read *Building* magazine at bedtime and I have no professional qualifications or recent academic qualifications in this area, but many of my views are shared by the experts. The Egan report and the report by the social exclusion unit on neighbourhood renewal touched on relevant matters.

I speak not as a professional but from my experience and that of my constituents. At the age of nine I moved to Basildon, where I was brought up in what was then called council housing, which has been renamed social housing. When I left home and went to college, many of my peers thought that I was wealthy because I had mentioned the gardener on my parents' estate. It had not occurred to them that I was referring to the gardener on a council estate.

The house in which I grew up and in which my parents still live is typical of the good-quality homes that can be found in my constituency. I still remember my excitement at the age of nine when I moved to Basildon. However, with a little extra cost, imagination and thought, the pitfalls and problems that may affect future generations could have been avoided. I shall highlight some of those problems and some of the solutions that have been found locally.

New towns, by their nature, have high-density housing. Basildon is just 51 years old—a sparsely populated area quickly became a large and busy new town. While the relevant housing policy was generally good, designers occasionally appeared to be experimenting with us. I should have the support of most of my constituents if I proposed a ten-minute Bill that suggested that all house designers and builders should live on the council estates that they create for at least five years after they have designed and built them.

It is easy to see the problems with hindsight. The unprecedented and unpredicted growth in car ownership meant that garage space was quickly filled. People had to park their cars in parking areas a long way from home and car crime increased substantially. At that time, privacy for the individual was greatly prized in house design. As a result, there were no front gardens and houses were created around courtyards with high brick walls. Windows tended to face the back, so those who walked through the estate did not enjoy the security of being observed by people at their windows or in their gardens. In addition, some of the new heating systems proved inadequate.

We have looked at the work that can be done, some of which is mentioned in the "By Design" document. I hope that the final act of regeneration will be to rename the Vange 3/4 estate, although that is merely window dressing. We were concerned about the physical condition of homes. Structural repairs were needed and heating and ventilation were poor.

We have worked with the Rev. David Eaton and St. Chad's church, among others, to identify economic and social problems. There is high unemployment and far lower academic achievement than our children are capable of.

The council has used the estate renewal challenge fund to kick-start partnership with the Anglia housing association and set up the Vange community housing association and its board of volunteers. All the volunteers have put in considerable time and effort, but I shall flag up only a few. Councillor Paul Kirkman, who is chairman of housing, Lyn Beaumont, Julie Estarbrook and Keith Pocket have worked hard to ensure that the project was a success. There was a recent visit by the Archbishop of Canterbury, which was hosted by St. Chad's church, and the Barge pub has also participated. Although it is welcome, I cannot think of many projects where a church and pub have come together for the benefit of the community.

The Minister will be aware of the planning for real concept. In keeping with that concept, Bardfield junior school constructed a scale model of the estate and local

[Angela Smith]

community. We asked residents about the problems that they experience in their environment and homes. As well as matters relating to their homes, they mentioned crime, safety, the environment, traffic, leisure and community facilities, jobs and training, and health. All those issues have impacted on the quality of life on the estate.

We have brought together partners from the various agencies. Lack of time prevents me from going into detail, but by investing in the construction and improvement of homes, we have also rebuilt the community. Similar work has been undertaken on the five links estate by using money from the single regeneration budget, social housing grants and private finance. The part of the estate that has been completed is excellent. Unpopular blocks of flats, underground car parking areas and garages have been demolished. My assistant, Lynda Gordon, and I have visited several people in their new homes and they are delighted. I am very envious of Lynda. She is a former resident of the flats, so she was allowed to knock part of them down with a huge crane. I was not, and I shall never forgive her for that.

Crime and the fear of crime were the main factors that residents identified, but they feel unsafe in their own homes and environments because of poor housing design. Although I have stressed how wonderful the project is, it has tackled only half the estate and the Minister will forgive me for taking this opportunity to mention that we need the SRB6 bid to complete the work. I emphasise that point because my constituents need that money and I hope that he will ask his ministerial colleagues to look favourably on the bid.

Our aim has been to stop regarding the construction of housing and the construction and rebuilding of communities as separate issues. As I have said, when we construct homes, we construct communities. It is not simply a question of the homes themselves, but of how we treat the surrounding environment. Sadly, many years ago, the high street was knocked down and a private shopping centre built. Crime is rife because of the design of the shopping centre, and it is proving difficult to force the private owners to do something about it. Builders and all who are engaged in construction have an obligation to the families who will live in their homes and communities. That goes far beyond ensuring that the fabric of the house is safe—it is an obligation to the fabric of the community.

Government is about quality of life. The Minister mentioned the respect for people initiative in relation to those who work in the industry. I should like that to extend to the people who live in the council estates and housing estates that are provided by those contractors and constructors.

All hon. Members meet people with housing problems. With hindsight, it is easy to say that councils, Government builders and estate designers have created those problems, but allocating blame does not help the situation. What will help is learning the lessons from the mistakes that we have made and ensuring that we do not repeat them.

4.50 pm

Mr. Stephen O'Brien (Eddisbury): While I was waiting for the debate to begin, I had a brief interchange with the Minister about the difficulties involved in knowing where to sit in this hemicycle Chamber. I have moved as close to him as I possibly can, but can go no further. I hope that he realises that I have taken centre stage, rather than the middle ground.

Before I entered the House last July, I was involved in the construction sector—especially the building materials side—for 10 years. I worked for Redland plc, an international FTSE 100 company that makes roof tiles, bricks and aggregates in 32 countries. I was also, for five years, chairman of the public and parliamentary affairs committee of the National Council of Building Material Producers, which subsequently joined with the Alliance to become the Construction Products Association. I no longer have any declarable interests in that regard, although I should say that I am an unremunerated member of the parliamentary panel for the Association of Consulting Engineers.

Perhaps I should challenge the hon. Member for Ellesmere Port and Neston (Mr. Miller) as to which of us has laid more bricks.

Mr. Miller: The hon. Gentleman has dropped more, that is for sure.

Mr. O'Brien: I have not had as much time as the hon. Gentleman in which to do so. More importantly, he has worked on only one house; I assure him that I have worked on many more roofs. I have to say to the hon. Member for Corby (Mr. Hope) that the parapet referred to in Deuteronomy has now given way to the soffit board.

As has been widely acknowledged during today's debate, the health of our economy is dependent on a vibrant construction industry. The industry is capable of sustained growth. The signs of that—the number of tower cranes that can be seen or the number of track homes that are being built—can be identified in this country or in any other part of the world. The old truth about construction—that it was essentially a local business, in terms of materials or building, with radial markets—has disappeared, principally because of the value-to-weight ratio of building materials.

The construction industry is undeniably vital to the health and prosperity of the nation, because we spend 80 to 90 per cent. of our lives in or on the built environment. That applies to leisure time, home life, work life and transportation and movement. The industry represents 8 per cent. of gross domestic product and a huge number of jobs.

I felt that the Minister demeaned himself during his opening remarks by using the Chancellor's hackneyed phrase "boom and bust", because he has a great deal of experience of the industry—indeed, he and I met many years before I entered the House. The industry has been, and is likely to remain, fundamentally cyclical—although the degree of cyclicality is open to question. That is due primarily to the fact that the marketplace has two main drivers, in addition to the normal laws of supply and demand.

The first is that most of the materials for construction are commodity materials and it is difficult for competitors to make distinctions between their different

materials. A welcome degree of innovation and a great deal of effort are going into research—especially, these days, into the environmental aspects of the market. However, whenever there is a variation in supply and demand in commodity markets, in relation to the people, office space or factory space required, the price will be the factor that collapses. For example, a company making bricks will commission the factory when it sees the curve going up. However, by the time the commission period—usually a minimum of 18 months—has passed, the market could have peaked. That will put more overcapacity into the market and perpetuate the cyclicality. That is inevitable because competitors in a free market—a welcome state of affairs—habitually compete for market share.

The other driver, apart from the normal supply and demand criteria, is the land turn. In the construction industry, the idea exists that it is the building that matters. The building is phenomenally important to our identity, culture and national pride. Much of what we see when we look around us is a definition of what we believe we are. However, the driver for the financial base of construction is the land turn. In this country, particular issues arise from that because of our planning laws and because we are an island with a restricted amount of useable land—not least if we preserve the green belt, as my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) mentioned.

Land has a scarcity value. There is, therefore, an added premium on the land turn. The speed with which value is added to land is often the determining factor in its profitability. As the Minister rightly said, we might argue in favour of increasing the work load within the sector, for the health of the economy. The fact that, in Europe, construction accounts for an average of 12 per cent. of gross domestic product has been mentioned. Even if we take away the rather oddly funded European Union grants, that figure would still be about 11.5 per cent. An example of those grants can be found in Madeira, where tunnels and motorways are being built all over the island. That seems to be the last place one would want such construction, but that is where the European Union has decided to put its money. The United Kingdom's figure is 8 per cent. of GDP. We have a serious deficit in terms of infrastructure, replacement housing and remodelling. That is one of the main issues relating to what is to drive the two main concepts that the built environment represents: our quality of life opportunities and competitiveness.

Politicians have a role to play in bringing value to the construction industry. It is not good enough that people are badly housed or that they do not have sensible work places—an increasingly environmentally sensitive area. Furthermore, it is no good producing commodities if one cannot get them to market—for example, to the docks at Southampton.

I cite the example of the dispute over Twyford down. Irrespective of the politics behind that decision, had we been minded to invest more in the scheme, a solution might have been to put a tunnel under Twyford down. In my opinion, that would have been a better way, although I understand why the decision was taken to build the M3 corridor in the way that it was; it was vital to our competitiveness. There was no dispute that the M3 had to be properly linked to Southampton. It would have been a good idea to spend more money, but the general tenor of public opinion at the moment is that it is difficult to persuade people that raising taxation, which such a proposal might have entailed, is a good thing. However, that was a trade-off that I want to place on the record.

When we look to the future of the construction industry, the essential commodity is confidence. It drives the necessary planning and investment and although we have mentioned cyclicality and the opportunities of economic growth, certain factors are dragging confidence down. I shall touch briefly on those issues, given that so many have already been well argued and addressed. I applaud the initiatives of the Government and the previous Government in trying to get best practice to demonstrate best value, both in the private sector and in the major client sector—the governmental and quasi-governmental organisations that commission work—but there is a drag on that because the very best practice may mean giving up some competitive advantage. That is one area in which trust must be created. Trust and confidence in the construction industry are necessary if there is to be added value benefit.

Other hon. Members want to speak and time is pressing, so I shall skip my detailed arguments because they have been adequately covered, but I will refer briefly to the calibre of those who go into our industry. The hon. Member for Crosby (Mrs. Curtis-Thomas) made a valid point. I used to be involved with the Cambridge university career service and it was a great disappointment to find that only 4.8 per cent. of Cambridge graduates went into manufacturing industry, primarily the construction industry. My aim was to increase that figure to 10 per cent., but I failed. It got to 9 per cent., but has since fallen back to 7.6 per cent. If we are to encourage high-calibre graduates, including women—who are proving to be very successful in their attainments at graduation—into the industry, we must change the perception that it is a dirty, working-site sort of business. It is a highly sophisticated, innovative, science-based industry.

I urge the Minister, when considering the arguments that have been made today, to do his best to encourage the Chancellor to take a positive step to align the fiscal incentives to all the initiatives that have been suggested today by various hon. Members and by the Minister. Those incentives make a difference and will enable the construction industry to have a secure future.

5.2 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I shall try to be brief because I know that my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) wants to speak.

The aspect that I want to focus on and to which my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) referred is the image of the construction industry and how young people perceive it. No one in the Chamber has focused on that during our debate, but young people are the future engineers, carpenters, bricklayers, painters and so on. The Construction Industry Training Board recently commissioned a poll from MORI on young people's perception of the construction industry. Young men and women aged 15 to 19 were asked whether they would consider entering

[Dr. Ashok Kumar]

the industry as a career choice. One in five found the idea of a career in construction very or fairly attractive, but the majority—65 per cent.—found it unattractive, with more than half of those finding it very unattractive. The disadvantages, with which more than 40 per cent. of respondents agreed, included long hours, dirty, dangerous, outside work, and hard physical work. That was hardly an encouraging response from an age group that is needed to maintain the industry's productivity. The Minister must consider that because the future of the construction industry needs quality young people.

I want to focus on the Teesside tertiary college in my constituency, which is a good example of a local training provider and tries to narrow the skills gap to which hon. Members have referred. The college offers NVQ courses at various levels in the built environment, painting and decorating, wood occupations, plastering, plumbing and so on. Recently, it has offered taster sessions in construction to local secondary schools to try to raise understanding of construction activities and awareness of opportunities available in the industry.

The Minister referred to the problem of promoting women in the industry, but I am sure that he will be pleased to know that Teesside tertiary college has been making a tremendous effort to promote women and disabled students. More women students are attracted to the construction courses than to other engineering courses, and the college has two deaf students, who are supported by a sign language interpreter.

I also want to draw to the Minister's attention an article in the *Daily Express* earlier this week about the Oxford women's training scheme, one of a handful of United Kingdom schemes providing training, employment development and support in non-traditional skills for women. Of course it is limited, but it is an achievement, and there should be more such schemes.

Teesside tertiary college has also seen a marked increase in the number of modern apprenticeships and new deal students registering for its courses. From September 2000, school leavers will be offered the opportunity to combine academic A-levels with vocational training in the built environment. Most of those students are self-motivated. While links with employer organisations such as the Engineering Construction Industry Training Board and Building Engineering Services Training are good, employers do not fund training except by providing day release. Consequently, some students find it hard to be motivated to complete a course that their employers do not appear to value and they leave, adding to the semi-skilled work force that causes so many problems.

An encouraging report published by the Minister's Department on Monday, which was written by a working group of the Consultative Committee for Construction Industry Statistics, found that the number of companies providing support went up by 10 per cent. between 1998 and 1999. The Minister should encourage that sort of training in colleges and provide future support.

5.6 pm

Mr. Lawrie Quinn (Scarborough and Whitby): Before I begin, it would be appropriate for me to draw everyone's attention to my interests listed in the Register of Members' Interests. I am proud to be a chartered civil engineer. I worked in the railway industry for 20 years and I am glad to say that, should I ever need to find alternative employment, my former employer, Railtrack, has offered me first refusal if I want to return to that career, so I have duly listed it. That neatly brings me on to one of the recurring themes of today's debate—the future of the construction industry and a desperate skills shortage.

Recently, the industry's widely read magazine *New Civil Engineer* reported the lamentable fact that we are now having to recruit engineers from the Indian sub-continent to deliver the prestigious west coast main line infrastructure project. That is the thin end of the wedge. I join the hon. Member for Chipping Barnet (Sir S. Chapman), who displays a considerable knowledge of the construction industry, in urging the Government to look closely at the crisis point at which we are arriving. We need to focus on these skill shortages; we need classic, joined-up government across all Departments to look at construction professionals for the future; and we need to provide people with an opportunity to become flourishing engineers and construction professionals, so that they can contribute to the overseas earnings delivered by construction—20 per cent. of invisibles, as was mentioned earlier. It is an important part of the British economy that we cannot afford to lose.

In the limited time that I have I want to refer to an important conference that will take place in Birmingham next week. I congratulate the Minister on facilitating this debate, because I know from visiting the millennium dome, which is a good example of British engineering and innovation, that an important event is taking place in his community today. When I met the person who is now the mayor of Greenwich borough, I gave her an alibi for the Minister—not that he needed one. I told her that he was involved in an important debate in the House and that I was hoping to catch Madam Speaker's eye. She understood, and I am sure that she would want me to pass on her best wishes. The Minister and the Deputy Prime Minister have supported the Movement for Innovation initiative throughout. Next week, it is holding an important national conference entitled, "Rethinking construction—profiting through innovation".

The considerable time that I have spent in the construction industry has taught me that construction involves teams and partnership and it requires people to work together. It is appropriate that we had our debate in this Chamber—we all want to focus on the future of this vital industry, and there has been a consensus throughout.

Some hon. Members who spoke earlier may not have passed on due credit to the many learned organisations that work in construction, including the Institution of Civil Engineers, to which I belong, and the Institution of Structural Engineers. The chartered surveyors organisations have done much important work. All such groups have been batting for Britain—they helped to ensure that the world's engineering opportunities have been met by British engineers and, recently, they have helped to develop the skills of engineers abroad, especially those in the developing world. I commend all those engineering institutions, which have worked closely with and offered learned expertise to the Republic of China.

We need to focus on world markets and the skills of engineers. I hope that under this Labour Government, engineering and construction will move from its current high point to even better times.

5.12 pm

Mr. Raynsford: We have had an absolutely excellent debate. My opening speech was followed by those of 12 hon. Members, and if my concluding remarks are added, there will have been 14 speeches in all. Our debate ranged over many subjects, all of which are of considerable importance and relevance to construction.

Our debate was characterised by the expertise of the hon. Members who have spoken—we have had an incredibly well-informed debate—and by the many different perspectives that have been represented. We have benefited from, for example, the professional and technical expertise of my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) and from the business expertise of the hon. Member for Eddisbury (Mr. O'Brien). We were given some interesting insights into professional backgrounds. My hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) clearly went the wrong way in her training when she studied mechanical rather than civil engineering. I was delighted by her contribution to our debate.

There is a risk of a brick-laying competition between my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) and the hon. Member for Eddisbury, and there may be a bedside-reading competition between the hon. Member for Banbury (Mr. Baldry) and other hon. Members, who may choose to read alternative construction publications at night. We have discussed several immensely serious issues that matter greatly to the industry and which will affect its future.

The hon. Member for Poole (Mr. Syms), the Opposition spokesman, opened the debate in his characteristic way. I became well accustomed to his style during our exchanges on the Transport Bill, when we sat on opposite sides of a Committee Room, which is a more confrontational venue. He displayed the sweet reasonableness that characterises his contributions, not only in this debate, but elsewhere. He highlighted certain specific problems, notably those of people in the construction industry who were not being paid on time. I am happy to be able to say that, because of the recommendations in the Latham report and the action taken to put them into effect in the Housing Grants, Construction and Regeneration Act 1996—introduced by the previous Government, but brought into effect by this Government—we are making inroads into the issue. It is widely accepted that that Act has made things better. However, there are still some problems, and we shall consider those as we review progress on that legislation.

The hon. Gentleman also highlighted the problems with the construction industry scheme. One of the curiosities of the old 714 scheme was that it required people to present their 714 certificates in person. That is not widely known, because virtually no one did so. The problem with the use of fax is that it is difficult to authenticate material sent through electronic communication systems; it is easy to present bogus certificates. Presentation in person should provide an extra element of security. We are aware of the anxieties that have been voiced about the scheme. As the hon. Gentleman acknowledged, a review is under way. We are looking for ways to simplify the scheme, while preserving the basic principle that we should provide proper safeguards against abuse and tax evasion. We want to create a framework in which the industry will find it easier to operate and which will cut out unnecessary red tape—a theme that came up repeatedly in the debate.

The hon. Member for Eastleigh (Mr. Chidgey) mentioned his experience in civil engineering in the middle east in the 1970s. He described the dominant position of the British construction industry at that time. He was concerned that we should continue to push our interests in that part of the world, as well as elsewhere. I am pleased to be able to put on record—the hon. Gentleman explained courteously that he could not stay for the winding-up speech—that, in the past three years, the Department has led construction trade missions to several countries in that region.

I have led missions to Egypt, Jordan, Lebanon and Turkey, the last leading to a successful joint venture between the British construction industry and the British Government to prepare a master plan for reconstruction in the Yalova area, which is one of the areas most devastated by the terrible earthquake in Turkey last year. That is a practical example of industry and Government working together to help where it is needed overseas, thereby helping the British construction industry to compete more easily and more successfully in those markets. We are committed to that.

My hon. Friend the Member for Coventry, South (Mr. Cunningham) spoke with great knowledge and passion about appalling examples of abuse of vulnerable people by cowboy builders. Nothing angers hon. Members more than stories about elderly people and other vulnerable people being scandalously ripped off by rogues who masquerade as builders and, by doing so, blacken the reputation of the whole construction industry. That is why we are determined to drive forward our programme to tackle the evil of cowboy builders. I shall return to that issue in response to the points raised by the hon. Member for Banbury.

Before I do, I will refer to the contribution made by the hon. Member for Surrey Heath (Mr. Hawkins)—also, unfortunately, unable to stay, as he explained courteously. He rightly highlighted the difficulty of achieving a balance between conflicting interests. He mentioned the importance of high-quality building while preserving the countryside. That is one of the great dilemmas of our time—how can we ensure that we meet the great need for housing in areas under great pressure without damaging or destroying our priceless countryside unnecessarily? We are trying to do that through planning policy guidance that seeks less profligate use of land without downgrading the quality of the environment.

To refer to a point made by the hon. Member for Banbury, the densities of some of the most desirable and most well designed buildings in our cities—for example, Georgian houses in London and some of the much praised new developments such as Poundbury in the west country and even the millennium village in Greenwich in my constituency—are far higher than the 23 per hectare which has been the average for house-

[Mr. Raynsford]

building in the south-east in recent years. If a high-quality environment can be provided at 30 dwellings per hectare, housing needs can be met and further unnecessary land-take avoided. That is a prize that we must achieve. We are discussing not poor-quality, tawdry environments but high-quality design to create environments such as Poundbury, Greenwich, Chatham Maritime and the Georgian terraces in London. We want to provide good environments where people will want to live. That is how we can achieve the balance that the hon. Member for Surrey Heath rightly wants.

My hon. Friend the Member for Ellesmere Port and Neston rightly highlighted problems with employment practices under which self-employment regulations were abused for a variety of reasons that were endemic in the industry. He stressed the importance of a new approach and an end to the old adversarialism in the industry. We are making progress, but there is a long way to go. Above all, we are getting the message across that it is important for the industry to have a well trained, loyal work force instead of depending on individuals who are simply hired on a casual basis. Many of the evils of poor employment practice and poor construction can be attributed to those patterns of the past and we are trying to move away from that.

My hon. Friend also highlighted the safety issue, which is of great concern to him and many other hon. Members, as well as the trade unions, which have played an important part in highlighting practices in the industry that have led to an unacceptable level of accidents, injuries and fatalities. There are currently around 80 fatalities a year, which is too high, and too many people suffer serious health problems and injuries as a result of unsatisfactory working practices.

There is no complacency and we continue to work to improve standards and to ensure that the Construction, Design and Management (Health and Safety) Regulations 1994 are carried forward to improve working practices. I know that the Health and Safety Commission is extremely vigilant in pursuing the matter. The "Working Well Together" initiative is a ground-breaking campaign developed by the Health and Safety Executive's construction industry advisory committee to refocus the industry on the principles of the 1994 CDM regulations and provide impetus for change. We shall continue to maintain a high focus on that.

The hon. Member for Chipping Barnet (Sir S. Chapman) has great experience and knowledge of the construction industry, having worked as an architect and having retained his interest and understanding of the issues relating to architecture, planning and construction. He raised a number of important matters. He questioned why the construction industry has had less political clout that it deserves. I hope that we can begin to change that.

In response to a challenge from the hon. Member for Banbury and in advance of my comments on his speech, I should say that we initiated this debate because we thought that it was right to have it. It is not for me to decide whether we should have such debates annually, but our debate today has been informed and serious and the House would benefit from similar debates. We would have no difficulty with that, and it might help to raise the political profile of the industry, which would be a thoroughly good thing.

The hon. Member for Chipping Barnet asked about the climate change levy and the aggregates levy, while stressing the importance of sustainability in construction policy. If we want to achieve sustainability, we must discourage profligate use of materials. There is no doubt that economic instruments can play a role in discouraging unnecessary use of certain materials. Whether the aggregates levy is the right method is a matter that we shall continue to debate for some time, but the voluntary package put together by the Quarry Products Association has failed in a number of respects to meet the objectives essential to an effective voluntary scheme.

More seriously, many small quarrying companies declined to participate, and made it clear that they totally opposed the voluntary package. In my view, one cannot have a voluntary package to which a significant number of players in the industry—albeit small ones—have not signed up. That creates competition distortions between those who are prepared to pay a voluntary levy and those who are not. That factor led my right hon. Friend the Chancellor to decide that a voluntary scheme was not feasible, and that it was necessary to move towards an aggregates levy.

My hon. Friend the Member for Crosby rightly highlighted the problems associated with excess regulation, and the important work of the better regulation task force. I am pleased to say that we are working on those themes in a number of areas, including building regulations and certain aspects of planning policy. We are trying to establish proper safeguards to ensure compliance with requirements that are essential to safety and good performance. However, we do not intend to produce unnecessary red tape or impose unreasonable burdens on industry. There is a balance to be struck, but we believe that there is further scope for improvement in the regulatory framework, enabling us to achieve what is necessary while avoiding the imposition of an unreasonable burden on business.

I introduce comments on the speech of the hon. Member for Banbury with such remarks because he is an advocate of a statutory scheme to deal with cowboy builders. I put it to him that trying to regulate an industry consisting of 160,000 separate companies gives rise to problems of red tape. There is a tension between statutory regulation and the argument—which has been voiced widely in this Chamber—for reducing the regulatory burden. I say to the hon. Gentleman, as I have said to others, that if it became clear that a voluntary scheme could not work, we would not hesitate to look at the matter again. There would be no question of pride about our previous commitment to a voluntary scheme; we would be prepared to review the need for a statutory scheme.

Nevertheless, the Merricks committee recommended a voluntary scheme and that is what we are pursuing. We believe that it can work, and the evidence from Birmingham is encouraging. I have great respect for *Building*, but the hon. Gentleman should not believe everything that he reads in it. The figure of 250 is ours, and I hope that he will read my letter, which will correct

the figures that he quoted from the most recent issue. We believe that the voluntary approach should be pursued, and we are keen to do so.

My hon. Friend the Member for Basildon (Angela Smith) gave a warm welcome to the "By Design" document that was published at the beginning of this week, and highlighted some specific issues in her constituency, where planning-for-real exercises can put right some past mistakes and create a better environment. She used that as an ingenious way to promote a single regeneration budget bid, but she will understand that I cannot comment on that.

The hon. Member for Eddisbury, who has great expertise in the construction field, made a number of useful points. He highlighted the conflict between land use, planning issues, quality of life and competitiveness, and used Twyford down as an example, although many others could be given. I agree wholeheartedly that those are difficult challenges which must be met intelligently. We must strike the best possible balance between competing claims. He emphasised the importance of trust and confidence to the future of the industry, and I wholeheartedly agree.

My hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) talked about the importance of attracting young people into the industry and the negative messages that are sent by poor site conditions and other discouraging factors. We must do more to encourage an active interest in the industry, so that more young people with talent and skills will enter it.

My hon. Friend the Member for Scarborough and Whitby, who also has great expertise in this field, talked about the importance of construction as a team game. He is right, and this afternoon's debate has been a team exercise. It has also been a credit to Parliament and the industry—the future success of which we want to promote.

Question put and agreed to.

Adjourned accordingly at half-past Five o'clock.

Westminster Hall

Tuesday 23 May 2000

[SIR ALAN HASELHURST *in the Chair*]

Sierra Leone

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mrs. McGuire.*]

10 am

Mrs. Cheryl Gillan (Chesham and Amersham): On a point of order, Mr. Deputy Speaker. Yesterday, the Minister gave evidence to the Select Committee on Foreign Affairs and this morning, I tried to obtain an uncorrected transcript of his evidence. In so doing, I have spoken to and been helped by the Clerk of the Select Committee.

I understand that the contract that the House has with the organisation that transcribes the evidence prevents the House from having more than one expedited transcript of evidence in any one parliamentary Session. Therefore, the transcript is not available to the House today, even though a debate is taking place on the same subject and the transcript would have been a great help to hon. Members. Might I, through you, Mr. Deputy Speaker, ask whether there is a possibility of having the contract changed so that hon. Members are not impeded in their deliberations on subjects as sensitive and important as those that we are to discuss with regard to Sierra Leone?

Mr. Deputy Speaker: As I am sure the hon. Lady will recognise, I cannot rule on the matter from the Chair although I have sympathy with the fact that the juxtaposition of the two events is such that it would have been helpful for the transcript to have been available. However, the control of such matters lies primarily with the Select Committee, which cannot be overruled unless new procedures are devised. Perhaps this is a matter for the Liaison Committee. I thank the hon. Lady for giving me an opportunity to respond and for putting the point on the record, but there is nothing that we can do to assist us during the debate.

10.2 am

Mr. Tony Worthington (Clydebank and Milngavie): I am pleased to have the opportunity of introducing this morning's debate because of a personal, long-term interest in west Africa. My interest has arisen from visits to Sierra Leone, Nigeria, Ghana and Liberia, and because of the importance of the issue in terms of the future of the United Nations, which is surely of concern to us all.

The Government have been too diffident in justifying our role in Sierra Leone since the paratroopers landed there about a fortnight ago. We have constantly sought to say that our involvement is short term and will soon be over. Our involvement is just and necessary. We must be wary of over-involvement and devote a great deal of attention to achieving a greater contribution from others. However, we must not open ourselves to accusations of misleading the British public, as in some respects, a longer-term involvement is needed.

Sir Peter Emery (East Devon): I thank the hon. Gentleman for allowing me the impertinence of intervening at the start of his speech. I endorse what he is saying with regard to this important subject. Members of the Foreign Affairs Committee, who are considering Sierra Leone, would normally wish to be here for the debate. However, this morning and this afternoon they are working on the final report of the Kosovo inquiry, which has been running for four or five months. I thought it right for this Chamber to know why the members of the Foreign Affairs Committee were not present.

Mr. Worthington: I appreciate the right hon. Gentleman's contribution. I am pleased that the Foreign Affairs Committee is conducting an inquiry into Sierra Leone. I hope that my speech today will be considered as my evidence to it.

Sir Peter Emery: Thank you very much.

Mr. Worthington: We need to consider the full dimensions of the Sierra Leone crisis. I am delighted that the days of Tory policies—or non-policies—on Africa are at an end. I draw attention to previous crises in Africa and to the way in which the House dealt with the issues involved. First, let us consider the previous Government's response to the Rwanda crisis. I remember the shame of Rwanda when this country and so many others turned their back on the most appalling genocide to have occurred since the second world war. We still do not know how many people were slaughtered during that crisis but the figure of 500,000 is often used. When the Security Council of the United Nations, with our support, pulled the United Nations out of Rwanda, the innocent were left to be slaughtered. The Government made no statement to the House about Rwanda and there was no parliamentary activity.

Dr. Jenny Tonge (Richmond Park): I thank the hon. Gentleman for giving way. Does he agree that as a result of the then Government's failure to act when genocide was occurring in Rwanda there is now the most appalling instability in the Great Lakes region, and it is threatening to spread across Africa?

Mr. Worthington: I am grateful to the hon. Lady for that comment. Our past inactivity in that area is one reason for our present position. We made no political response to Rwanda; the British Government ignored it. However, we are not ignoring Sierra Leone, and that is an important step forward.

Secondly, let us consider Liberia, which is next door to Sierra Leone and contributes enormously to its problems. What did the United Nations do about Liberia? Nothing. After the American debacle in Somalia–an intervention that provided too little, too late and that was able to cope only with a war without casualties–the United Nations coined the idea of African solutions to African problems, which meant, in other words, "It's nothing to do with us, guv."

Mr. Crispin Blunt (Reigate): Does the hon. Gentleman believe that the United Kingdom has the same national responsibility for Sierra Leone and Rwanda, or does he think that it has a different responsibility in the light of its interests in particular regions and because it has to act sometimes in the international community and sometimes on its own?

Mr. Worthington: The hon. Gentleman raises an important issue. In considering the way in which the Security Council operates, we must take into account where lead responsibilities lie. I do not have the slightest doubt that the lead responsibility in the case of Sierra Leone lies with us, although that is not the case in respect of Rwanda. Countries that have been most associated with African nations in the past have sometimes been the least appropriate to take a lead.

Mrs. Gillan: What was the policy of the Labour party on Rwanda? Did the then Opposition call for Government intervention and, more especially, military intervention? Did the hon. Gentleman expect our troops to be deployed in Rwanda?

Mr. Worthington: I am not proud of our role with regard to Rwanda. Nor am I proud that Rwanda was not debated in the House and there was no statement on it. Indeed, there was no parliamentary activity in respect of Rwanda, apart from two Adjournment debates that I initiated. That is to the shame of this country. I am glad that we have moved on to acknowledge Sierra Leone.

I was talking about Liberia and the idea of African solutions to African problems, which meant that we excused ourselves from any involvement. That led us to the absurdity of a pariah state–I am speaking of Nigeria, which was thrown out of the Commonwealth–ruled by corrupt military thugs, who robbed their own country, being encouraged to lead forces in Liberia and Sierra Leone on behalf of the world community to try to end the turmoil there. That approach had many problems, one of which was that the Nigerians did not pay their troops, who were forced to live off the country that they were protecting. I remember the exasperation of the non-governmental organisations in Liberia when they found their food warehouses empty having been guarded by the Nigerian army. Eventually, however, the Nigerians turned up trumps; they drove out the Revolutionary United Front from Freetown to an extent that made it possible to draw up a flawed peace deal.

My most recent experience of Sierra Leone was at the end of March when I went there on behalf of the Westminster Foundation for Democracy. I pay tribute to that organisation which was established by the previous Government with all-party support and has allowed many hon. Members to play a valuable role in supporting and establishing multiparty democracy throughout the world. The Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain), asked the Westminster Foundation for Democracy what could be done to support the democratic process in Sierra Leone.

The Lomé peace deal includes plans to hold three elections and it is the job of the Westminster Foundation for Democracy to provide help, training and support for the political parties so that those elections are free and fair. That is not an easy task. Parliamentarians have not been able to return to their rebel-held constituencies for a long time and all forms of communication in Sierra Leone, which has become the poorest country in the world, are appalling. I assume that the elections are on hold.

The press took it for granted that the UN peace effort was hopeless. That was unfair. The atmosphere in the country in March was one of optimism, although there was uncertainty about Foday Sankoh's intentions. Although disarmament was slow, it was estimated that about 15,000 of the combatants had disarmed. Progress was being made, but it depended on the integrity of Foday Sankoh, who had signed the Lomé agreement. The UN was asked to oversee a peace agreement and forces were being assembled for that purpose; it was not its intention to prosecute a war. Foday Sankoh changed all that. Despite having received an amnesty for his crimes, the rank of vice president and responsibility for the mines commission, he failed to honour his word.

The peacekeeping force—although of a varied quality—was being assembled. The camps for disarmament were being set up and a disarmament, demobilisation and reintegration programme was being introduced. The British effort was considerable. We were—and are—contributing enormously. However, the society was in total collapse. There was no army to speak of because it had rebelled against the Government and sections of it had formed militia groups. The police were in disarray. British aid did not concentrate simply on food and medicines—humanitarian aid—but on how Sierra Leone could be rebuilt from the bottom. It is relatively easy to construct buildings, rebuild roads, repair radio masts and reopen schools and health services; it is much harder to rebuild a society's social institutions and the rule of law, and to construct a shared understanding between opponents who have accepted that peace is better than war. That is painfully difficult work.

The conduct of the public debate on Sierra Leone has been seriously flawed. It has been wrong to concentrate on how quickly we can get out. I know that the debate has focused on frontline troops, but we must be honest and admit that it will take years rather than days or months to achieve a better future for Sierra Leone. A working democracy must be established. Earlier this year, we said that we were interested in reconstructing the Sierra Leonean army and the police force. In Freetown, I met the Ministry of Defence advisory team, which had decided to use our strategic defence review as a basis for a similar review of Sierra Leone. It was starting from scratch and had to consider the security risks and the country's defence needs. It started with the police, and is also concerned with political parties there. The country has been destroyed by nine years of war and many more years of corruption.

Mr. Paul Keetch (Hereford): Does my hon. Friend agree that the evidence of the post-second world war era is that whenever an international organisation such as the United Nations goes in and comes out quickly the long-term result is instability, but that when it goes in

and stays in, there is at least a chance that stability, order and democracy can be restored—often at a lower price than a quick operation?

Mr. Worthington: I agree, but there has to be a quality input, which is what is happening in Sierra Leone.

There are positives in Sierra Leone. It has hung on to some of the traditions of the legal system established by the British. Until recently, it had a good university. Civil society has some strong elements; a non-governmental organisation called the Centre for Good Governance would rank with many of the best NGOs. It is a small country with between 4 million and 5 million people. It has no huge regional, ethnic or religious tensions such as one finds in Nigeria or Sudan and there is a huge lust for peace.

If the United Nations cannot cope with Sierra Leone, it cannot cope with anything. It is important that it does cope, because many other tasks await it—for instance, next door in the Congo. We must make Sierra Leone succeed; if we cannot, the consequences for the world will be appalling. The message will be that the Foday Sankoh style of thug can run riot, and the UN will have to shut up shop as a peacemaker—and as an enforcer of peace.

The United Nations includes us, but that does not mean that we should always take the lead. However, UN forces should not include the appallingly trained and ill-equipped forces of parts of the developing world. There must be some first-world involvement because of our logistics and strategy.

Mr. Mike Gapes (Ilford, South): My hon. Friend, who knows about such matters, will recall that "An Agenda for Peace", the report produced in 1992 by Boutros Boutros-Ghali, set out exactly what the United Nations needed to do to build up its ability to deal with regional conflicts and the subsequent peace-building process. Regrettably, the implementation of that report has been sabotaged, particularly by the United States. Does my hon. Friend agree that that report suggests some of the solutions that the UN needs today?

Mr. Worthington: We have to revisit those issues. The United Kingdom is a member of the Security Council. If we are to respond appropriately to such crises, we must learn the lessons of the past; we must then move forward. It is obvious that we are leading in Sierra Leone; the shortest of visits confirms Britain's pre-eminence there. However, in response to the point raised by my hon. Friend, our actions are a role model for other Security Council member states.

I welcome the fact that our response was so thorough and committed. However, it is unsatisfactory in the long term that the UN force and our forces should act separately and distinctively, as they are doing in Sierra Leone. A job needs to be done there, and I am confident that the Ministry of Defence and the Foreign and Commonwealth Office realise that and are looking for a solution.

The Government's policy is to end world poverty, but there is not the slightest chance of doing that unless we face up to the conflict. The vast majority of the poorest countries in the world are in conflict or emerging from it. To end their poverty, those countries must rebuild their social infrastructure, which has been destroyed because most of those wars were the result of internal conflict—although, as in the case of Sierra Leone, some of them were stimulated from abroad. In facing that task, we must consider how the international community should respond. We must consider the co-ordination of actions and the funding of peace efforts.

It is crucial that the UN's response should be quick and appropriate. The forces of the United Nations mission in Sierra Leone built up painfully slowly, which resulted in limbo after the peace deal. NATO, the world's pre-eminent military alliance, was unable to respond timeously, whether with relief and helicopters for Mozambique or the transport of soldiers to Sierra Leone. The Canadians have recently transported other nations' peacekeepers, but why is every peacekeeping initiative involving third-world forces bedevilled by the inadequacy of the means of getting them to the site, when NATO could do that?

Communications is another issue that needs to be examined. The country virtually no longer has a telephone system outside Freetown. Therefore, it needs first-world communications systems to be brought in. The absence of radio transmission for the whole country makes it fertile territory for the rebels. We can tackle that. However, we cannot go back to the Tory days of blaming the United Nations for failure when the main reason for that was our failure to provide the necessary support and team work.

Dr. Tonge: The hon. Gentleman has been extremely generous over interventions. Does he think that not seeking control of the diamond mines in Sierra Leone was one of the fatal mistakes? They were allowed to remain in the control of Sankoh and continue to fuel the war.

Mr. Worthington: I am coming to the diamonds, which are a crucial issue.

We have done very well with respect to our present commitment. We recognised, first, through the scale of our commitment, that humanitarian aid was not enough—the high commission, the Ministry of Defence and the Department for International Development have responded well—and, secondly, by the quality of our military response, that we were right to do as we have done. It is foolish of the Opposition to demand withdrawal dates or published limitations of action. Have they not learned from Kosovo that when we state that we shall not take certain military action, only the enemy benefits?

Mrs. Gillan: Will the hon. Gentleman give way?

Mr. Worthington: I would rather not, because I am conscious that other hon. Members are waiting to speak, and I have been generous in giving way.

We must give quality support and work with countries such as the newly democratic Nigeria, to ensure that the UN peacekeepers do their job effectively, but we must be deeply sceptical about other countries such as Liberia, which has been involved in stimulating trouble in Sierra Leone and which has a considerable diamond trade, although few diamonds. The killing of a high-ranking Liberian officer alongside rebel forces in

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Sierra Leone suggests that President Taylor may well be up to his old tricks. The capture of Foday Sankoh is tremendous news but there will be difficult days ahead in trying to ensure the safety of the hostages and we must be careful what we say in those circumstances. However, I am confident that with skilled management at the heart of the UN response the rebels can be driven back.

Enormous skill will be needed to tackle a central problem of Sierra Leone—control of the diamond industry, which remains in rebel hands. For a long time, politics in Sierra Leone has been corrupted by diamonds. Sierra Leone cannot become healthy until that wealth is honestly administered. In the words used by Graham Greene for the title of his novel, they are the heart of the matter. A report on the diamond industry, also called "The Heart of the Matter", by Smillie, Gberie and Hazleton, states that until the 1980s the legendary, mystical firm of De Beers, with its virtual monopoly of diamond marketing, had an office in Freetown. Now it maintains a diamond trading company in Liberia and a buying office in Guinea, but nothing in Sierra Leone. It is difficult to believe anything other than that many of the Liberian diamonds are of Sierra Leonean origin.

It is estimated that the annual Liberian production of diamonds is between 100,000 and 150,000 carats. However, Belgium imported more than 6 million carats from Liberia, although De Beers claims not to purchase Sierra Leone diamonds. There will not be peace until the diamond trade is controlled and that cannot be done by Sierra Leone alone. The same also applies in Angola and the Congo. The control of diamonds will have to be achieved through the setting up of control mechanisms by the developed world; otherwise, mayhem and thuggery will continue in Sierra Leone with assistance from outside the country.

The refugee and internal displacement problems are further reasons why a quick fix is not possible in Sierra Leone. About 500,000 people are refugees–10 per cent. of the population live outside the country–and about half the population has been internally displaced by the conflict. Mayhem has been rife in large parts of the country. That is graphically demonstrated by the amputations, the torture, the child soldiers and the total collapse of any ordered society in the regions, where the rebels have ruled by terror. Sierra Leone has become the poorest country in the world, a large proportion of the population being illiterate because a generation has missed out on schooling. A quick fix and rapid departure is not possible. An ordered response is required from the donor countries of the world, which must include help to build up Sierra Leone's civil society. Support must be given to local democrats, non-governmental organisations, lawyers and academics, who have kept the faith throughout these years and who need liberating from the thugs and the terror. The United Kingdom's role is crucial.

10.26 am

Mr. Crispin Blunt (Reigate): First, I pay tribute to the hon. Member for Clydebank and Milngavie (Mr. Worthington) for introducing the debate. The hon. Gentleman has an honourable record of raising important African issues. It is a disgrace that it fell to him to raise the issue in this Chamber; there should have been a debate on the Floor of the House on the commitment of British servicemen overseas. Two Government statements are not sufficient, particularly on a complicated issue such as Sierra Leone, which has so many facets. A single question to the Secretary of State for Foreign and Commonwealth Affairs or the Secretary of State for Defence following their statements does not allow hon. Members enough time to make their views known. Both Ministers were disingenuous in their statements. They sought to obfuscate the true nature of the mission–if it had any when they began the military commitment.

I intervened on the hon. Member for Clydebank and Milngavie about the United Kingdom's responsibility for Sierra Leone compared with our position on Rwanda. The hon. Gentleman was unnecessarily harsh on the previous Government's policy on Rwanda, which, from my recollection, was supported by the then Labour Opposition. The United Kingdom does not have a particular responsibility for Rwanda and the previous Government's policy was in line with that of the rest of the international community. With hindsight, the international community should have acted differently, but we do not have the benefit of hindsight when we make such decisions. When the international community decided to send a UN mission to Rwanda, the United Kingdom committed troops to the operation.

Dr. Tonge: The issue is not whose responsibility it is to intervene in any particular country. Those countries do not stand alone. The problem in Rwanda arose from the mutual antipathy of the Hutu and Tutsi people. They are spread throughout the Great Lakes region of Africa and any conflict between them was bound to intensify. Intervention in a particular country is not the responsibility of solely one country, but of the world.

Mr. Blunt: The hon. Lady has identified one of the complications in the Great Lakes region. The fact that the two ethnic groups have a long history of hostility makes military intervention on one side or the other and trying to establish peace difficult. That is not the situation in Sierra Leone with the RUF. Sierra Leone is different because ethnic conflict is not present as it is in the Great Lakes region. We should not be distracted by the question of international intervention in the Great Lakes region.

Dr. Tonge: The Great Lakes region illustrates how a problem in one country can affect the entire region. We have been discussing the diamond trade. Wars may be triggered by ethnic conflict and fuelled by the diamond, oil or gold industry. They affect the whole region and Sierra Leone is another example of that.

Mr. Blunt: Certainly, the gold and diamond industries were not issues in the Great Lakes region.

Speaking of west Africa as a whole, the hon. Member for Clydebank and Milngavie drew attention to the very uncomfortable choice that faced the international community in respect of Nigeria leading regional intervention into Liberia. He drew attention to the nature of the Nigerian regime at the time. Nigeria was subject to sanctions from the Commonwealth and

elsewhere for the execution of Ken Sarawiwa and the oppression of the Ogone people. However, the international community welcomed the Nigerian leadership of the intervention in Liberia. Foreign ministries throughout the world, and not least the members of the Security Council, have to make uncomfortable choices.

I take issue with the hon. Gentleman's comments on the Lomé agreement, which he endorsed. Making Corporal Sankoh Vice-President of Sierra Leone and Minister for Natural Resources turned out to be a disaster, which should have been predicted. It is the latest stage of British responsibility for what has happened in Sierra Leone, which is why we have a special responsibility now to take the lead in trying to re-establish a decent civil society there.

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): Is the hon. Gentleman implying that the Lomé agreement was a British-negotiated agreement? If so, he is wrong and other Conservative Back Benchers are similarly mistaken. It was an African-brokered agreement by ECOWAS, the Economic Community of West African States, backed by the Commonwealth and the United Nations with Britain and the United States as observers. However imperfect it was, it must be remembered that there was no Sierra Leonean army, the RUF had thousands of troops and President Kabbah believed that he should obtain the best possible negotiated deal, however imperfect.

Mr. Blunt: The unfortunate truth is that President Kabbah believed that he had to agree to that deal because his only source of income was aid from the first world. He did not have control of the diamond fields or receive royalties from diamond production. It was made clear to him that if he did not sign the Lomé agreement, he would not receive further development assistance.

Mr. Gapes: Is the hon. Gentleman suggesting that President Kabbah should have said, "OK, I don't want a deal. I'll let Mr. Sankoh take over Freetown and massacre intellectuals, lawyers and everyone else"?

Mr. Blunt: Corporal Sankoh would have had difficulty doing that because he was under sentence of death in a Nigerian jail. He was released to conduct the negotiations leading to the Lomé agreement. It was clear from the specialist African press and the personalities involved that the agreement was forced on the Nigerians and President Kabbah against their better judgment. As the hon. Gentleman said, the production figures show that 90 per cent. of the diamonds sold through Liberia come from Sierra Leone and RUF areas. The RUF is a bunch of terrorist gangsters, so it is hardly surprising that, given its relationship with Liberia and having been left in control of the diamond-producing areas, it would not easily give up its source of wealth. That is precisely how it turned out.

If the United Nations force that was sent to implement the Lomé agreement had been robust and led by a first-world power with a strong mandate, it might have been possible by force of arms to have persuaded the RUF to surrender and to have forced the current confrontation with the RUF. The United Nations Mission in Sierra Leone, UNAMSIL, was made up of nations that are militarily reasonable, such as the Indians and Jordanians, and of those that have proven in the field to be, absolutely lamentable, such as the Zambian contingent, which got into frightful trouble in Sierra Leone during the past six months and acted as a trigger–many Zambians were taken hostage. The next phase of operations with the RUF began to move away from the agreement, and the RUF thought that it might have a chance to turn over the operations of the United Nations and of the Sierra Leonean Government.

Our responsibility in the Sierra Leonean saga goes back to the arms to Africa affair. The Government display what appears to be an ethical reluctance to have anything to do with companies such as Sandline International and Executive Outcomes, which worked for the Sierra Leonean Government and the diamond producers. The Government's reactions in public and private make a rather interesting contrast. In public, they display enormous concern about appearances and presentation. That is why they were so anxious to secure an agreement at Lomé. The Sierra Leonean Government and the Nigerians–the other major power that was involved–were, in effect, forced to come to an agreement, although their instinct was to crush and eliminate the RUF, which they would have done if they had had the appropriate support and opportunities. That could have been achieved if President Kabbah had been given realistic support in the first place from companies such as Sandline International and Executive Outcomes.

The Government have made clear their great distaste for private-sector military companies, but if such companies had been used in Sierra Leone, they would have realised the objective, which we share, of ensuring victory for the democratically elected Government of Sierra Leone and they would have secured the country's wealth-creation area–the diamond mines–which could have been handed over to a major mining corporation. That company could have helped to secure the area in exactly the same way that that has been done in other difficult parts of the world, such as Colombia. Royalties would have flowed to the Sierra Leonean Government–they would have had a source of income that would have enabled them to rebuild civil society in that country.

Dr. Tonge: The hon. Gentleman's comments make a good advertisement for arms brokers and for illegal arms sales. Does he agree that arms brokers should be registered and that their exports should be licensed on an organised basis?

Mr. Blunt: I agree with that absolutely. Transparency in this difficult area is extremely important. However, when one is trying to secure effective military intervention but, for understandable reasons, one does not want one's armed forces to be sucked into someone else's war, a strong case can be made for paying companies to take the necessary action. If one says that the public image of private arms companies is so unattractive that one wants to have absolutely nothing to do with them, one ties one's hands and takes away a tool that can be used to achieve one's foreign policy goals.

Mr. Keetch: I want to be clear about what the hon. Gentleman is saying. He knows, for various reasons, that there are many security companies in my constituency. Would he have preferred it if British mercenaries rather than a United Nations, or a British, force had gone into Sierra Leone?

Mr. Blunt: Each situation is unique, but it would have been better if the democratically elected Government of Sierra Leone had sorted out their own internal problem in the first place, with the assistance of companies such as Sandline International and Executive Outcomes and on the promise of future revenue from royalties from the diamond mines, than if, after two or three years of butchery by Corporal Sankoh's forces and the RUF, the whole international community had been d awn in.

Given the United Kingdom's responsibility for Sierra Leone, the Government should see the action through to its proper conclusion. They were faced with a choice when they decided to deploy military forces. At first, the operation was intended simply to evacuate British nationals. Then another aim was added—to secure Lungi airport to get a United Nations force into the country. The main objective should be to return Sierra Leone to the control of its democratically elected president and restore civil society and security for its people.

The RUF is a bunch of terrorist gangsters, which supports itself in power through the supply of money that it gets from Sierra Leone's diamond mines and its relationship with Liberia, where the diamonds are marketed. The key military objective is to destroy the RUF by taking control of the ground that is vital to it—that is, the diamond-producing area. I believe that that is achievable, given that the RUF has no cultural basis of support and commands no tribal loyalty. I hope that the Minister will correct me if I am wrong about that. The operation should be properly followed up with the kinds of commitment that the hon. Member for Clydebank and Milngavie described—retraining the Sierra Leone army, training the police force and the civil service and putting in place civil institutions.

Following the achievement of that military objective, the mining areas could be held by UN forces, and, in due course, handed over to a civil mining company that would look after their security. Meanwhile, the local police force and army could be built up with the help of companies such as Executive Outcomes and Sandline International, which provide such services in similar difficult circumstances.

Dr. Tonge: Will the hon. Gentleman give way?

Mr. Blunt: I have taken too long already, if the hon. Lady will forgive me.

The hon. Member for Clydebank and Milngavie drew attention to the relative levels of involvement of UN and British forces. I agree with him that it would be infinitely better if it were a UN operation, under one flag, with a clear mandate to destroy the RUF through military action.

That raises the problem of who is to command and organise the UN operation. The hon. Member for Clydebank and Milngavie said that first-world forces would have to be involved. Britain is the only first-world country on the ground, so the Minister would have the difficult task of achieving British leadership and control of the operation so as to ensure its success. Given their previous leadership role, the Nigerians may resent the United Kingdom entering an area in which they are the main regional power. Another important factor may be the position of the current Indian commander of the UN force.

While difficult sensitivities will have to be addressed, the military objectives can be achieved with the forces that are on the ground in Sierra Leone. Given our country's responsibility for the situation, that is the course of action that we should pursue. It would be a crying shame if Government reluctance to establish control over the key wealth-producing area of the diamond mines—which is central to the restoration of civil society in Sierra Leone—led to a softly, softly approach based on the hope that the RUF would crumble in the face of a static British presence in Lungi and Freetown, and that the UN forces would gradually be beefed up to carry out that operation. The RUF might well collapse and victory might fall into our lap. However, we should not take the risk.

We have the opportunity to take firm action to restore a level of stability to Sierra Leone that it has not experienced for far too long. I hope that the Government will grasp that nettle. My hon. Friends on the Opposition Front Bench have made it clear that that is also their view. I hope that the Government will discharge their responsibilities to Sierra Leone in a way that can be admired and held up as an example of resolute action being used to achieve the proper outcome in that unhappy part of the world.

10.45 am

Joan Ruddock (Lewisham, Deptford): I am here not to make my own speech but to represent my constituents. I am no expert in foreign affairs, and rarely engage in debates on the subject, and I am grateful to my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) for raising the matter.

A third of my constituents is of ethnic minority origin, and among that group is a significant number from west Africa. I have received representations from three organisations. First, the National League for Human Rights and Democracy is a non-profit international human rights organisation that is a recognised non-governmental organisation within the UN. It monitors and promotes issues of human rights and democratic values in west Africa. It is working on long-term solutions to the problems in Sierra Leone and examining models that have been adopted in Northern Ireland, for example. I hope to encourage it to make submissions to the Select Committee during its inquiry.

Secondly, I have received representations from the Lewisham Racial Equality Council, which feels that the status and concerns of people here need to be connected to their concerns about the countries from which they came. Finally, I have received representations from the South London African Organisation and I want to read its submissions into the record today. It believes that the present chaos in the west African sub-region is a consequence of the premature exit of the Nigerian-led west African peacekeeping force and the deployment of what it regards as an ill-equipped, under-resourced and badly trained UN peacekeeping force.

According to the organisation, most Sierra Leoneans argue that a weakness undermining the UN force is its rules of engagement, and that proactive engagement is the only suitable remedy for the complexity and severity of the conflict there. As one would expect, it condemns unequivocally the disruption of the UN forces and the peacekeeping mission. It appreciates the efforts of western Governments and the international community to secure peace and political stability, but it argues, as others have done this morning, for a much more proactive approach.

Prompted by recent developments, concerned Sierra Leoneans and other African nationals met on 8 and 9 May under the auspices of the South London African Organisation to put forward a number of proposals, which have been sent to me to convey to the Minister of State, my hon. Friend the Member for Neath (Mr. Hain). The organisation categorically condemns the killings and abduction of the UN peacekeeping troops by Foday Sankoh's Revolutionary United Front rebels. It asks western Governments—especially Britain and the United States—and the international community to support the Government and the people of Sierra Leone to secure sustainable peace and political stability by contributing rapid reaction troops. The organisation urges that this be treated as a matter of urgency.

The Nigerian-led west African peacekeeping force should, the organisation believes, be redeployed in Sierra Leone, as part of a well resourced, well trained and well equipped peacekeeping contingent. It believes that the current Lomé peace deal should be reviewed urgently, and that investigations into the shooting of peaceful protestors by RUF rebels at the residence of their leader, Foday Sankoh, in the capital, Freetown, should be part of such a wider review. The Sierra Leonean army and civil defence force should be strengthened, and the hitherto disputed status of the former resolved urgently.

The group does not want to engage in polemics about the rationale for a western contribution to a rapid reaction force, but it believes that the trustees of the Lomé peace accord—Britain, the United States and the international community—share an obligation to bring peace and political stability to war-torn Sierra Leone. My hon. Friend the Minister of State has clarified the position regarding the United Kingdom's role, but this organisation believes that the United Nations, including Britain and the United States, induced the Government and people of Sierra Leone to sign the Lomé peace deal with the RUF and its allies.

It is important that the Minister clarifies the position—he has done so today, and I shall make that point to the group. According to the group, there was a guarantee that the trustees would secure a sustainable peace through all humanly possible means. The group makes a contrast between the position of their country vis-à-vis the international community and that of Kosovo, where there are tens of thousands of NATO troops, including United States troops. Members of the group feel that there should be more international support, particularly from the United States, which recently agreed to extend operations by its troops in Kosovo, but still rules out sending a rapid reaction force to Sierra Leone. They say that the west and the international community should have learned by now that simple logistical support will not be a long-term solution to the problems faced by Sierra Leone.

Finally, on behalf of the Sierra Leoneans and under the umbrella of the South London African Organisation, I have been asked to appeal to the Government to react positively to the situation in Sierra Leone. The group appreciates what has been done, but feels strongly—the letter is signed by 71 constituents—that more must be done and that there must be longer-term, sustained support to find a peaceful solution and allow a return to full democracy.

10.53 am

Mr. Mike Gapes (Ilford, South): I want to make three points, but I shall be brief.

First, I appreciate what my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) said. A number of my constituents are refugees or have come from west Africa to study in this country. Two years ago, I made representations to the Government about why it was taking them so long to resolve the status of the Sierra Leoneans in my constituency. One of the leading lawyers involved in the prosecution of the people who carried out the previous coup had had to flee to this country. Her children were in Guinea, but she did not know where they were and was desperately worried. In the end, she went to Guinea to find her children, before her status in this country had been resolved. That was regrettable, and we should look at such matters, because they affect many people who flee to this country. Perhaps the *Daily Mail* and *The Sun* could carry stories about the way in which people have fled Sierra Leone and elsewhere to come to this country.

I want to comment on what the hon. Member for Reigate (Mr. Blunt) said. He talked about national interest, which is a difficult question. Obviously, it is not possible for this country, despite being a permanent member of the Security Council, to be involved in all attempts to resolve conflicts throughout the world. However, it would be regrettable if politicians in this country gave the impression—as some Opposition Mems have—that we are interested in saving the lives of white Europeans only, and could not care less about black Africans. I welcome the comments of the hon. Member for Reigate, who said that we should see the job through and continue to offer support. Given our involvement in the Lomé process, the diamond trade and other activities, and given our colonial history, we have a responsibility to the region.

What will happen in the long term if we succeed in liberating diamond production areas through the international community? Financially, personally and in terms of his surrogate army, the RUF, it is clear that President Charles Taylor of Liberia has a significant interest in the region. We must demonstrate foresight in respect of events in Liberia. Will it host continuing RUF incursions? Will there be guerrilla warfare? How secure will the region ultimately prove? That raises the wider question of stability and democracy not just in Sierra Leone, but in neighbouring countries.

I mentioned the UN report "An Agenda for Peace", which was produced by former UN Secretary-General Boutros Boutros-Ghali. We must reconsider that report, as well as how to establish effective regional

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security organisations. As a north Atlantic, European security organisation, NATO should not be the world's policeman. That would give rise to political problems, and it is difficult to see how it could work in strategic and logistical terms. However, as my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) said, NATO is the only regional security organisation that can begin to offer assistance, given the absence of effective organisations elsewhere.

The UN should consider the matter further. We have a role to play in building such structures because of the respect in which British military personnel are held throughout the world.

Mr. Blunt: The hon. Gentleman's last comment implied that he believes that NATO has a role to play south of the Tropic of Cancer and I am sure that he will not want to leave that impression. Given his experience of defence, he will want to make it clear that it would be wholly improper for NATO to play such a role outside Europe. Moreover, the hon. Member for Clydebank and Milngavie has misunderstood the nature of NATO. His comments were naive—NATO members may have a responsibility in the region, but the institution does not.

Mr. Gapes: I agree. I know what is stated in article 6 of the North Atlantic treaty, but we shall not go into that now. NATO member states—particularly the United States, but also the United Kingdom and France—have military assets and capabilities that can be deployed globally. Such assets would have to be deployed in certain contexts, but to do so would raise the question whether the prime function—maintaining security in the north Atlantic—was being fulfilled. I have reservations about that approach, because there are implications that must be considered by NATO, the NATO alliance and our partners. Ultimately, we need regional security organisations, so we should do our best to support them.

Finally, I pay tribute to the Nigerians and the work that they have done in this region. I understand that 1,000 Nigerians have been killed in the Sierra Leone conflict. Such a loss would be an enormous burden for any society, and it is not surprising that the democratic candidate in the presidential election gave a commitment to get out of the situation because of it. The President's decision to re-enter the conflict required political courage and must be supported by other countries. We should be working closely with democratic Nigeria to do whatever we can, collectively and with others, to find a solution and to restore to the Sierra Leone Government control of their whole territory.

11 am

Mr. Paul Keetch (Hereford): I congratulate the hon. Member for Clydebank and Milngavie (Mr. Worthington) on securing this timely debate. He is right to have brought the matter to this Chamber. I congratulate also the hon. Members for Reigate (Mr. Blunt), for Lewisham, Deptford (Joan Ruddock) and for Ilford, South (Mr. Gapes) on their important speeches.

I shall keep my remarks short, as I want to give the Minister time to answer the questions that have been asked. First, I should ask him whether there is any further information on the bodies bearing United Nations uniforms that were found yesterday and on whether they are those of UN personnel. We would be grateful for any information.

I offer my support and that of the Liberal Democrats to the British mission in Sierra Leone. The arrival of British troops could not have been timelier, and it provided an immediate and much-needed boost to the morale of the UN forces. It is increasingly clear that the presence of British troops is now essential to the success of the UN mission. Since British troops have been present, the UN force has been able to move deeper into the country, secure in the knowledge that its lines of supply, reinforcement and communication are covered. It is right that we should pay tribute not only to the Army presence—in the form of the Parachute Regiment and the Gurkhas—but to the support of the Royal Navy and Royal Air Force helicopter personnel who are flying from HMS Illustrious. The operation is an example of the deployment that the Government rightly identified three years ago in their strategic defence review.

In the past few days, pro-Government soldiers have been able to make significant headway in digging deep into Sierra Leone, assisted by British forces. With the arrest of the rebel leader, Foday Sankoh, and the news that more UN peacekeepers have been freed, the military signs are encouraging. However, the humanitarian implications are still not so. The new refugee crisis to which the hon. Member for Clydebank and Milngavie referred is a strong possibility. We should remember what happened in Kosovo. Of course, the rains are coming, and the whole environment will change much in the next few weeks.

It has become clear that a week is a long time in Sierra Leone. The original mission of British troops was to evacuate British, Commonwealth and European nationals, but that has now advanced to another stage: Royal Navy and Royal Air Force Harriers have been undertaking reconnaissance missions, heavy artillery is being taken off HMS Ocean and deployed ashore to protect our troops at Lungi and Special Air Services and Pathfinder patrols are operating in the front line and exchanging fire with rebel forces. That shift in emphasis has allowed the UN to buy time for additional reinforcements to arrive. What is the Minister's impression of the new UN forces?

We urge the Government to accept that British forces are now central to the UN mission in Sierra Leone and that the premature withdrawal of our troops would have a devastating effect on that mission and on the UN's credibility in peacekeeping missions in general. We must keep some of our forces in Sierra Leone until UN troops have established their authority throughout the country. The hon. Member for Reigate called for one flag, one control and one force. There are good reasons why that should happen. Should not Britain continue to contribute to the reinforcement of the UN force and not merely enable that reinforcement to occur?

The UN cannot be expected to keep a peace that is not there in the first place. There is a stark difference between the mandates of peacekeeping and peace enforcement. Fundamentally, the UN needs a new and robust mandate that the troops can enforce. We must

not forget that the UN constitutes nothing more than the will of its individual members. There has been much talk about the lack of suitable training, the ability to cope and the poor equipment of some UN units. However, if nations that have the capacity to support UN peacekeepers, whether financially, logistically or by providing high-quality equipment, choose to turn our backs, a UN failure will be our failure. It will not be the failure of nations of lesser economic or military capability, which none the less dedicate men where others fear to tread.

Some have argued that African nations should find an African solution to the problem. However, we have a moral responsibility as a permanent member of the Security Council, as the former colonial power and as the leader of the Commonwealth to provide a solution when others cannot. The Government are floating plans to train and arm the Sierra Leonean army and to ensure that 6,000 UN troops are available to secure SLA advances. We also welcome the announcement by the Secretary of State for Defence that military help to UN peacekeepers would continue even after the Parachute Regiment had been withdrawn. That support must be conditional—it must go to the right forces. There are now six separate armed command structures in a country of between 4 million and 5 million people, plus the RUF. We must ensure that British military assistance in terms of weapons or training is directed at the right location.

I pay tribute to the intervention of my hon. Friend the Member for Richmond Park (Dr. Tonge) on the diamond trade, which is central to the problem. I welcome the reply that the Minister gave my hon. Friend on 18 May, when he said that he had had discussions with the G8, with Belgium and with De Beers. That was helpful and we will support Government moves to ensure that diamonds are part of the answer.

It is the Government's responsibility to ensure that the United Kingdom does not carry the can for the west's unwillingness to connect in Africa. To withdraw prematurely would mean that our intervention had been in vain. By sending our troops to Sierra Leone and by assisting the UN peacekeepers, we have created a responsibility to the United Nations. We must ensure that we live up to that responsibility in the times ahead.

11.6 am

Mrs. Cheryl Gillan (Chesham and Amersham): I welcome you, Mr. Gale, to the Chair for the first time in this Chamber. I am delighted to see you presiding over our deliberations. I congratulate the hon. Member for Clydebank and Milngavie (Mr. Worthington) on initiating the debate and I echo the concerns expressed by my hon. Friend the Member for Reigate (Mr. Blunt) that it is taking place in this Chamber and not on the Floor of the House, where more hon. Members could participate.

I would like to add the Opposition's tribute to those already paid to our troops deployed in a hostile environment in Sierra Leone and also to their families back in this country, many of whom will be concerned until the troops return home safely. I am sure that our troops there will rise to the challenge of active service, not least because they are some of our finest service personnel. We all know that they will do a first-class job no matter what is required of them. I would like to express our concerns for the hostages being held by the RUF and for the aid workers still missing. We all hope for their safe return. We heard this morning of the RUF's demands for Foday Sankoh's release in return for the hostages. While appreciating the restrictions under which the Minister operates, we hope that in his reply to the debate he will reassure us about the Government's reaction to those demands.

We have a long historic connection with Sierra Leone, which has been maintained through the Commonwealth and our old colonial responsibilities. Freetown began as a destination for slaves freed by the Royal Navy. Believe it or not, at the end of the 19th century the level of education in Sierra Leone was higher than in this country. Today, however, it is one of the poorest countries in the world, with a derisory gross domestic product per head and a male life expectancy of a mere 37 years of age. However, that disguises the fact that its diamond mines are a major source of wealth. They are at the heart of the current round of killing and fighting, I am afraid. With great sadness we are again discussing Sierra Leone and the parlous state of affairs there.

Mr. Edward Leigh (Gainsborough): I apologise for not having been in the Chamber for the whole debate, but I have been in a Standing Committee. That is a problem for hon. Members serving on Committees who wish to attend debates in this Chamber.

Do hon. Members agree that De Beers has a responsibility? As was said earlier in the debate, diamonds are coming out of Sierra Leone through Liberia and De Beers should close its purchasing offices there. Diamonds appear to be fuelling the conflict. Will Opposition Members add to what has been said about that?

Mrs. Gillan: I thank my hon. Friend, who saves me from having to cover the point later in my speech. Yesterday, the Minister gave evidence to the Foreign Affairs Committee saying that he was taking action over diamond sales and blood diamonds and the Opposition will of course support him.

Mr. Blunt: Will my hon. Friend give way?

Mrs. Gillan: I am very short of time and hope my hon. Friend will forgive me if I do not give way.

I want to discuss some of the issues that were raised in the Select Committee because the Minister's evidence caused more confusion, with serious implications. I should like the Minister to clarify his evidence about requests from President Kabbah for Brigadier Richards to stay on in Sierra Leone, for an officer to train the Sierra Leonean army and for an official to be transferred into the office of the chief of defence staff. It was revealed that the decisions were taken by officials without reference to the Minister. Does he think, with hindsight, that that was wise? Can he confirm the date of President Kabbah's request, the date of the refusal and the date on which the Minister or his predecessor was informed that the requests—apart from the one for an official to be transferred to the office of the chief of defence staff—had been denied? Does the Minister consider that he has

[Mrs. Gillan]

proper control of officials in his Department—particularly if they think that such decisions should be taken without bothering Ministers?

Surely there can be no doubt, after the Foreign Affairs Committee's previous investigation on Sierra Leone, when it adjudged what had gone on to be disastrous, that Ministers should be involved. Yesterday the Minister intimated that the issue was covered in Peter Penfold's briefings, particularly the final telegram, which the Minister said he would reveal in confidence to the Committee. If everything were in order, would the Minister place all the telegrams from Mr. Penfold in the Library of the House, including the valedictory dispatch? Anything less would lead us to believe the worst. He seemed very willing to provide them to the Select Committee yesterday, so I see no reason why they should be denied to other hon. Members.

Mr. Keetch: Will the hon. Lady give way?

Mrs. Gillan: No. There is not enough time and there is a lot of ground to cover.

I hope that the Minister will provide explanations of the involvement of Air Foyle, following his replies to the Select Committee yesterday. I understand from reports that Air Foyle flew surface-to-air missiles, Kalashnikovs and rocket-propelled grenade launchers from the Ukraine to Burkina Faso last year. The Select Committee has asked the Minister to provide the dates on which officials and Ministers were informed about the flights and the date when the MOD contracts were awarded to Air Foyle. I hope that the Minister has those dates to hand.

The Lomé peace accord has been mentioned by other hon. Members this morning. Will the Minister expand on his evidence yesterday and confirm his and the Government's role? For example, how often did he meet Foday Sankoh? Obviously he spent a great deal of time with him, because he told the Committee yesterday that he repeatedly told him, "You have signed this agreement and you are going to stick to it." Did the Minister have any discussions with Mr. Sankoh about controlling the diamond-producing area of Sierra Leone and what was said on both sides? Can the Minister say categorically that no British official or Minister, or any other agent from the United Kingdom, brought any pressure to bear on President Kabbah to give Mr. Sankoh control of the lucrative diamond area? That matter was raised by the hon. Member for Lewisham, Deptford (Joan Ruddock). There is some concern that inducements were given. During the Lomé negotiations did any party raise the subject of British aid and were any conditions attached to the aid? Were aid payments linked to the outcome of the Lomé agreement, and if so, how?

Why did the Minister acquiesce to the appointment to high office, and to the control of the country's finances, of a man who has raped, pillaged, maimed, tortured and cannibalised his people and murdered his family? Is the Minister happy to have done business with him on behalf of the United Kingdom?

Finally, I raise the military issues mentioned by my hon. Friend the Member for Reigate. Two weeks ago, we were told that our troops had a clear mandate to organise the evacuation of British citizens and ensure their safety. It is clear that that was not the whole truth; following the Minister's frankness in evidence to the Select Committee on Foreign Affairs, we are now closer to the truth. The Minister told us that the troops' mandate was to evacuate British citizens, to secure Lungi airport, to facilitate the entry of UN peacekeepers via that secure airport, to provide logistical support to the UN force, to carry out searches for the hostages and to assist in any way that is considered desirable. That sounds like a mission brief. I believe that the Minister said yesterday—I could have checked his words had the transcript been available—that nothing is outside its mandate. If that is so, he should clear up the uncertainty and confusion about the deployment of forces. The remarks of a British officer with detailed knowledge of the operation demonstrate that confusion. He said that one of the problems in putting the mission together was that

> the Government blows hot and cold on this issue, especially Robin Cook.

British forces continue to receive our support in whatever they are called on to do. However, the nature of our commitment is changing and Ministers have still not provided enough clarity. We read reports about the possibility that the United Kingdom might supply arms. The subject is being considered at a meeting today. The mission now appears to be an open-ended commitment, with the Minister giving the impression that our troops could be tied up in Sierra Leone for months. Despite the Foreign Secretary's assurances at the beginning of the month that British troops would not be committed as a combat force, they are taking on a combat role. The longer the mission lasts, the more likelihood there is of troops being drawn deeper into the conflict.

The Government's record on Sierra Leone has not been a happy one. British marines and paratroopers are doing a great job there. They will have the support of the Opposition in whatever they are asked to do. However, the Government's activities—and, in some cases, the inactivity of Ministers—will continue to be the subject of close scrutiny. I hope that the Minister will have enough time to answer the many questions that are being repeatedly raised about the Government's involvement in Sierra Leone.

11.18 am

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): Frankly, I doubt that I shall have time to do so.

I congratulate my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) on securing this important debate at such a critical time. I pay tribute to his long commitment to foreign policy, especially in Africa. His remarks were thoughtful and well informed, which contrasted favourably with many of the debates on the issue in recent weeks. I agree with him that the debate has been flawed—the hon. Member for Chesham and Amersham (Mrs. Gillan) made a similar point—in that it has focused on how fast we can depart rather than on what we are seeking to achieve.

Mrs. Gillan: Will the hon. Gentleman give way?

Mr. Hain: No, I am sorry, but I do not have time.

Mrs. Gillan: Will the hon. Gentleman give way?

Mr. Roger Gale (in the Chair): Order. It is clear that the Minister is not giving way.

Mr. Hain: The remarks of other hon. Members were equally important, especially those by my hon. Friend the Member for Ilford, South (Mr. Gapes).

I agree with my hon. Friend the Member for Clydebank and Milngavie that control of the diamond trade is crucial. That is true for Angola, the Congo and especially Sierra Leone. The hon. Member for Hereford (Mr. Keetch) made the same point. He and other h Ms raised important issues concerning diamonds and the role of Liberia. Although De Beers has pulled out of Sierra Leone, it retains an office in Liberia. As all Sierra Leone's diamonds go across the Liberian border, De Beers should give the matter some attention. However, I must acknowledge that De Beers has co-operated with us in developing pioneering work to regulate the international diamond trade.

As the hon. Member for Reigate (Mr. Blunt) described his plans for the use of private armies to solve every conflict in the world, I had an image of Commander Blunt, the hero of "Wild Geese", the sequel, intervening in conflicts.

Mr. Blunt: Will the Minister give way? He has misrepresented me.

Mr. Roger Gale (in the Chair): Order. The hon. Gentleman has been in the House long enough to know that he cannot accuse a Minister of misrepresenting facts in this Chamber.

Mr. Hain: The hon. Gentleman made one good point about how important it is to get control of diamond areas, but we must bear in mind that the diamonds are alluvial diamonds. They come from a vast area of bandit country and the terrain is difficult. The logistics must be considered.

My hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) made many well-argued points on behalf of her constituents. I hope that they will be reassured. I understand the African anger about the apparent readiness of the west to intervene in Kosovo but not in Africa. However, as my hon. Friend the Member for Ilford, South said in his well-informed speech, Africa needs regional security and peacekeeping. It needs to use the Southern African Development Community, ECOWAS in west Africa and the EAC—the East African Community—in east Africa to develop its own peacekeeping conflict-prevention capacity to provide the sockets into which a UN and western plug could fit. The absence of such a socket has been a problem in Africa for many years. I agree that NATO cannot do everything.

The hon. Member for Chesham and Amersham referred to the big fuss that was made yesterday and what the high commissioner did or did not say. On 11 April, President Kabbah called the high commissioner, Peter Penfold, to say that he had decided to appoint a temporary Sierra Leonean chief of defence staff to replace the seriously ill Nigerian, General Khobe. He was concerned that General Khobe's departure would lead to a collapse of morale and would boost the RUF rebels. He asked us to move one of the British advisers who was working on the reform of the Sierra Leonean army into the defence headquarters with the new chief of defence staff. We did that, as the hon. Lady acknowledged. The president also asked us to advance the arrival of the new British commander of the military assistance and training team, which we agreed to do.

His third request, however, was to delay the departure of Brigadier Richards, who had been on a tour of duty, so that he could take over as the Sierra Leonean chief of defence staff. However, as there is no Sierra Leonean army to speak of, how could a senior British soldier—I hope that the hon. Lady is not advocating this—be catapulted into that position? We replied that our objectives are to strengthen the UN mission—we gave instructions to Peter Penfold to that effect—and to increase and stiffen the operation so that it is deployed further across the territory. We received no complaint about that. On the contrary, Peter Penfold reported that President Kabbah was content with our response and that UN forces were following our suggestion and deployment had begun.

As for ministerial involvement, the response was a routine operational matter. I saw the telegrams and there was no need to invite a submission or interfere with the decision. It was a perfectly straightforward operational matter within ministerial policy guidelines. It had nothing to do with the recent collapse of the peace process. The collapse was triggered not by that exchange—it would not have had an influence—but by the deployment of UN forces in the Makeni diamond producing area, which was controlled by the RUF. The UN forces asked the RUF to disarm, but they refused and took some of the UN forces captive because they feared that they would lose control of the diamond producing areas. That triggered Foday Sankoh's reneging on the Lomé peace agreement and the subsequent troubles. It had nothing to do with the exchange of telegrams. I am glad to have had the opportunity to put that on the record.

As for the Lomé agreement, I answered that point earlier. There were no inducements. There was no pressure. There was no bargaining over aid and development assistance. President Kabbah negotiated that deal. It should be remembered that he was besieged by thousands of RUF soldiers—the most belligerent and well-armed force in the country—and he had no forces of his own. There was no United Nations peacekeeping mandate; that would have taken months to achieve. One of the problems is the slowness of the UN's reaction to such matters. There was no alternative to that least-worst, imperfect deal. We will have to live with that fact, but there was no British pressure on the president to sign that agreement.

I have answered the question about Air Foyle. In March 1999, it apparently transported some arms from the Ukraine to Burkina Faso. We referred the matter to the UN sanctions committee, but there is no evidence that Air Foyle knew that those arms would be transported separately by another carrier to the RUF.

[Mr. Hain]

Violence and instability are not new to Sierra Leone. They have plagued it for more than 30 years. During the past nine years, since the RUF launched its war against the people of Sierra Leone, the country has been afflicted by unimaginable brutality. The people have seen their hopes and their prospects for peace repeatedly denied. The only time the RUF was repelled was in January 1999, when it besieged Freetown and 6,000 people were killed there. The Nigerian-led ECOWAS force repelled the RUF, which created the circumstances for the Lomé agreement. I echo the tribute paid by my hon. Friend the Member for Ilford, South to the extremely important role played by the Nigerians—and the sacrifices that they made.

After nine years of brutal, bestial war, considerable progress has been made in the search for stability, security and peace. The UK and the international community have sustained President Kabbah, the elected leader, in power. The level of violence and the number of atrocities have been drastically reduced. We have supported the Lomé peace agreement, which offered the people of Sierra Leone a chance of lasting peace and stability. A large UN peacekeeping force has been deployed to help implement it; 2,000 more UN peacekeepers have come to Sierra Leone since British forces arrived, and another 2,000 will follow.

The reconstruction of the country has begun. We are building new and effective armed forces for Sierra Leone, accountable to a civilian ministry of defence. More than half of the former combatants have been disarmed—a considerable achievement—and led away from violence towards a new civilian life. Preparations for democratic elections early next year have begun. I am grateful to my hon. Friend the Member for Clydebank and Milngavie for leading a visit by the Westminster Foundation for Democracy in March 2000. Substantial progress has been made, but the RUF's actions in the past few weeks have posed a challenge to that progress.

The hon. Member for Chesham and Amersham asked about the RUF demand that Sankoh be released in exchange for the release of hostages. Let me make it absolutely clear that we do not negotiate deals with hostage takers. That has consistently been British Government policy. Sankoh and his followers must understand that they are in defiance of the United Nations and the international community. The hostages must be released safely and in good health. We will not trade Sankoh's freedom. He must face justice. He has a lot to answer for and he must be held fully accountable for his actions. I had a half-hour meeting with him, and challenged him about the diamonds. He became extremely unhappy and frustrated when pressed on the subject.

Our response has been swift and decisive. Our first priority was, and is, to protect British lives. Within days, we deployed the spearhead battalion with back-up forces, which enabled us to mount a swift and efficient evacuation of British and other entitled citizens. We have helped to secure the situation and we deserve praise, not continual sniping. The entire international community is praising us, and I invite the Opposition to do so as well.

Pension Rights (Married Women)

11.30 am

Mr. Steve Webb (Northavon): I wish to raise an issue of justice that affects thousands, perhaps millions, of married women throughout Britain. Much of my speech will consist of short excerpts from letters that I have received from married women, because I want the debate to consist not of a politician from one party criticising a politician from another party, but of the authentic voice and anger of married women pensioners and those approaching pensionable age.

I shall begin with a letter from a Mrs. R. of Chingford, who says:

> I am 54 years now...I have worked since I was 17 except for 3 years when I had my son, and am only entitled to 99p per week...It looks as though a lifetime of work and paying NI will leave me a very poor pensioner.

That is typical of the sense of injustice and anger in the 40 or 50 letters that I have received—a further four arrived this morning—on this issue.

As word gets around, I receive new letters expressing happiness at the fact that someone is taking up this issue, and I hope that the Minister will respond positively and constructively to the debate. I cannot hold the present Government responsible for these problems, many of which occurred decades ago, so I hope that the Minister will not adopt a defensive posture, but will join me instead in trying to right an historic injustice.

As the Minister will know, married women were initially allowed to pay a reduced rate of national insurance contributions in return for forgoing pension and certain other benefit rights. From 1977, no new cases were allowed, but 4 million women—about one in 10 of the then adult population—were allowed to continue with such payments, so the scale of the problem is large. In 1989, national insurance for the low paid was restructured, so that many married women on the reduced rate paid no more—perhaps even less—in opting instead for full national insurance. It is the initial system, the 1977 reforms and the 1989 reforms that I want to examine today.

The Department may have believed that married women who paid reduced national insurance contributions knew what they were doing, given that they signed a form stating that they had read the booklet and had made an informed trade-off. However, the reality is very different. Many married women have written to me saying that they had no idea how the system worked. Mrs. R. of Oldham said:

> I recently wrote for a pension forecast and was appalled to find that I am only entitled to a pension of £22 when I reach the age of 60 in two years time...Absolutely no information was given to the fact that we would receive such a derisory pension. Had this been made clear at the time, I would immediately have elected to pay the full contribution.

There is also ignorance about the home responsibilities protection provisions. Mrs. S. of Weston said:

> I was advised to pay a reduced stamp. I was not made aware at the time that I would not receive HRP credits for the time bringing up my children.

That issue has been raised by a number of women. Mrs. S. says that

> thousands of women like myself...did not fully understand the implications of being on a reduced NI stamp until it was too late.

In other words, people genuinely did not understand the way in which this complex system worked. In many cases, married women did not make an informed and considered choice to save money now and pay in future—it was not like that.

Not only did many people not understand the system; some were given no choice. Mrs. S. of Morecambe writes:

> In 1975 I got a small part-time job and told my then employer that I wished to pay full NI contributions. I was informed that this was not possible as all married women in part-time jobs had to pay reduced contributions.

She continues by emphasising:

> At no time did I elect to pay reduced rate.

The Minister may say, "That is not possible: she must have signed a form." Perhaps she did, or perhaps the employer added her name to it—who knows. However, her perception is that she did not choose to pay reduced rate and would not have chosen to do so, had she known what was going on.

Some married women were given duff advice by their employers. One of my constituents, Mrs. H. of Compton Greenfield, who went back to work part time in 1972, was given no choice. She says:

> My employer at that time employed an accountant who automatically deducted the reduced rate, and the implications were not explained to me. At no time was I informed about pension rights.

Some women asked their employers and got duff advice. Perhaps more worryingly, some also got duff advice from the Department of Social Security. For example, Mrs. J. of Billericay says:

> I reached retirement age in October 1999 and filled in the form. The amount was £19.65 per week...I elected to pay married women's stamps when I got married in 1964—

this is the key element in this case—

> because the Social Security said this would secure a full pension in my own right at 60 years, topping up my husband's contribution.

She went to the DSS and got duff advice. Similarly, Mrs. M. of Yeovil states:

> A work colleague and myself were informed by the DSS office at Yeovil that, regardless of the stamp amount paid...our pensions would not be affected.

The Minister will have seen *The Daily Telegraph* on Saturday, which carried a story about a lady who had contacted me. When she asked, she was told that she had asked the wrong questions. That is the problem. People do not know how the system works. When they ask questions, they are given duff information; they are told that they have asked the wrong questions. If only they had known the right question to ask, they might have been given the right answer. That is the backdrop to the issue.

The 1977 rule change prevented newly married women from opting in. Married women at that time were contacted. I am not saying that the relevant information was not in the forms, nor that letters did not go out. I am aware that contact was made. However, I am querying the nature and the effects of the contact. Mrs. K. of Oldham says:

> In 1977 when the law changed, I along with many others asked for advice either from our employers or the local social security office. The advice I got was "don't bother, you'll not get a pension, you won't have enough stamps on when you retire."

That woman is now receiving a pension of £29 a week. She says:

> Just think what it could have been if I had started paying when I was 40.

That was when the issue arose. The advice given may have been right for some people, but I guarantee that it was not right for all.

Similarly misleading advice from the DSS can be found in the case of Mrs. M. from Wotton-under-Edge, who says:

> In the 1980s—

after the rule change—

> I telephoned the national insurance office to ask if this would affect my full pension at 60, and was told emphatically that it would make no difference whatsoever to my full pension at 60.

That was very clear.

A further example, relating to home responsibility protection and to the contents of the paperwork, is that of Mrs. C. of Dursley, who used to work for the DSS. She says:

> When the election had to be confirmed, we were not issued with any paperwork or guidance. The certificate of election does not give any details—the implications on HRP do not get mentioned.

With regard to home responsibility protection, women who did not work at all would receive credits on their pension. Women paying full-rate national insurance would receive a pension entitlement. However, women who worked and paid some national insurance would receive no home responsibility protection. They would have been better off from the point of view of their pension if they had paid no national insurance at all. That is a crazy situation, and it is not surprising that no one understood it.

In 1989, we reach the key point in this saga. The Government reformed national insurance so that low-paid workers who did not pay much national insurance would have the right to a full pension. However, married women went on paying what was still called the reduced rate, which, by comparison, was pretty similar by then. Many women would have been well advised to go back in at that stage: all those who could have saved on national insurance by so doing, and those who might have paid a few pence more but started to build up pension rights. However, there were again problems with publicity. Mrs. K. of Oldham says:

> I don't remember a major publicity campaign in the late 80s. How would people know about leaflets at the local Benefits Agency? It wouldn't have been difficult to get in touch with those concerned...[they] don't seem to have any problem when it's an underpayment, do they?

That lady knew nothing about the change in 1989.

[Mr. Steve Webb]

Likewise, Mrs. Y. of Bath says that she did hear from the Department but could not make head nor tail of what she was told. She says:

> I can remember having a letter many years ago...saying something about paying the higher rate National Insurance, but it was written in the usual official jargon which few understand and it certainly was not drawn to one's attention as being of major importance...the DHSS must have realised from the lack of response that thousands like me had not understood the full implications and should have issued something in "normal English" which spelt out the advantages a little better.

That is a key point. The change in 1989 should have prompted many married women to opt back in to the full rate and the number of women on the reduced rate should have dropped correspondingly, but that did not happen. The Department of Social Security should have noticed that few people had responded to the change and realised that it needed to try harder.

Two groups have been particularly affected. The first of those is women with much younger husbands; I refer to this as the toy boy problem. One woman said in her letter:

> My husband is 15 years younger than me.

That means that she will be 80 before she receives a pension on his contributions to the age of 65. She might be dead by then, having had 20 years of retirement with no pension in her own right. The Minister may say that for many women it will not matter, because they will get a pension on their husband's entitlement and could not have made as much on their own contributions. However, for the woman that I quoted, and others like her, it matters a great deal.

The second group comprises women who worked on a full stamp before they were married. Mrs. C of Guildford states:

> We were advised verbally that it was a waste of time paying a full stamp, but not told of the implications. The eight years I worked before marriage paying full stamp were wiped out.

In a couple more years, she would have had a 25 per cent. pension, but all those years were wiped out because she did not quite make the threshold. She probably could have got a pension, but was wrongly advised.

Pensioners from around the country have been telling me of the disgust that they feel when they receive their pension forecast, which is often the first time that they realise—at the age of 58 or 59—that they are expecting a pension that will not materialise. Mrs. M. of Wotton-under-Edge said:

> I was 60 in 1995 and ... had written to ask for a printout of my pension rights. I was totally shocked when it came back stating my pension would be 8p per week.

She had only seven years' worth of full stamps but, when she offered to make it up to 10 years, was told that she had left it too late. She continued:

> I asked why I had not been advised but was given a curt answer. I have always been totally disgusted with the way the pension blunder has been handled by the government—

that is, the previous Government. In practical terms, some married women cannot retire; they have to carry on working because they do not have enough money to live on. Mr. Y. of Tyne and Wear wrote:

> My wife receives the princely sum of 65p per week pension ... she still works although she would like to retire—why can't she?—because the pension would not let her.

Married women all over the country who are just below, or above, pension age are disgusted, appalled and shocked when they receive such forecasts, because they had no idea how the system worked or they were given bad advice. Some are having to carry on working, and most feel that this is another case of women getting a raw deal out of the pensions system.

What should be done? I sought to give the Department advance warning of some of the points that I wanted to raise, and hope to receive recognition that the matter needs serious, long-term investigation. I ask the Minister to deal with three aspects in his response. First, married women deserve an apology—not from him, but on behalf of successive Governments—for the way in which they have been let down by the pensions system. One can argue that the forms gave the necessary information, and that if people had known the right questions to ask and had been aware of how the system worked there would have been no problem. However, many were not in that position and they continue to write to me every day to tell me so. They deserve an apology.

Secondly, the matter deserves serious consideration by the Government. I was treated somewhat dismissively by the Secretary of State when I raised it during Social Security questions a few weeks ago. The cases that I have mentioned, and others, require independent investigation, perhaps in association with Age Concern or another organisation that has contact with pensioners' groups. People must have confidence that a root-and-branch investigation into what went on and what went wrong is being undertaken.

Thirdly, redress must be given. That may be different in every case and inappropriate in some. Nevertheless, where people have been misled by officialdom, or if the Government have failed to contact them to tell them how the system works and what to do about it, the Government—even the successor Government—have a duty to respond to those cases, perhaps by reconsidering the home responsibility protection rules, or by allowing people to buy back years, even some years later. There may be other forms of necessary redress, but redress must be made.

The 40 or 50 letters that I have received are the tip of a large iceberg. I am grateful for the chance to bring the matter to the attention of the Chamber, and I look forward to a constructive response from the Minister.

11.45 am

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I hope that I will be able to give the hon. Member for Northavon (Mr. Webb) a response that will be at least partially satisfactory. No Minister could ever give a totally satisfactory response in a half-hour debate such as this.

What is perceived to have gone wrong in the cases mentioned by the hon. Gentleman—although I note that the ages of the individuals vary—was a long time ago; in a bygone age, as far as my Department is concerned. To refresh my memory of the issues, I have

checked parliamentary questions that I asked and comments that I made in the 1970s. In the late 1970s, changes were made which prevented married women from opting out if they were new to the work force. There was also the abolition of the half-test rule. At one time, I had a file 6 in thick, and I remember writing to those constituents for whom we were unable to put matters right, saying that we had put them right for the future and that the next generation would not be in the same mess.

I remember asking my noble Friend Lord Orme, who was a Social Security Minister at the time, why the Department could not give advice. It was as if there was an ordinance that Departments did not give advice—they were not in the advice business. All we could say to constituents was, "Make a claim and you will get a decision", when what they really needed was an advice shop in the Department. I can assure hon. Members that, in the 1940s, '50s, '60s, '70s and most of the '80s, no such thing existed.

The culture has changed since then, although I do not say that the future is completely rosy. The women whose cases the hon. Gentleman has raised are, rightly, aggrieved about the way in which they have been treated. However, most people in this country have not got a clue about how the national insurance system works. I must be careful about my language; it seems to me that most people do not fully appreciate the starkness of the position. Single men pay the same rate of national insurance as married men. The stark reality is that married couples who rely on the pension of the man are subsidised by the contributions of single people. Although no one puts it quite like that, that is how the system works. There is no differential between the rate for single people and married men. A married man will collect 160 per cent. of pension, including 60 per cent. for his wife, if she is not contributing.

There are many quirky bits such as that in the national insurance system and, occasionally, they come up and bite us. I remember the married women's option, as it was called; I dealt with it when I was a junior manager in the engineering industry in the 1960s. It was a flat rate of one shilling. Everyone knew that the only thing that it covered was industrial injury. The women on the production line at Salter's in West Bromwich knew that—it was common knowledge. That was all they got for their shilling. Of course, their wages were so low that they could not have contemplated paying the full rate. More women were coming into the work force, but they were, predominantly, on low pay. That is why there were campaigns about equal pay and related issues at that time.

There was an informed choice. The hon. Gentleman may know of someone who claims that they did not sign a form. However, we still have tons and tons of paper records around. There was a form that had to be signed. I admit freely, having read it again this morning, that the form was not brilliantly clear, and I can guarantee that it would not pass the plain English test. Nevertheless, a signature was required before someone could opt out of the full rate of national insurance.

To that extent, it had to be an informed choice, and leaflet NI1 did explain the situation in relation to pensions. By the 1970s, many more women were working, which was the reason for the change in 1977. The option was withdrawn in the 1978-79 tax year because 3.6 million women had opted out of the full rate of national insurance contributions. That figure is now 175,000. We stopped that unfairness for the next generation, and that reduction over 20 years means that we are on the way to eliminating it. That may not solve the problems of the examples given by the hon. Gentleman this morning, but reducing the number of women who opt out means that more will collect a lifetime's national insurance contributions because, by and large, women are working longer and the difference in wage rates is closing.

I do not suggest that everything was hunky dory under the previous Labour Government, but things started to go wrong in 1989 when the structure of national insurance contributions changed and gave rise to an anomaly in which someone who opted out might end up paying more national insurance than someone who was paying the full rate. The change in 1989 was for the good reason that, unlike tax, a £1 rise in wages might result in a £3 rise in national insurance contributions. That was barmy and the then Chancellor, Lord Lawson, introduced the change to deal with that.

In August 1989, a mail shot to the women concerned advised them to examine their position before the structural changes were introduced. The Government wrote to those women in a form that would probably not pass the plain English test—that is a bold statement, but the wording of the document does not look like plain English to me. A warning bell was rung and a light flashed to warn women to take action, but not many seem to have done so. I do not know why.

Further changes have been introduced more recently so that many women on low earnings do not pay contributions, but will be credited to the level of the basic state pension. It is beneficial for married women on low earnings to revoke the reduced rate election if they have continued to work and have remained opted out since 1978. The Inland Revenue now administers national insurance assessment and collection and is planning a mail shot later in the year to target those women.

I have seen some of the hon. Gentleman's questions, most of which go to the Treasury, which deals with national insurance matters, but I may not have seen all of them. Any Government mail shot in 2000 should be checked for plain English and it should be clear and explicit about what to do if people have questions. The Government would fail if they sent out a mail shot that was not consumer friendly. We estimate that some 6,000 women will receive it.

When the Labour Government made the changes in 1977, we did not want married women to lose out later in life and, in a leaflet, we gave a full explanation of the changes. However, not everyone, particularly if they are working shifts, checks with the Benefits Agency. In those days, it was impossible to get through on the telephone and letters were not answered for weeks, even letters from Members of Parliament. The system for responding to the public has been vastly transformed, but in the 1970s and 1980s it was not a customer-friendly service.

The hon. Gentleman was unfair to say that my right hon. Friend the Secretary of State for Social Security was dismissive when the hon. Gentleman asked a question on the Floor of the House last Monday. My

[Mr. Jeff Rooker]

right hon. Friend said that the hon. Gentleman had asked the question before, but had not given sufficient information. I repeat that now. I require more information than the hon. Gentleman has provided when he has written to me in the past.

I have some correspondence in which I was given only the name of the lady in question. It contains no address, date of birth or national insurance details, yet I was asked to say that she should be eligible for an increase in her pension because she had worked in a Royal Ordnance factory during the war. I had to write back and ask for more information. If we have the basic information to enable us to check the files—date of birth, national insurance number, maiden name and so on—we will check every case submitted to us.

In cases in which someone has made a genuine inquiry—perhaps in the form of an early forecast requirement—and has been misdirected, there remains the option to buy back in. We must be careful that that would not constitute a one-way bet against the taxpayer. Every case would have to be individually assessed. However, I do not believe that there is any need for a large-scale inquiry. This is not like the issues surrounding SERPS.

However, if it appears after evidence has been submitted and we have checked our files that someone has been misdirected or misinformed by my Department, we will consider allowing her to buy back in the contributions that she has missed. In that way, she would be able to regularise her benefits. Successful applicants would be given the opportunity to pay arrears at the rate in force at the time that the payment was due. For some women on low incomes, that could even lead to a refund.

Mr. Webb: Would the Minister include in that category the people who, since 1989, could have saved money by going back into full-rate contributions?

Mr. Rooker: I am not sure about that. It would not be possible, once one had elected to come out, to swap over again. We are quite prepared to look at each case on its individual merits. We do not have any such cases before us at present, although from time to time, people make individual inquiries of the Department. The situation is not unique.

In 2002, we shall start to operate the pension forecast. It will be phased in over a number of years, and will mean that everyone who is working will receive a pension forecast every year. It will include information on their state pension and their occupational pension. Women and men in their 20s and 30s, among others, will receive a P60 and a pension forecast every year. They might respond by saying, "I thought it would be more than that. What can I do about it?" The time to ask such questions is earlier, rather than later when one cannot do anything about it.

I have heard from constituents who have discovered at the last minute that their pension entitlement was 24 per cent. If one's pension entitlement is less than 25 per cent., it will be zero. Unfortunately, some people find out about such things at the last minute, when it is too late to make up the shortfall. They will get zero. That is an aspect of the workings of the national insurance system that has been in place since it started. Nothing is being reinvented here.

However, I take on board the points raised by the hon. Gentleman and, if we have evidence of misinformation or misdirection in individual cases, we shall do our best to check the files and, if need be, regularise the situation. We are not asking people to turn the clock back, but we shall need evidence in these cases. I hope that, in 20 years, there will be no need for a Social Security Minister to stand up and answer this kind of question.

Mr. Webb: The Minister mentioned evidence. Obviously, it is very difficult to obtain evidence from 10 or 20 years ago. What sort of evidence does he have in mind? Does it have to be documents?

Mr. Rooker: I suspect that it will have to be. Unlike in the circumstances relating to SERPS, the burden of proof will not be on the Department. When the changes were made, mailshots were carried out. The publicity was adequate in the sense that leaflets were sent out by the Department and debates were held in the House. I realise that the media now tend to ignore the House but, in those days, they used to report the House more thoroughly, so there is less excuse for people being ignorant of this matter. However, we will look at every individual case that is put to us.

Mike Tyson

12 noon

Ms Jenny Jones (Wolverhampton, South-West): I begin by thanking Madam Speaker for allowing me this debate. When I made the request last week, the decision on Mike Tyson's application to enter the country had not been made. Since then, my right hon. Friend the Home Secretary has made his ruling. Regrettably, it is not the one that I would have liked. The issue is attracting a lot of public attention and it is therefore still relevant.

Last year, the Government published an important document, "Living without fear: an integrated approach to tackling violence against women". Its opening statement was that violence against women is a serious crime with serious consequences. The document stated that one in four women in the United Kingdom experience domestic violence at some time in their lives and that the number of reported rapes has nearly doubled in the past 10 years, a steeper rise than for any other crime. At the same time, the conviction rate for rape has dropped from 24 per cent. to 9 per cent. Seven out of 10 women aged between 16 and 29 fear rape. They fear rape and personal attack more than any other crime.

In my opinion, and that of many others, the document set out in an intelligent and coherent fashion how the Government would tackle violence against women. It was welcomed by all sectors of society. Many felt at last that we had a Government who would give the issue priority. The document was followed by a review of sex offences legislation. The newspapers anticipate a paper being published later this month by the working body reviewing sex offences. Changes to rape trials to try to increase the conviction rate have been trailed by the papers.

People's expectations of the Government have been raised. However, a high-profile convicted rapist has been allowed into the country for the sole purpose of commercial gain—not once, but twice—and under an immigration rule that I believed was designed to prevent people convicted of serious offences from entry. Mike Tyson is not only a convicted rapist. His violence towards women is well documented. I shall not mention every story that the national press has printed about him. One, however, does sum up his attitude towards women and the evident problem he has controlling his violence towards women. A national paper in America once asked him what was the greatest punch he had ever thrown. He joked that it was the punch he gave his ex-wife.

In allowing Mike Tyson into the country, the Home Secretary exercised the discretion given him by our immigration rules. What signals does that decision send out? I feel that it has weakened the Government's determination to deal with violence against women. The fact that Tyson has been let in mainly for economic benefit sends out the message that tackling violence against women may be less important than making as much money as quickly as possible. Is rape to be taken seriously, or is it only to be taken seriously provided it does not cost too much? What weight was given to the Government's policy on violence against women when the Home Secretary made his decision?

I turn to the Home Secretary's reasons for allowing Tyson entry, which were printed in the written answer to the House on 18 May. The Home Secretary said that Mr. Tyson's behaviour on his previous visit to the United Kingdom was satisfactory and asserted that

> any risk to the public...would be minimised by...his high media profile, the presence of his trainers and other supporting entourage, and the limited duration of his visit.—[*Official Report*, 18 May 2000; Vol. 350, c. 210W.]

What happens if a member or members of that supporting entourage have committed or been convicted of worse offences than those committed by Mike Tyson? On 18 January, *The Express* published an article on Mike Tyson's first visit. It stated that one member of his team, Steve Fitch, had served a five-year term for manslaughter, which is a more serious offence than rape.

Will the Minister tell us what steps immigration officers will take to examine every member of Mike Tyson's entourage and to establish whether any of them have been convicted of a serious offence, as Steve Fitch was? If it is discovered that a member of the entourage has been convicted of such an offence, will that person be allowed into the country under the discretion that the Home Office has exercised under rule 103?

I am fairly certain that Mike Tyson would not set out to harm anybody on his first few visits to the United Kingdom. After all, he is trying to impress on people here that there is another side to his character. Last time, he turned up with a formidable public relations machine, which set out to give an impression of him that was slightly different from that which had previously prevailed. As he has twice been given permission to enter this country, it seems likely that he will able to travel here with impunity.

Having said yes twice, it is most unlikely that the Home Secretary will say no on a third or fourth occasion. The risk of the mask slipping on Mike Tyson's behaviour in Britain will increase with every visit that he makes. It is likely that he will at some time in the future start to demonstrate here the behaviour for which he is infamous in the United States. It will be interesting to see how the Home Office reacts when that happens.

As to satisfactory behaviour, it is true that Mike Tyson did not engage in any violence outside the ring when he was in Britain. He did, however, climb over the gates of the royal parks to go running. I am told that that was technically an offence but that the police chose to exercise discretion and did not arrest him. His offensive remarks about the women's groups and women parliamentarians—hon. Members who sit in the House—who criticised his entry into Britain were slightly more concerning.

I remind hon. Members that he described us as a bunch of frustrated women who wanted to be men, and he went on to express an opinion about the men to whom these women might be married. I am told that the phrase that he used is a colloquial obscenity, so I am loth to repeat it. If I did so, Mr. Deputy Speaker, I am sure that you would tell me that I was using unparliamentary language. Mike Tyson did not attack anybody while he was here, but does the Minister agree that making derogatory and offensive remarks about women Members of Parliament is not the sort of behaviour that we expect of somebody who is a guest in this country?

[Ms Jenny Jones]

The final reason for allowing entry was that not permitting it would result in a loss of economic benefit to the United Kingdom and would not enhance the UK's standing as a venue for a major sporting event. It is interesting to consider where the economic benefits of the bouts lie. I asked the Library to research some figures in relation to the Manchester fight with Julius Francis. Mike Tyson made £4 million in a two-round fight that lasted four minutes and three seconds. That means that he earned £16,460 per second. His opponent, Julius Francis, received £350,000 for managing to stand on his feet for just more than four minutes. The boxing promoters made a lot of money and, as we know, the sole broadcasting rights went to Rupert Murdoch's Sky television, which broadcasted the event on a pay-to-view basis; I think that these matches can be watched at a cost of £13 a fight. There is certainly a lot of money to be made, but the extent to which it was distributed around Manchester and United Kingdom is questionable.

Sheffield Hallam university estimated that the predicted loss to the Manchester economy of £12 million had the fight not gone ahead was highly exaggerated. The faculty's researchers calculated that the losses would probably only have been about £1.5 million. No evidence was ever produced to show that any business would be bankrupted had the fight not gone ahead. That casts doubt on who gets the economic benefits.

With regard to the UK's standing as a venue for major sporting events, I must tell the Minister that there are mixed views in the boxing fraternity about the Tyson fights, especially the one held in January. It might be wondered why I know about boxing. I have never before expressed views on the sport, which in itself is not the subject of the debate. However, I have two close relatives who were champion amateur boxers in their youth, so I might know a bit more about the subject than some hon. Members have given me credit for.

The view held is that the previous Tyson fight was not of the gladiatorial standards that we used to see with the fights of Muhammad Ali. The same might be true of this fight. One amateur boxer told me at the weekend that such fights are not so much gladiatorial as like a sick circus. Many in the boxing fraternity consider the Tyson fights to be an exercise in making as much money as easily as possible for a few people. We must ask whether the UK really wants to get a reputation as a sporting venue for such events.

I want to consider the point that I raised during Prime Minster's questions last week. Like many hon. Members, I represent a multicultural constituency. A significant part of my caseload is helping constituents who are trying to get close relatives into the country for weddings, funerals or visiting sick relations. We are not always terribly successful at that. It can be difficult to explain to a constituent why a close family member cannot be brought into the country, especially for something such as a funeral. The situation can be distressing. After Mike Tyson was allowed into the country in January, I found myself being asked why, for example, constituents could not get their mother, who had never committed an offence, into the country, when Tyson—rich, famous and convicted of a serious offence—could enter.

Our immigration rules are complex, and different rules apply to people coming from America from those that apply to people coming from the Indian sub-continent. However, the public perception is that it does not matter what crime people commit if they are rich and famous because they can circumvent UK immigration rules. That is an unfortunate message to send out.

My hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) wishes to make a short contribution. I am grateful to the Minister and to you, Mr. Deputy Speaker, for having kindly agreed to that. There is much public disquiet about the decision second time around. On the first occasion, many people who were unhappy with the decision might have gone along with it because many seats for the fight had already been booked and because we had been told that a lot of money was at stake.

Circumstances second time around are different. Many Members of Parliament are less than happy. When I checked last night, the number of signatories to early-day motion 741 on the matter was 81 and climbing. The total could reach more than 100 by the end of the week. I had never seen some colleagues as furious as they were last Thursday when the decision was made. There was real fury and anger at the decision having been made for a second time. Public opinion and the impressions of Back Benchers must be considered—that is why we are here.

12.13 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): I congratulate my hon. Friend the Member for Wolverhampton, South-West (Ms Jones) on gaining the debate and on her excellent work to further the issue. Her seeking the debate and her other activities demonstrate that the affair is not of interest to Scotland alone. Like others, I supported those protesting in England last January, and I warmly welcome the support shown by English colleagues and friends regarding Mike Tyson's coming to Scotland. The United Kingdom Government have retained responsibility for the matter, which is therefore a UK issue. Equally, however, I welcome the many voices in the Scottish Parliament that have stuck to the real issue, which is about violence against women. We must not lose sight of that. Before I deal with that problem, I want to raise a matter that arose from the process by which the Home Secretary's decision was made.

Mr. Frank Doran (Aberdeen, Central): My hon. Friend mentioned the Scottish dimension, which is important. Will she comment on the cynical attempts of the Scottish National party to exploit the issue, in particular its attempt to undermine the devolution settlement that, just two years ago, it fought side by side with other political parties in Scotland to achieve?

Mr. Roger Gale (in the Chair): Order. I would be grateful if the hon. Lady would confine her remarks to the subject of the debate.

Mrs. Fyfe: Thank you, Mr. Gale. My hon. Friend made his point.

My hon. Friend the Member for Glasgow, Baillieston (Mr. Wray) met the Home Secretary on 3 May. On 12 May, triumphant quotations in the Scottish press

from the organisers of the bout said that Mike Tyson's visa was waiting for him. I immediately sought a meeting with the Home Secretary. On 17 May, my hon. Friend the Member for Wolverhampton, South-West and I met the Minister of State with responsibility for immigration and asylum. At 4.30 pm, we were told that no decision had been made and that Ministers had not seen the paperwork. However, in a written response to a parliamentary question tabled that day for answer the following day, it was clear that the decision had been made sooner than we thought. At what time on Wednesday was the parliamentary question planted? What consultations did the Home Secretary have between 3 and 17 May? What was the hurry to reach a decision on 17 May in light of the emerging protest in the Scottish Parliament and in Westminster, on which he was fully informed? The decision is inexplicable. I agree with my hon. Friend the Member for Wolverhampton, South-West on that matter.

The reasons for granting the visa that were given on 18 May were greeted with incredulity and derision in Glasgow. We were told in January that the visa was granted because of exceptional circumstances—tickets had been sold and businesses would go bankrupt if the event was cancelled. Exceptional circumstances means not routine, but because the first visit created a precedent, it appears that Tyson must be allowed entry on the second application and, presumably, again and again. Did the Home Secretary realise in January that a legal precedent would be set for a second application? If so, why did he not tell us? The House of Commons and Labour Members of Parliament played fair with the Home Secretary in January. We thought that we understood the position; evidently, we did not.

The Home Secretary said yesterday that he was worried about public order on the streets and was satisfied that there was no danger of that being a problem. That is an outdated attitude. What about private disorder? What about beatings, batteries and rapes behind closed doors? What about the women who hope that their man's team wins on Saturday because they will be battered if it does not? What message does the feting and lionising of this man, whose has a string of violent actions against women and men, send to young men who are growing up? Plenty of other famous boxers must be more credible role models. It has been denied that Mike Tyson committed the crime of rape against Deirdre Washington but, as my hon. Friend said, there is a string of other violent incidents in his adult life, which is too long for me to recount. Were those all based on false allegations?

I am sorry that many women and men will be saddened and sickened by the decision. People are already saying that money talks. The only way to convince them otherwise is to introduce fair legislation that lets people without wealth and influence get into the country for family funerals and weddings and to visit the sick. The current message is that that is a lot less important than a boxing match.

12.19 pm

The Minister of State, Home Office (Mrs. Barbara Roche): I am grateful for the opportunity to debate this issue. I, too, congratulate my hon. Friend the Member for Wolverhampton, South-West (Ms Jones) for securing the debate. She and my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) set out a strong and resolute case. I do not expect them to agree with what I am about to say, but I want to explain the circumstances that led to the debate.

I completely understand the strong feelings that have been expressed in the House, in Scotland and in the United Kingdom generally, which is why I welcome the opportunity to discuss the matter.

Mr. John Swinney (North Tayside): Would the Minister care to say what consideration she gave to the representations made by the representative of the Scottish Parliament, the Deputy First Minister, who I believe contacted her on the matter? Will she say how those representations were considered by the Department, and whether that could have influenced the Home Secretary's decision?

Mrs. Roche: If the hon. Gentleman is patient, I shall deal with that aspect.

My hon. Friends have set out clearly their arguments against agreeing to Mike Tyson's wish to enter to the United Kingdom. In dealing with the application for entry clearance, it was necessary for us to weigh all the relevant arguments for and against his admission. In his statement to the House, my right hon. Friend the Home Secretary explained the basis on which we reached the decision to allow him entry. We did not reach that decision lightly, but did so after a careful assessment based on the history of the application and the need for fairness and consistency.

We were strongly aware of the objections that were raised to Mike Tyson's being admitted when he last visited the UK, in January, and of the immediate reaction to the news of his intended return. It is understandable that concerns should be expressed about his well-publicised criminal record. I have strong sympathy with those concerns. As I said last week, like all right-minded people, I consider the offences of which Mike Tyson has been convicted to be deplorable.

Mr. Malcolm Savidge (Aberdeen, North): Does my hon. Friend recognise the concerns about the criminal records of some of Mike Tyson's entourage, and of others associated with the event?

Mrs. Roche: That point was raised by my hon. Friend the Member for Wolverhampton, South-West. Anyone who seeks to enter the United Kingdom will be considered under the immigration rules.

It was necessary for us to base our entry clearance decision not on Mike Tyson's previous convictions alone but on a careful assessment of the relevant circumstances in accordance with the immigration rules. The primary purpose of the immigration rule that allows entry to be refused to those with criminal convictions is to protect the public from the risk of serious crime. In this case, we were bound to take account of the fact that Tyson's behaviour during his previous visit in January was satisfactory. As on that occasion, he will be subject to close media attention throughout his visit and surrounded by his supporting team. As a result, the opportunity to reoffend will be minimal. It was therefore decided to grant entry clearance for a brief period that will be focused entirely on the fight.

[Mrs. Roche]

Mike Tyson's case has been dealt with on the basis of its exceptional circumstances. Given that there would be no significant risk to the public in allowing him to enter, the benefits of allowing the fight to proceed appear to outweigh the arguments for preventing it.

Consultation was raised. We consulted the Administration in Scotland and took account of their views in reaching a decision. I spoke to Jim Wallace, the acting First Minister, before the decision was taken.

Mrs. Fyfe: Did that discussion with Jim Wallace take place because he telephoned the Minister of State, or did she get in touch with him first?

Mrs. Roche: I am trying to remember; I think that I telephoned him. Certainly, we knew that he was anxious to talk to us, but we placed the call because I wanted the Administration's view, particularly about the implications for public safety. My recollection is that I placed the call to Jim Wallace on the Thursday.

Mr. Roger Gale (in the Chair): Order. I appreciate that the hon. and learned Gentleman is a Member of the Scottish Parliament, where personal names are used, but we are still in the House of Commons, where we refer to Members by constituency. The acting First Minister is the hon. and learned Member for Orkney and Shetland.

Mrs. Roche: That is certainly correct, Mr. Gale, although I cannot promise to remember his constituency precisely. I think that I have been affected by the refreshing informality of the new Parliament, something that I warmly welcome.

Mr. Michael Connarty (Falkirk, East): On the matter of precision, will the Minister tell us the exact date and time of her conversation with the acting First Minister?

Mrs. Roche: Yes, I can be precise. It was on the Thursday—*[Interruption.]* I spoke to him twice. The first occasion was on the Wednesday, from my office in the Home Office. On the Thursday, I was on a visit and I spoke to the hon. and learned Gentleman that morning after he had obtained some information from me.

Mr. Connarty: I am looking for the date, not the day. There are many Wednesdays in the month.

Mrs. Roche: Last Wednesday was the first time I spoke to him and I did so again on the Thursday morning.

Mr. Connarty: When exactly did the Home Secretary take the decision?

Mrs. Roche: If my hon. Friend can contain his impatience, seeing that I have about three minutes left, I shall deal with that point, which was raised earlier.

I saw my hon. Friends the Members for Wolverhampton, South-West and for Maryhill on the Wednesday afternoon. I told them that a decision was imminent and that neither the Home Secretary nor I had seen the papers. Those came up in the early evening and a decision was taken. My right hon. Friend the Home Secretary personally advised the acting First Minister and the Secretary of State for Scotland of his decision.

I emphasise that Mike Tyson's entry clearance is strictly for the purpose of the proposed fight and for a single entry only. He will come here to prepare for that fight and leave once it is over. We have made it clear to him that there is no automatic presumption that he will be allowed entry again. If he wants to return, any application will be considered on its merits at the time. As we said, we are considering the rule again. My right hon. Friend published a consultation paper on the subject.

Our decision to admit Mike Tyson had no bearing on the abhorrence with which we regard violence against women. My hon. Friend the Member for Wolverhampton, South-West was kind enough to point out activities undertaken by the Government, and our commitment to combating violence against women remains resolute. She also raised the important question of family visits, and will know that the Government—

Mr. Gale (in the Chair): Order.

Electoral Malpractice

12.30 pm

Mr. William Thompson (West Tyrone): I am privileged to have the opportunity to debate electoral malpractice in Northern Ireland.

When voting recently in the London mayoral election, I visited a mainland polling station for the first time. Only one man was standing outside; no Labour, Liberal Democrat or other party representative was present. The man was wearing a blue rosette, which I assume showed his membership of the Conservative party, and he spoke nicely to everyone who arrived. On my entering the polling station, there was no sign of the polling agents, as we call them, who mark off voters as they arrive. I was asked simply for my name and number—no one tried to check my identity beyond that. The atmosphere was calm and quiet, and I said to myself, "How different elections on the mainland are from those in Northern Ireland."

In Northern Ireland, every vote counts, so parties must work extremely hard to ensure maximum turnout, and there is always the temptation to indulge in electoral malpractice. Indeed, after the 1997 local government elections and general election, the Northern Ireland Affairs Committee issued a report that accepted the existence of electoral malpractice in Northern Ireland and the need to do something about it. The Government also established a committee to consider the matter, which published a report on administering elections in Northern Ireland. It, too, acknowledged the existence of, and need to address, such malpractice.

Both committees recommended an enhanced household form, a postal vote and proxy vote application forms. Significantly, they established that electoral smart cards using signature verification are the most effective way to prevent fraud and malpractice in Northern Ireland.

The latter report was published in October 1998. In replying to the Northern Ireland Affairs Committee's report, the Secretary of State said:

> Although it has not been possible for me to give any firm commitment to the introduction of select proposals at this time, this should not in any way indicate that I do not take the issue of electoral malpractice in Northern Ireland seriously.

He went on to say:

> The Elections Review will be submitting its final report in the summer of 1998, and I am intending to publish its findings at the earliest possible opportunity. However, as you acknowledged in your report, it is unlikely that any substantial changes will take place before the elections to the European Parliament in 1999.

Those elections have long since passed, and we in Northern Ireland want to know what has happened to the report and what progress is being made. There is a general feeling that the Government are dragging their feet. In a letter dated 15 May to my right hon. Friend the Member for Upper Bann (Mr. Trimble), the Prime Minister stated:

> We will bring forward early legislation on electoral fraud. I would hope to find parliamentary time for this before the general election.

I welcome that.

In Northern Ireland, local government elections are held every four years. The next elections are due to take place in May 2001, and it is possible that there will be a Westminster election at the same time. Under Northern Ireland's system of proportional representation, which nowadays is not much liked on the mainland, it is possible for results to be very close—in fact, close in decimal figures. Any malpractice or fraud is therefore liable to have extremely serious consequences, in that it may lead to a result that is not true to the views of the electorate.

The problem must be dealt with before the local government elections—and, potentially, the Westminster election—in May 2001. The history of Westminster elections in Northern Ireland reveals that some constituencies are very closely contested, especially those in the west of the Province. That often results in an extremely high number of postal votes. In the 1997 Westminster election, the total number of absent vote applications was 38,885, which would be unheard of over here on the mainland. In my constituency, the figure was 4,372. Postal vote applications rose by 38 per cent. in Mid-Ulster, 37 per cent. in Belfast, North, 43 per cent. in Belfast, East and 45.84 per cent. in Belfast, West. It is believed that up to 10 per cent. of postal vote and proxy vote applications are fraudulent. It is vital to try to ensure that such malpractice does not happen, because malpractice may seriously affect election results, especially in closely fought constituencies.

Mr. Harry Barnes (North-East Derbyshire): The hon. Gentleman may recollect from the report of the Northern Ireland Affairs Committee that the chief returning officer told the Committee that he had received four applications for postal votes from people who had died. Information about deaths from the Registrar of Births, Deaths and Marriages in Northern Ireland is passed to the chief returning officer, but he could not legally refrain from issuing the papers for postal votes.

Mr. Thompson: I thank the hon. Gentleman for his intervention.

The presiding officer, electoral officer or deputy electoral officer may not be notified of a death that occurred, and he could not refuse a ballot paper even if it was known on election day that the person had died before the election. That shows the necessity for a legal change.

The recommendation for an electoral smart card utilising signature verification is an expensive solution and could not be introduced for some time. It is unlikely to be available for the elections next year, so I shall suggest some changes that could be made immediately to reduce malpractice next year.

At the beginning of October, every household in Northern Ireland receives a form on which to state the number of electors in that household. Those forms are not satisfactory because some people include all their family, although some members of that may not be resident in the household. Objections can be made to a court, but it is almost impossible to prove that someone is not resident if the household form states that he is. Names remain on the register when they should not be

[Mr. Thompson]

there, with the result that the register is not as accurate as it should be. I suggest that changes should be made to the form this year and there should be time to do that. The form should ask for the date of birth and national insurance number of each elector, the elector's mother's maiden name and the number of rooms in the dwelling. There should also be a little box in which each elector states whether he possesses a driver's licence. The majority of electors in Northern Ireland hold a driver's licence with a photograph and they could be required to use that as identification at the polling station.

The application forms for postal votes and proxy votes at next year's elections should reflect the changes on the household form. They should ask similar questions so that, when the form is returned to the electoral office, a check can be made on whether it accurately reflects the records held in the electoral office. That would help to prevent people from submitting proxy vote or postal vote application forms for those who are unlikely to vote.

I also recommend that the marked register be done away with. Surprisingly, it is possible to buy in Northern Ireland a set of registers naming all the people who voted at the last election. One can normally do that, but such registers are not cheap. Although normal political parties do not have the money to pay for marked registers, Sinn Fein seems not to be short of money and can readily avail itself of them.

When one accumulates a number of registers over time, it becomes clear that those people who never bother to vote and have never visited a polling station can be identified. As a result, false proxy votes can be cast or false postal vote applications made on their behalf. A large number of applications arrive on the chief electoral officer's desk a few days before an election, and it is virtually impossible for him to sift through 38,000 votes to establish which applications are legitimate and which should not be upheld. If the marked register were done away with, it would be harder for someone to discover the identity of a person who had never voted. It would then be difficult to vote in that person's stead through proxy voting or postal voting or through voting at a polling station by pretending to be someone else.

Changes should be made at the polling station itself. The presiding officer should be empowered to refuse a ballot paper if he, his staff or a polling agent have reason to suspect malpractice of any kind. As I understand it, a ballot paper cannot be refused unless a polling agent objects. A polling agent sits in a booth and must be sure of his facts before making such an objection. He does not see the identification documents, and it is difficult for him to object, so it is the presiding officer who should be so empowered. If, according to his judgment and good offices, he suspects malpractice, and if his staff or a polling agent objects to a vote, he should be empowered to intervene and suggest that the police make an arrest.

The polling station electoral register should state whether a voter holds a driving licence, so that it could be used for identification purposes. The register should also show a voter's date of birth and mother's maiden name, so that relevant questions could be asked where an application for a ballot paper was suspect. A ballot paper would then be provided only when satisfactory answers were given.

Throughout the United Kingdom, the police seem to have forgotten that their duty is to prevent, as well as solve, crime. Voting twice, or voting in an election in which one should not vote, is a criminal offence, so it is the duty of the police to make an arrest if they suspect that a criminal offence has taken place or is likely to take place. In Northern Ireland at the moment, the police say that it is nothing to do with them and that they cannot intervene. That is contrary to the rules that govern the conduct of police constables. The police should act if they think that a crime is about to take place.

We should consider the possibility of giving each elector a personal identification number. Such numbers are in common use with Visa cards and smart cards. Electors would receive a PIN, which they would bring to the polling station. There, they would have to state their number, which could be checked against the electoral register. There are difficulties with such a system: PINs might not be delivered or people might say that they had not received a number. None the less, such possibilities should be considered.

Local government elections will take place in Northern Ireland in 2001 and are likely to be followed by a general election. Malpractice must be reduced to the lowest possible level, and the Government have a duty to act expeditiously to see that that happens before the next election.

12.51 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): I congratulate the hon. Member for West Tyrone (Mr. Thompson) on his choice of subject. It is an important subject, as was illustrated by what my right hon. Friend the Secretary of State for Northern Ireland said during his recent appearance before the Northern Ireland Affairs Committee. We are in regular contact with the chief electoral officer, Mr. Pat Bradley, who is widely respected throughout Northern Ireland. I have every confidence in him. He is about to retire, but the process of appointing his successor is under way.

We share some of the hon. Gentleman's concerns, but I do not think that it is fair to say—normally, he is a fair man—that we are dragging our feet on the issue. The hon. Gentleman put forward ideas that he would like us to consider. I do not intend to go through each in sequence—for one thing, there is not enough time—but I will carefully consider his points. We are committed to having a Bill on the subject, but the question is whether there is sufficient time; I shall return to that. The Bill may cover some of the points raised by the hon. Gentleman. However, I give a warning: although we agree that it is important that electoral procedures should be robust enough to prevent them from being abused too easily, we do not want to make access to the vote so difficult that it puts legitimate voters off. That is a difficult balance to strike, as I am sure the hon. Gentleman will agree, but we must strike it, none the less.

Both the report by the Northern Ireland Affairs Committee, which has been mentioned, and the Northern Ireland Office report "Administering

Elections in Northern Ireland" noted that there have long been concerns about electoral malpractice in Northern Ireland. However, the Northern Ireland Office review concluded that

> elections in Northern Ireland are efficiently and fairly administered, often in very difficult circumstances.

What I am unable to do—the hon. Gentleman had a stab at it—is quantify the problem. There are very few arrests for electoral malpractice, but not, frankly, because the police do not take the matter seriously. I entirely accept that that is not a sign that all is well or that there is no need for change—far from it. Electoral abuse is difficult to prove, not least because many people who appear to have had their votes stolen may be afraid to speak out or to give evidence, or they may not know that their vote has been stolen.

Whatever the difficulties of attaining evidence, it is important to ensure that we act in a way that is proportionate to the problem. Electoral abuse is an affront to democracy, but we do not want to introduce measures that would deny innocent people their vote or make them feel that the system was so oppressive or off-putting that they would not go to a polling station, bother to apply for an absent vote or register in the first place.

The fact that the Government have recognised the difficult circumstances in Northern Ireland means that the measures that had been introduced in pilot schemes elsewhere in the United Kingdom—they are designed to facilitate and encourage absent voting, and may use more flexible voting times—will not be extended to Northern Ireland. We recognise that moves that are intended to encourage and assist voters in Great Britain may serve only to aid those who are intent on electoral abuse in Northern Ireland.

It is important that we have extended the legislative provisions on rolling registration to Northern Ireland—it means that people can put their name on the register throughout the year rather than during a narrow time frame. That should ensure that the register is more accurate.

We hope to introduce early legislation on electoral fraud. Many of the measures that we want to introduce, including those that were recommended by the Northern Ireland Affairs Committee and in our review, will require legislation through a Bill. The hon. Member for West Tyrone referred to the letter that passed between my right hon. Friend the Prime Minister and the right hon. Member for Upper Bann (Mr. Trimble), who is the leader of the hon. Gentleman's party. I am sure that the hon. Gentleman accepts that we hope to find parliamentary time for such a Bill before the next general election. However, no Minister would give a firm commitment about the contents of Her Majesty's Loyal Address before it was delivered.

Mr. Thompson: Could not the Government introduce such measures through an Order in Council?

Mr. Howarth: The hon. Gentleman spends much time urging me not to use Orders in Council, and I am sure that he will forgive me if I do not readily accede to his request on this occasion.

I want to discuss some of the recommendations of the Select Committee and of our report. Electoral cards remain, as the hon. Gentleman conceded, our long-term objective but, frankly, current technology is unlikely to provide a satisfactory system at a reasonable cost. In the meantime—before the eventual introduction of electoral smart cards—we hope to develop measures that will help to combat electoral abuse.

Signature verification, as the hon. Gentleman conceded, would be an important means of providing authentication of absent vote applications and it could possibly be used to provide additional identification at polling stations. The necessary process is under consideration and the approach is technically possible. I shall not discuss that in detail because time is short. We are also considering the investigatory powers of the chief electoral officer. We should have detailed consultations in that regard.

There are various steps to be taken, and there is the prospect of introducing legislation before the next general election. We take the matter seriously and I am grateful to the hon. Gentleman for raising it in this debate.

Question put and agreed to.

Adjourned accordingly at one minute to One o'clock.

Westminster Hall

Wednesday 24 May 2000

[MR. MICHAEL LORD *in the Chair*]

Public Employees (London Weighting)

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Betts.*]

9.30 am

Mr. Tom Brake (Carshalton and Wallington): I am pleased to have secured this important debate. I wish that more London Members were present; perhaps they will arrive shortly. The debate will interest anyone who is concerned about the continually falling number of police officers in the Metropolitan police, the recruitment crisis in the national health service and the recruitment and retention of teachers. Those are, of course, national issues, but the problems in London are much more acute, because of the cost of living there.

One difficulty affecting our consideration of the problem is that, although many of us are aware of the issues facing public sector workers in London, much of our evidence is anecdotal, being drawn from friends, family and constituents who contact us through our constituency offices or surgeries. Without a cost of living index for London, the scale of the problem is unknown.

In 1974, the Labour Government's pay board introduced a London weighting index, which was published regularly until the Conservatives abolished it in 1982. Since then, no official measure of the cost of living and working in London has been collected or published. An unofficial London weighting index has been published privately, but although the pay board recommended that the formula should be revised every five years, that revision has never taken place. There has been no adjustment to take into account greater travel-to-work distances and the changes to relative house prices. The retail prices index is adjusted every year to reflect changes in products and consumer tastes, but the weighting index presupposes that we live in the London of 30 years ago. As a result, according to *Bargaining Report*:

> it seriously underestimates the extra costs it is supposed to measure.

The unofficial London weighting index, produced by the London research department, shows that, from an index of 100 in 1974, London's cost of living had risen by last year to 768.1 in inner London and 515.7 in outer London. The value of the index is more than £3,000 for inner London and more than £1,000 for an area such as Carshalton and Wallington, where I live. Despite that, the London allowance received by nurses, teachers and police officers is well below those levels.

Recruitment to public services has suffered all over the country and has been widely reported in the past few years. Nowhere has it suffered more than in London. In its recruitment report issued in October last year, the Metropolitan police reported that it faced

> an increasingly difficult job market, in which the Service is not a first choice career for many and one in which the pay and conditions offered are not competitive with those of other employers.

That description could equally be applied to the teaching and nursing professions. Recruitment has deteriorated in London in recent years because of lower unemployment, faster growth, greater earnings growth and longer travel-to-work times than those in the rest of the United Kingdom. In particular, rising house prices in London have made a bad situation worse. According to Tony Travers of the London School of Economics, the result has been

> both long distance commuting and London employees who are of a lower quality than they would be elsewhere, in both the public and private sector...No teacher in their right mind would stay in London when property costs 80 per cent. more than in Gloucester or Carlisle.

The most recent figures on house prices—the Halifax housing prices index—support that view. House prices in London are now 76 per cent. above the UK average. That is the biggest differential since the Halifax index began in 1983. London is now the only region in the United Kingdom where prices are currently above their 15-year average in relation to earnings. In Greater London, the Halifax housing prices index records a 54.5 per cent. increase in house prices since 1990, whereas the increase in South Yorkshire is 5.71 per cent. A recent glance at the Homes Online website revealed that the cheapest one-bedroomed flat in east London costs £55,000 and that the cheapest one-bedroomed flat in south London costs £80,000, whereas a small three-bedroomed, terraced house in South Yorkshire costs between £25,000 and £35,000.

Such factors are taking their toll. Recruitment to the teaching profession is worse in London than elsewhere in the country, although, unfortunately, the lack of reliable statistics means that it is difficult to judge precisely how bad the situation is. Staff shortages are often bridged by the use of agency staff. The only statistics on the use of supply staff that are collected and published regularly by the Government are the occasional teacher figures: an occasional teacher is one who teaches in the same post for up to one month. Figures show that occasional staff are heavily concentrated in schools in London and the south-east. A teacher working for more than one month in post counts as a regular teacher, whether or not he or she is, in fact, a temporary supply teacher. I am sure that the Financial Secretary will correct me if I am wrong, but statistics are not published on the number and location of all supply staff, nor is there any independent means of assessing the whereabouts or the concentration of supply or overseas staff.

The school teacher review body has noted the lack of such data. It states:

> The DfEE vacancy figures do not include some posts that schools may have been forced to fill on a temporary basis and provide no indication of the quality of those appointed to vacant posts. Schools may have had to accept a candidate of poorer quality than they would have liked because, in words we often hear, "We must have a teacher in front of the class."

As a result of those concerns, the review body conducted its own survey last year and found that, nationally, one in 20 advertised teacher vacancies was not filled, but that in inner London, the figure was one in eight. Other figures also tell a sorry tale. In 1999, 39.5 per cent. of all teaching vacancies in English primary schools and 33.9 per cent. of all teaching vacancies in English secondary schools were in London. All that must be seen against the backdrop of teaching in London, which is certainly

[Mr. Tom Brake]

not easier than in other parts of the country and is often more challenging. Gareth Bevan, the head teacher at one school in my constituency, Carshalton high school for boys, was so worried about the situation that he considered buying a house locally to house the school's incoming young staff. However, the cost was too prohibitive for the school. Commenting on the current situation, Mr. Bevan said:

> In thirty years at this school, I can only remember one person who has come into a position of responsibility at the school from outside London. The outer London weighting of £1,524 is a paltry sum; it's nonsensical. Ten years ago, the LEA offered relocation packages. Now, I know of no school or local authority that could even contemplate relocation packages.

In their recent housing paper, the Government identified assistance that could be given to key workers. I hope that the Financial Secretary will put a little more flesh on the bones of that proposal today.

In recent months, the needs of the health service have had a higher profile than those of education; none the less, there is a similar tale to tell in the national health service. There are no longer any official figures giving the number of agency and overseas staff in different health trusts. While national vacancy rates are published regularly, local vacancy rates are not. However, approximately, one third of the 15,000 nursing vacancies in England are in London: a survey taken for the *Evening Standard* at the end of last year showed that there were nearly 5,000 vacancies. My local trust has had to look abroad for nursing staff and has told me, informally, that the vacancy rate could be up to 20 per cent.—although, on the record, it estimated the figure to be closer to 6 per cent. Clearly, there are local problems. The three-month vacancy rates obtained from the Library show that the vacancy rate in England for nursing and midwifery is 2.6 per cent.; in London, the rate is twice as high, at 5.1 per cent., and in my local health authority it is 4.9 per cent., close to the London average of 5.1 per cent.

I shall illustrate the difficulties that the NHS is experiencing in recruiting and retaining staff with an example of a hospital just across the river—St. Thomas's. St. Thomas's hospital relies heavily on biomedical scientists to carry out a range of screening tests. After five years of training and an honours degree, a graduate in that profession can expect to earn about £9,500 to £10,000; after qualification, he might earn a couple of thousand pounds more. Given those circumstances, it is hardly surprising that staff are leaving the profession. Yesterday, I spoke to Judy Copestake, a biomedical scientist with 40 years' experience as of yesterday. Until just a few days ago, she was a biomedical scientist grade 2; she had management responsibilities, but continued to supervise other biomedical scientists working on the bench in the laboratory. Her leaving salary was the princely sum of £22,000. She feels that her profession has been abandoned by the Government. She has been told by the Minister of State, Department of Health, the hon. Member for Southampton, Itchen (Mr. Denham), that biomedical scientists cannot constitute a special case—but it would appear that nurses can. She has also been told that there is no chance of a pay increase until after "Agenda for Change" has been implemented. That means that, in all likelihood, there will be no change until 2002.

The same Health Minister said that 6,000 biomedical scientists have received a 7 per cent. pay increase. I should be grateful for confirmation in writing, from either that Minister or the Financial Secretary, of exactly how many of the 21,000 biomedical scientists have received that increase. Judy Copestake and her colleagues do not know of a single biomedical scientist, including colleagues at St. Thomas's hospital and others, who has received that 7 per cent. settlement. Their view is that, if the increase had been available to 6,000 biomedical scientists, they would know at least one person who had received it. They know of many who have received a 3 per cent. increase and a small number of trainees who have received a more substantial increase, but none who have received a 7 per cent. increase.

Perhaps the Government calculate that the impact on public services—in this case, the testing of medical samples—will be minimal. However, unfortunately it is not. I have a press release that speaks of an accident and emergency service; it is not in London, but if Llandudno is experiencing problems, I am sure that the problems in London are just as acute. Apparently, Llandudno hospital has been forced to close its accident and emergency service at 4 pm each day, owing to insufficient biomedical scientists to carry out important laboratory tests on patients. That is obviously a source of concern, for if those circumstances were to be replicated in London, I am sure that my constituents would contact me in large numbers.

The problems are no different in relation to the Metropolitan police. We know that finding new recruits is hard work and that the Macpherson report, rightly, put further pressure on the Met to recruit more ethnic minority police officers. Higher academic and health standards now apply to entry to the force. Police numbers are continuing to fall due to a combination of recruitment and retention problems. I ask Conservative Members, who talk vociferously about the need to recruit more police officers, to consider the effect on recruitment and retention of the Conservative Government's decision to stop the police housing allowance. The *Financial Times* recently reported that pay talks between the Home Office and police representatives, which are regarded as a critical component of the Government's pledge to boost recruitment by the next general election, have broken down. There are clear signs of an impending crisis in the police service as well.

I have focused on the problems of three key groups of public sector worker—teachers, nurses and police officers—but they are not the only public sector workers in London who experience difficulties. If the Government cannot recruit and retain key public sector workers in our capital city, it is clear that they cannot hope to achieve the improvements in public services that, during the general election, they promised to Londoners and others.

I hope that the Minister will agree that the first thing that must be done is to assess accurately the scale of the problem. The London Research Centre, now under the control of the Greater London Authority, should be given the task of compiling a new index to measure the

cost of working and living in London. Such an index should be published annually and presented to the teaching and nursing pay review bodies, the police negotiating board and other relevant Government Departments and public sector bodies. New research into all aspects of recruitment and retention of public sector staff in London is needed urgently: we need estimates of the number and net cost of supply and agency staff in schools and hospitals, and accurate figures on the cost of failing to retain trained staff and of recruitment to the Metropolitan police. That key research that is not available at the moment.

Does the Minister agree that it is time for an annual report to be produced on the state of public services in London, and that its contents should be debated by the House of Commons? If that were done, today's Adjournment debate could be the first of many.

9.46 am

Mr. Simon Burns (West Chelmsford): I begin by congratulating the hon. Member for Carshalton and Wallington (Mr. Brake) on securing this important debate. I am not a London Member of Parliament, but I want to contribute because events in London have a ripple effect on the home counties, and in my county, Essex, that effect is significant.

I shall concentrate on the subject of police officers. As the hon. Gentleman said, there is a significant problem regarding recruitment and retention of police officers in the Met. I do not think that he would disagree if I said that figures show that the Metropolitan police is 1,000 officers understaffed. That is a considerable problem. When talking to the Essex police last week, I discovered that, if a Member of Parliament tables a question to the Home Secretary asking, for example, how many officers the Metropolitan police had on 31 March 2000, the answer given is not the number of officers employed by the Met on that day, but the number for which it has been funded. Those are very different figures. The answer to the same question about the Essex force would be 60 officers more than the real number.

Police officers in the Met receive a London allowance of approximately £3,000, because London is clearly far more expensive to live in than Somerset, the west country or parts of the north of England, especially in terms of housing costs. I understand that the Home Secretary proposes to increase that allowance to £6,000, and that the Police Federation believes that even that figure is too low and should be slightly higher. As the Home Secretary told the hon. Member for Watford (Ms Ward) at Home Office questions on Monday, the figure is currently at arbitration. We shall have to await the results of that process.

So that my comments cannot be misinterpreted, I should say that I do not question the need to acknowledge and make provision for problems specific to London, which is infinitely more expensive to live in than other parts of the country; nor do I question that those problems have had an impact on recruitment in public services. I am not saying that the London allowance should be cut out entirely. However, unless other measures are taken, a London allowance is itself a problem that has a significant impact on counties that adjoin London, such as Essex.

I shall use the example of the police to make my point. With a London allowance, a police officer working in London earns approximately £3,000 more than a police officer working across the boundary in Essex. The allowance does not significantly affect the employment of police officers in Essex, as, depending on where those officers live, the commuting costs of getting to London diminish the attractiveness of that £3,000. However, if the London allowance increases to £6,000 as the Home Secretary wants—or if it is increased further as a result of arbitration—the impact will become significant. Many people in Essex who want a career in the police service will find it more financially beneficial to get a job in the Metropolitan police, where their income will be £6,000 more, than in the Essex constabulary.

There is a double whammy. Many police officers who currently serve in the Essex constabulary—especially those living in Epping, Loughton or elsewhere in the south of the county, who would have to travel only a few miles into London—on suddenly discovering that their colleagues in the Met are being paid an additional £6,000 will resign from the Essex police and seek a job in the Metropolitan police, which is crying out for new recruits. Therefore, any distortion of pay structures in the Metropolitan police has serious implications for the recruitment and retention of police officers in Essex.

Mr. Edward Davey (Kingston and Surbiton): The hon. Gentleman is worried that a higher London weighting for police officers would have that effect, but how would he solve the problem of the severe shortage of police officers in London, if not through the index approach?

Mr. Burns: I specifically said at the beginning of my remarks that I was not going to suggest the removal of the London allowance. If the hon. Gentleman will wait, I shall answer his question.

The problem is not exclusive to Essex. It affects all of the home counties surrounding London, as the hon. Member for Watford said when she questioned the Home Secretary. The Home Secretary acknowledged that three chief constables in the home counties had already been in touch with the Home Office because of the significant and adverse impact that a large increase in the allowance would have on home counties police establishments.

The hon. Member for Kingston and Surbiton (Mr. Davey) asks how the problem could be solved without increasing or exacerbating recruitment problems in London. The answer is that serious consideration should be given to creating a home counties indexation. Although the hon. Member for Carshalton and Wallington rightly drew attention to the significant increases in housing costs in the capital, those costs do not drop away at the borders of the Greater London area. Housing in the home counties is also expensive compared with other parts of the country. In my constituency, house prices are relatively high and they have increased significantly during the past two years or so, with the result that, even in an area such as Chelmsford, people have found it difficult to buy or even rent private housing on the sort of salaries that they command if they work in Essex, rather than commute down to the City of London or the west end to work. There is a haemorrhage of the work force from Essex to London, of which one example is that of people who want to work for the Metropolitan police force, not for the Essex constabulary.

[Mr. Burns]

The problems caused by London's magnetism could be minimised by creating an outer-band allowance or a home counties allowance. We should not try to solve London's problems merely by enhancing the financial benefits for those who work there, because that simply shifts the problem away from the capital to the band of counties that surround it. Those counties have a diminishing standard of public services because they cannot recruit people—at least, not of the standard that they want—and they cannot retain those whom they have recruited.

I appreciate that the Financial Secretary is a London Member of Parliament, but his constituency is on the outer boundaries of the London area, so he will be familiar with what is happening in areas such as Essex, which adjoin his own local authority area. Will he consider the matter, draw it to the attention of his right hon. Friend the Home Secretary, and ensure that the Government give it urgent consideration? If we wait and argue for too long and set up committees or working parties to find solutions, damage will continue to be done as those committees drag on and politicians and others talk. The matter is one of urgency and grave concern, and it needs to be seriously and swiftly addressed.

9.57 am

Mr. Edward Davey (Kingston and Surbiton): I congratulate my hon. Friend the Member for Carshalton and Wallington (Mr. Brake) on obtaining this debate. Liberal Democrat Members have sought such a debate for some time, because we believe that the issue is one of the most important that affects public services in our London constituencies. We want to make it clear to the Financial Secretary that, like the hon. Member for West Chelmsford (Mr. Burns), we believe that this urgent problem requires instant Government attention.

My hon. Friend the Member for Carshalton and Wallington put well the argument that we need more information about the problem. One of the concerns expressed by the hon. Member for West Chelmsford was that we do not know about the effects of measures outside London, as well as inside the capital city. If we had better information about relative staff shortages in various public sector professions, not only in London, but outside it and in its environs, we could sensibly judge correct relative weightings. However, we do not have that information.

Mr. Burns: The hon. Gentleman and his hon. Friend the Member for Carshalton and Wallington are right to make the point about the lack of information. However, we have information about the scale of the problem for police forces: we know the funded numbers for each constabulary, and if individual constabularies keep records, as they often do, they can tell us how many officers are actually serving at a given time.

Mr. Davey: I am grateful for that intervention. We know some of the funded numbers, but it takes time to discover the actual numbers serving. As the hon. Gentleman rightly said, the figures can be obtained, but they are not easily got. When conducting research for today's debate, I found that information is not available about many professions in the public sector. Many statistics held by Departments are inaccurate, being based on funding and expectations rather than on what is happening. In addition, with such high staff turnover in hospitals, police stations and schools, figures change quickly.

I shall highlight the significant turnover problem affecting London schools. My hon. Friend the Member for Carshalton and Wallington referred to vacancy rates, which provide an important indicator of the supply of employees not meeting the demand. High turnover is another such indicator—on that, in many ways, shows the damage done to the quality of service that our constituents receive. However, turnover figures are not readily available. My hon. Friend mentioned anecdotal figures and surveys such as those carried out by institutions such as the Royal College of Nursing.

When trying to build a picture from anecdotal evidence, I found that there are large potential costs for the taxpayer arising from the problems that we are discussing, because of the extra costs of more frequent recruitment and of management in integrating new employees into the work force, whether on a hospital ward, in a police division or in a classroom. Extra costs also result from having to pay premium rates for short-term placements, such as supply teachers, bank or agency nurses. Therefore costs are incurred not only as a result of recruitment, but by plugging the gaps and putting a finger in the dyke. If we estimate those costs just for the health service, we come up with a figure that easily exceeds £100 million. We could radically improve the situation by redirecting the money that is currently spent on short-term solutions; rather than spend excessive sums treating the symptoms, we should deal with the causes of the problem and put the money into decent salaries for public sector employees. That is the solution, but how quickly will the Government reach it?

The vacancy rate in Kingston hospital in my constituency is more than the average for England, but it probably slightly less than the London average; nevertheless, turnover is high. Management tried their best to deal with the problem, but ended up going to Manila in the Philippines, where they recruited nearly 100 nurses to work in the hospital on two-year contracts. We welcome those Philippine nurses; they are exceedingly talented and have undergone a rigorous recruitment programme. However, it is ludicrous that we went to a relatively poor country on the other side of the world to recruit huge numbers of staff to work in Kingston hospital—I cannot believe that that makes economic or social sense. Two-year contracts mean that the turnover problem will be dealt with for a short time, but the overall long-term sustainable capacity of the London health service is not enhanced by having to resort to such measures.

In my constituency, I meet former nurses who had worked in the health service for many years and for whose training the taxpayer paid. They left the NHS because in the private sector, in retail and in office jobs, they receive higher salaries and enjoy more flexible working conditions, which can help them to meet family commitments, for example. The NHS competes in that market, and I do not believe that recruiting on the other side of the world can provide a solution. We should

encourage those whom the taxpayer trained to return to the health service and work in their local hospitals. In my example, it would not be a case of poaching nurses from West Chelmsford; we must encourage people to work in public services provided to the communities in which they live.

Dr. Vincent Cable (Twickenham): My hon. Friend eloquently describes a problem that many suburban hospitals have in common. West Middlesex university hospital faces an almost identical situation. Does he agree that the problem is, in part, caused by a chronic shortage of nurses' accommodation? Perhaps the Government could provide on-site facilities. A related problem is the difference between inner and outer London weighting, which does not reflect the current realities of the labour and housing markets.

Mr. Davey: I thank my hon. Friend for his intervention, partly because he has anticipated two of my points. Clearly, we think alike.

Reserved housing for nurses, police and teachers is a potential solution, but only a partial one; people in those professions do not want to receive their salary only or mainly in the form of housing because of the inflexibility of such an arrangement. However, such provision could be useful, especially for new entrants. Cuts in funding for public services have meant that much of the accommodation that was once used has been sold to supply a short-term solution to a funding gap elsewhere in public services in health and education. Many local education authorities used to have houses for teachers, and my hon. Friend the Member for Carshalton and Wallington mentioned that a head teacher in his constituency considered bringing back such provision.

The Government should examine reserved housing as a solution and consider reforming outer London weighting. The chief executive of Kingston hospital told me about the problem that that has caused in his hospital. When Queen Mary's university hospital in Roehampton closed, many of its staff moved to Kingston hospital to allow it to take on those patients who had formerly gone to Queen Mary's. However, the London weighting received by staff at Queen Mary's was higher than that received by staff at Kingston hospital, just down the road. A difficult agreement had to be reached to enable staff to work side by side with different London weightings, and the situation will have to be sorted out later. As my hon. Friend the Member for Twickenham (Dr. Cable) implied, the differences between inner and outer London weighting do not reflect financial realities. It can be more expensive to live in Surbiton or in Kingston than it is to live in parts of Roehampton and Putney. The old system no longer works.

In many respects, I do not blame the current Government for the difficulties. They inherited a huge political problem. As my hon. Friend the Member for Carshalton and Wallington said, the Conservative Government's abolition in 1982 of the London weighting index that the Labour Government had introduced in 1974 was one of the longer-term causes of the problem. We have also heard about the Conservatives' abolition of the police housing scheme in 1994, which contributed to the increasing scale of the problem.

Mr. Nick St. Aubyn (Guildford): To what extent does the hon. Gentleman acknowledge that more money being given to public sector employees in London increases the problems of retaining people in the public service in the area outside London, to which my hon. Friend the Member for West Chelmsford (Mr. Burns) referred?

Mr. Davey: I thought that I had dealt with that matter earlier, when the hon. Member for West Chelmsford intervened. My point is that we need information, not only about London, but about other parts of the country: information on shortages, retention, recruitment and turnover in the public sector is limited, which is absurd given the avalanche of requests from the Government for huge amounts of information on services, outputs, waiting lists, absenteeism, qualification league tables and examination results from schools, local education authorities, police authorities and NHS trusts. The point is that the information that will help us to plan services more effectively is not requested. Public services depend on their employees: the health service, the police service and the education service are only as good as the people who work for them. If we really care about the quality of services in London and the surrounding counties, we must demand high-quality information on inflows, outflows and quality of staff.

If the Government sent questionnaires to the chief superintendent of Kingston police, Alan Given, to the chief executive of Kingston hospital, John Langan, and to the director of education in the royal borough of Kingston, John Braithwaite, they would provide the requested information because they know how important it is. They want the Government to acknowledge a major problem facing our public services. Armed with high-quality information, Government policy would be so much better informed. In addition, points made by Conservative Members about the difficulty of making fine judgments between London and areas outside London, and of reforming outer and inner London weightings, could be informed by data, not by anecdote and prejudice. That must be the way forward. If the Minister takes note of only one point from my speech, it should be that work force planning in public services must be better informed by gathering the relevant statistics.

My final point relates, of course, to my constituency. People who work in public services in London should be congratulated on the fantastic job that they do for our constituents. The quality of life in London is far higher because of their hard and dedicated work. We should take note of the work of temporary staff from Australia, New Zealand and South Africa in our schools and hospitals and thank them for it.

Mr. Burns: They have not got a vote here.

Mr. Davey: The hon. Gentleman misses the point. The nurses from the Philippines who work in Kingston hospital do not have a vote, but I still want to put on record my thanks to them.

Mr. Burns: I was trying to help the hon. Gentleman. He already has the press release for his local papers

[Mr. Burns]

congratulating those workers in his constituency who have a vote; I was warning him that, having congratulated them, he need not go on for too long about the Australians and others who do not have a vote.

Mr. Davey: The hon. Gentleman is clearly ground down by cynicism. Some of us are value the quality of public services, not only for those who work in them, but for those who require their services. The people being served by the Philippine nurses are grateful for the work that they do. At the end of day, the issue is as much about the people who need the services as it is about those who provide them: constituents who need hospital services and who need the police to answer their 999 calls quickly, and parents who want their children to have the best start in life and the best teachers are asking us to improve public services. They also want us to ensure that those who provide those services are properly recompensed and can afford to live and work in our communities.

I hope that the Minister will take note of the points made by my hon. Friend the Member for Carshalton and Wallington and me, and that he will treat the issue with the seriousness and urgency that it demands.

10.15 am

Mr. Nick St. Aubyn (Guildford): I congratulate the hon. Member for Carshalton and Wallington (Mr. Brake) on instigating the debate. It is an important subject and, as he will have learned from my hon. Friend the Member for West Chelmsford (Mr. Burns), it has ramifications well beyond London. As a Surrey Member of Parliament representing Guildford, which is similar to my hon. Friend's constituency, I have much sympathy with his argument.

London weighting for public sector workers is part of the wider issue of the range of formulae that the Government use to allocate funding. However, paying public sector workers is not just about funding, but about how much flexibility the system allows for decisions to be taken locally. For example, within the same central funding constraints, one police service might decide to employ fewer police officers, but to pay them more, than another. Those formulae include London weighting, the area cost adjustment—described by Sir John Banham, when he was a member of the Audit Commission, as 42 pages of regression equations—and the market forces factor in the health service, which drives much of the funding for the nurses and other health services workers mentioned this morning.

When I was a councillor in London, there was something called the equalisation fund; it was absorbed into the new way of funding local authorities after the introduction of the new local taxation system and the withdrawal of the local councils' ability directly to collect business rates. The longest-running star of the scene was the Barnett formula, which throws up discrepancies affecting everyone who lives south of the Scottish border. The Financial Secretary has had his ear bent on many occasions by representatives of those living in the north-east of England, who feel most strongly about the way in which the Barnett formula affects them.

Whether we live in London, Surrey, Essex or north-east England, we can hold up our hands and say, "Excuse me, but such-and-such a formula is unfair to our region." Of course, there is a circularity about the application of these formulae, because the more people who are employed in the public sector, the more the weightings for living costs are increased for their area, and the more that feeds through into higher local demands and costs. If public service workers in London have a large pay rise, there is a knock-on effect on the cost of housing; it is unfair to treat one substantial group of workers more beneficially than another; they all compete for the same limited housing stock.

It is important to consider flexibility as well as funding. I heard with interest that there is a 6 per cent. vacancy rate for nurses at the hospital in Carshalton; it might interest the hon. Member for Carshalton and Wallington to learn that, in Guildford, there is a vacancy rate for nurses of up to 30 per cent. and staff turnover of nearly as much in a single year. That is because people living in towns such as Guildford face the same cost pressures as those in central and outer London, but have none of the allowances. Someone who has the opportunity of catching a train to Waterloo every 15 minutes can come into London and obtain the allowance by working in a hospital—perhaps even one on the way to central London, in Carshalton, Richmond or other outer London areas. That is a way of obtaining extra allowance while living in Surrey.

Mr. Edward Davey: How much of the allowance would be taken up in the travel costs?

Mr. St. Aubyn: There are indeed travel costs and many employees might be tempted to use a small car and share the transport with someone else working at the same place. That would add to the traffic burden on the roads into London, so the hon. Gentleman is right to raise that issue.

However, let us address the real world. Already, 15 per cent. or more—one in seven—of my constituents commute into London, and a similar number commute every day from other parts of the south-east into my constituency, so there is a massive crossover of commuters. The cost of commuting does not stop people moving to where the opportunities and the jobs are the greatest. If, because of a massive increase in the weighting allowance, opportunities and jobs are concentrated in London, there will be a detrimental effect on services in towns such as Guildford, which already face deep problems.

I am grateful to my hon. Friend the Member for West Chelmsford for mentioning the police force. Surrey Members of Parliament met the county police authority only a week ago. At that meeting, the allowance given to police officers in London was raised as a potential problem. If it is increased to £6,000 a year, we could face increased pressure on retention of officers in the Surrey force, as in the Essex and other forces around London. If we reflect on the reason why the Home Secretary is considering additional funding for police officers in London, we see that it is not all about money: it is also about morale. One of the reasons why the Metropolitan

police is pushing so hard for an additional financial incentive is that morale has taken a major blow since the publication of the Macpherson report.

Mr. Davey: Before the hon. Gentleman launches into an analysis based on morale, is he aware that newly recruited police men and women living in Kingston and Surbiton have to rely on housing benefit and family credit to supplement their salaries? That is why they need a housing allowance, which was abolished by the Conservative Government.

Mr. St. Aubyn: I am grateful to the hon. Gentleman for demonstrating that, when the housing allowance was abolished, police officers had access to other forms of support. The rug was not completely pulled from under their feet.

Mr. Burns: I was slightly confused by the comments of the hon. Member for Kingston and Surbiton (Mr. Davey). A police constable's starting salary is £16,000, so even if family credit regime were still in existence, someone earning that amount would not qualify for it.

Mr. St. Aubyn: I am grateful to my hon. Friend for making that point. A police officer in the London area faces the same housing cost pressures as an officer living in the area that I represent. The difference is that the London officer already has a £3,000 salary differential over officers based in the home counties.

To expand my argument, I draw hon. Members' attention to the way in which the private sector deals with these matters. I was interested to discover that Eagle Star, which has offices in London, Chelmsford and Guildford, not only pays a London allowance of £3,200 a year, but pays an allowance in Chelmsford, Guildford, Reading and Slough of £1,100 a year—not as much as a London allowance, but a significant sum none the less. That may reflect the fact that we have the same commuter factors and that living costs are high. Many police officers who work in Surrey live across the border in Sussex, because they find that they cannot afford to live in the area where they work.

The morale of the Surrey police force, which I know well, is high. It has the best success rate in the country on fighting crime—officers there are part of a winning team. That counts for something when someone is deciding where to develop a career. We have a young police force, but, as they get older and their financial responsibilities and commitments grow, there is a strong temptation for police officers in Surrey to say, "I now need extra money, so I will make the move to the Met, or to a part of the country where living costs are lower." Our young police force is dynamic, effective and successful, but there is a hidden cost in the lack of experience that we could suffer if the additional money being given to the Metropolitan police—as is now being contemplated—results in a further influx of police officers into the Met from areas such as Surrey. We could be left facing a serious shortage of officers and, more importantly, a shortage of officers who are experienced in tackling crime in our area.

The subject of nurses from the Philippines was raised and I was glad when Kingston hospital took that initiative. We learned from that experience: bringing in nurses from the Philippines helped us to solve the much greater crisis at the Royal Surrey hospital in my constituency. We can vouch for the quality of training that those nurses were given and the contribution that they have made to our local health service in tackling the enormous increase in waiting lists in the past two to three years.

London weighting is part of the wider issue of the way in which we measure costs from one area to another. The critical factor in the health service is the market forces index. When the Government came to power they inherited two key indices: the index of need and the index of market forces, both of which were applied to about three quarters of the cost of each health authority. It was recognised that the other quarter of health authorities' costs was either not subject to, or not measurable in terms of either social need or market forces. Without any research, the Health Secretary at the time, the right hon. Member for Holborn and St. Pancras (Mr. Dobson), decided to increase the weighting of the health needs index to 100 per cent. of cost, while doing nothing about the market forces index. That meant that more prosperous areas of the country, such as the one that I represent were discriminated against and suffered a genuine cut in funding of 2 or 3 per cent.

In some areas, people are, on the whole, healthy and wealthy. However, the NHS is there to serve all the community. The old, the poor and the very sick, who do not have access to private health care or other means, are the ones now being made to suffer as we struggle with the longest waiting list in the country. Yesterday, I had to apologise for coming late to a Committee meeting attended by the Secretary of State for Education and Employment. I had just received a telephone call from the chairman of my health authority outlining the latest cuts in health provision that are having to be forced through because of the budget cuts imposed after election of the Labour Government. I am sorry to say that the Secretary of State laughed when I told him that—he thought that it was a fantastic joke, because he believes that people living in Chelmsford and Guildford and parts of London are so well off that they have ready access to alternative health provision, so they need not worry. He forgot about those who cannot afford those alternatives, just as he forgot about the nurses whom we cannot afford to pay a proper going rate for doing their job so well.

I agree with the hon. Member for Carshalton and Wallington that we urgently need research on and a radical review of all the formulae. The London weighting, and also the area cost adjustment and the market forces index, need to be considered clearly and dispassionately. It is unfortunate that the Government have proposed a review of health service funding that is deliberately weighted towards areas of high social need at the expense of areas such as the one that I represent. I hold no grudge against places such as Gateshead, where there are health problems. However, without being justified by any research, there has been an increase in funding in Gateshead of 30 per cent. relative to Guildford over the past few years. That makes one question whether the formulae, including the London weighting formula, are being applied fairly and equitably.

[Mr. St. Aubyn]

For a heart test that in our area used to be taken within three months of being needed, there is now a waiting period of up to a year. Not long ago, I heard about a young man of 29 dying of a heart attack because of that wait. One realises that the human cost of applying the formulae inequitably is incalculable. That heart test would have cost £80. The young man was an extremely successful employee in a major company: he had his future ahead of him and was much loved by everyone who worked with him. He was a loss to his community as well as to his family.

I have wandered a little way from the subject of debate, but I have tried to show that one cannot stop at saying, "£100 million here, £100 million there and we'll crack the problem of staff recruitment in London." We know from experiences in our constituencies that that will only open up problems in the areas surrounding London. We need services in which morale is high and people want to work. There must be flexibility so that decisions within funding packages can be made locally about whether money should go on more numbers, or on higher pay for fewer numbers with more experience and expertise.

Our debate is not only about money. In our education system, it is instructive that the unit cost per pupil in the past five years has gone down by 2 per cent. The output—the performance of our children achieving at least five passes at GCSE—has gone up by 3 per cent. The productive use of resources is as important as their allocation. I congratulate the hon. Member for Carshalton and Wallington on securing the debate because it is unfortunate that, under the Government, the allocation and application have suffered in areas such as the one that I represent. He told us that he has problems in his constituency as well. There is a tremendous burden on the Financial Secretary to tell us how he will ensure fairer allocation of resources, and how he will give the greater flexibility on the ground that is desperately needed.

10.33 am

The Financial Secretary to the Treasury (Mr. Stephen Timms): I, too, congratulate the hon. Member for Carshalton and Wallington (Mr. Brake) on securing this interesting debate, in which important issues have been raised. As the hon. Member for West Chelmsford (Mr. Burns) said, my experience in an east London constituency has made me familiar with some of those issues.

I begin by setting the debate in the wider economic context. After the election, our first economic aim was to achieve a new platform of stability after the decades of boom and bust that we had endured. In our commitment to stability and prudence over the past three years, we have had a single purpose: to build a Britain that is decent as well as modern. Our primary economic priority of building a sound platform of stability and steady growth has been achieved to a remarkable extent. For the third year running, inflation is in line with our target; it is at historically low levels, and is also low compared with rates in other European countries. The economy will grow steadily by between 2¾ and 3¼ per cent. this year, and it will continue to follow that trend. Long-term interest rates, once 2 per cent. or more above rates in Germany, are now the same as those in Germany. That shows that people have confidence in a low-inflation future for Britain, thus providing a platform from which we can all plan for the long term with greater confidence.

Mr. St. Aubyn: I do not want to destroy the Financial Secretary's confidence in that glowing report on the economy, but what does he have to say about the skills gap, or about the fact that vacancies are at their highest for more than 10 years, while in the three years of his Government being in office, the number of people taking courses in FE colleges has dropped cumulatively by more than 500,000?

Mr. Timms: The hon. Gentleman draws attention to a remarkable feature of the economy: more than 920,000 more people have a job than at the time of the last election—the highest number in our history—and the unemployment rate is at its lowest for 20 years. At the same time, there are 1 million vacancies on offer across the UK, many of them in London; we are in a remarkable situation in which many more opportunities are available for people. All of that contributes to the optimism that all of us can share about the future. The stability that we have achieved is the precondition for high employment, higher living standards and strong public services. By building on the platform of stability that we have achieved by meeting national economic ambitions, we can realise the security and opportunity for all that we want. That is also the context in which we can achieve our ambitions for the services provided by public employees, on whom the debate has focused.

I remind hon. Members of the ambitions for Britain in the coming decade that my right hon. Friend the Chancellor set out last November. There is the ambition of prosperity, so that in place of our historic under-performance against other countries, we have a faster rise in productivity than our competitors, closing the productivity gap that has opened up. There is our full employment ambition, in contrast to years of high unemployment. We want employment opportunity for all, with a higher percentage of people in work, on a durable basis, than ever before. There is our education ambition, so that instead of lagging behind other countries and suffering huge disparities in our educational attainments, we ensure educational opportunity for all with the aim that, for the first time, at least half of our school leavers go into higher education and achieve greater skills, to respond to the point made by the hon. Member for Guildford (Mr. St. Aubyn). There is our anti-poverty ambition, so that, in contrast to the rise in inequality and poverty in recent decades, we ensure that every child has the best start in life as we halve child poverty in the next 10 years.

Alongside those ambitions are our ambitions for the services provided by public employees. Instead of inadequate public services that fail to guarantee opportunity or security, we are now investing for the future in strong public services that are there when people need them. We need to secure long-term answers to the long-term challenges that we face—an approach that was set out clearly in the Budget, when my right hon. Friend the Chancellor announced the largest ever sustained increase in NHS funding, and in the intensive

review of the NHS led by my right hon. Friend the Prime Minister. That approach is at the heart of this year's spending review as we match new investment in public services with further modernisation.

As part of our commitment to public services, we believe in a firm and fair approach to public sector pay that takes account especially of the need to retain, recruit and motivate staff. Those are the issues on which most hon. Members have concentrated today. Overall pay, like all other costs, must be contained within the framework of spending plans in the comprehensive spending review, supporting the service delivery targets set out in the public service agreements. Across the public sector, the delivery of high-quality services is the key priority. Public sector pay must continue to be set in a prudent, disciplined manner that is clearly focused on recruitment and service delivery objectives. Specific considerations, including recruitment and retention in London, must be taken into account as necessary.

I emphasise that this is not merely a question of pay. The initiatives in the "Modernising Government" White Paper recognise the importance of having the right structures. Pay systems must be flexible and provide the right rewards and incentives for those working in the public service. The initiatives being taken in the national health service and in teaching are on the right path: such reforms provide more flexible pay systems, which help to deliver high-quality public services with appropriate rewards.

We welcome pay reform that addresses the circumstances and requirements of individual groups and helps to deliver output targets. That benefits those who provide public services, and, therefore, those who use them. Such a targeted approach is right. In comparison, the hon. Members for Carshalton and Wallington and for Kingston and Surbiton (Mr. Davey) implied—without making their view explicit—that the answer was simply to raise the pay of everybody who works in public service in London. However, it is better to recognise where there are difficulties and where change is needed, and to respond accordingly.

Mr. Burns: The Financial Secretary is, by implication, criticising the hon. Member for Carshalton and Wallington, whose remarks he paraphrases as implying that the only solution is to pay more in London. However, will the Financial Secretary not accept that that is his right hon. Friend the Home Secretary's sole solution to the problems of recruitment and retention in the Metropolitan police?

Mr. Timms: There are different issues facing different parts of the public service. My suggestion, with which the hon. Gentleman would probably agree, is that different solutions are appropriate to different circumstances in each of the public services. I shall speak in a moment about the issues facing the police.

Mr. Brake: I agree that different solutions are needed for different cases. However, the key issue that I raised in most of my remarks—I did not call for big increases in London allowances—is that no information is available on which the Financial Secretary can draw up different solutions for different scenarios.

Mr. Timms: It is not for me to draw up the solutions; it is a matter for those who are responsible for providing the health service, employing teachers and employing the police in London. It is important that such decisions are taken in the right place, by those who deal with problems of recruitment and retention where they arise. It would be wrong to impose a pan-London solution, irrespective of the particular circumstances in each case.

I was interested by the point that the hon. Member for Carshalton and Wallington made about biomedical science, although it is not a matter for which I am responsible. He seemed to suggest that a problem in a particular part of the health service in Llandudno must apply in London as well. I thought that that illustrated well the need to focus where on those difficulties are being experienced in the health service, rather than say that a problem affects everyone in London when, in fact, it is much more tightly defined.

Mr. Edward Davey: The Financial Secretary says that he does not have responsibility for these matters because it is up to other people to make employment decisions. Will he confirm that he and the Treasury have responsibility for statistics? Will he confirm that it is within either his remit, or that of his ministerial colleagues, to ask for the collection of the statistics needed to analyse the problem that we face in London with recruitment, retention and high turnover in the public sector? He could ask for those statistics to be collected.

Mr. Timms: The hon. Gentleman is right: the Office for National Statistics is indeed responsible to the Treasury. However, those matters need to be and can be dealt with much more effectively locally, service by service. He should not pin his hopes on some huge central data collection exercise to tackle the issues involved; rather, the problems should be dealt with in a more devolved way. I am sure that, on reflection, he would agree.

Mr. Davey: Will the Financial Secretary give way?

Mr. Timms: Not again—I should like to make a little more progress first.

Within the overall public spending allocations, responsibility for pay, including the payment of London weighting, rightly rests with the wide range of different public-sector employers. They include not only Government Departments but local authorities, which are independently elected, autonomous, and largely independent of central Government; we do not intervene in their day-to-day affairs or in negotiations on their employees' pay and conditions. The detail of terms and conditions is, rightly, a matter for local authorities to determine. Local authorities are also responsible for funding the pay agreements of teachers, the fire service and the police, although the agreement for teachers is determined by the school teachers pay review body, and arrangements covering firefighters and police are determined by formulae over which the authorities have no control.

The Government expect local authorities to take a responsible line on the pay bills that they control. We want a firm and fair approach to public and private sector pay alike. In the public sector, that means pay settlements that take account of the need to retain,

[Mr. Timms]

recruit and motivate staff within the framework provided by the spending plans of the comprehensive spending review.

Mr. St. Aubyn: Is it not true that many public services' statutory responsibilities are so specific and so clearly defined and so much of their revenue comes from Government grant that they have little flexibility about the number of employees, and, therefore, over how much they can pay?

Mr. Timms: The hon. Gentleman asks several questions. A good deal of flexibility is available to local authorities over how many staff they employ. It is for them to make the difficult choices that face local councils in deciding how to tackle local problems. It is important that such decisions should continue to be made by those responsible for front-line services.

The NHS employs more than 100,000 staff in Greater London, and the cost of London allowances is approaching £250 million a year. The pay review body for nurses and associated groups in the NHS has recommended large increases in London allowances in the past two years—13.5 per cent. in 1999, because no national increase had been made since 1995, and 3.4 per cent. from April. The Government have accepted those recommendations. A qualified nurse working in central London will receive an allowance of £3,030 a year. Unions representing most non-review-body groups have agreed to an imaginative three-year pay deal that includes increases in London weighting allowances of 13 ½ per cent. for 1999 and 3¼ per cent. for 2000. Other public sector employers are similarly responsible for their own pay determination agreements. For example, London weighting allowance was consolidated into the salaries of London Underground employees in 1992, and the cost of living in London is one of the factors taken into account in annual pay settlements.

Some key public sector groups, such as doctors, nurses and school teachers, have an independent pay review body that make recommendations on their pay. The Government consider the recommendations of those pay review bodies. We have, I am glad to say, succeeded in moving away from the sequence of staged pay settlements that characterised the behaviour of the previous Administration. We have accepted the main pay recommendations for the past two years exactly as proposed by the pay review bodies. Public sector employers need to work within the resources available to them under public spending plans. Both public and private sectors must continue to be responsible about pay for the sake of our economic stability, which we need to secure for the longer term, if we are to build on our success. Existing spending allocations were agreed in the 1998 spending review; the review for 2000 is under way and will allocate resources to deliver the Government's objectives for public services over the next three years.

The cost of living and working in London is greater than in other parts of the country and systems of London weighting have developed in response. In practice, some organisations have specific London weighting allowances that reflect the distinction between inner and outer London; some have allowances intended to meet particular recruitment and retention requirements; and some have consolidated their weighting into basic rates of pay or pitched their rates of pay so that basic salaries reflect the situation. All those arrangements are intended to reflect the additional costs to both public and private sectors and to help the recruitment and retention of the staff needed to deliver services in London.

In the civil service, for example, weighting allowances were largely translated into recruitment and retention allowances some years ago. Since then, responsibility for pay and grading has been delegated from the centre to Departments, and many Departments and agencies have consolidated them into base pay. That has allowed a more flexible arrangement, so that it is possible to concentrate extra help on problem areas rather than having a blanket provision, which was a feature of past arrangements. Within available resources, public sector employers need to tailor their pay arrangements, including those for London, to meet their own circumstances and their particular recruitment and retention needs.

Mr. Burns: Will the Minister give way?

Mr. Timms: I need to make headway, so I shall not give way now.

In the health service, regional offices are being asked to set out regional action proposals to reduce vacancies and turnover in all trusts, to expand the nursing work force across the region, and to target the worst performing trusts and improve their performance. We have allocated £4 million to consortiums for return-to-practice initiatives to follow up the recent successful nurse recruitment campaign that aimed to bring back into the health service the qualified nurses referred to by the hon. Member for Kingston and Surbiton. By last September, there were more than 5,000 more qualified nurses working in the health service than there had been a year earlier, so the initiative has been successful. London and the south-east have particular problems that account for one half of the three-month vacancies across the country. A small team that focuses on recruitment and retention will work across those two regions and link with the central recruitment and retention unit at the Department of Health. That will assist hospitals in the constituencies of those hon. Members from London and the south-east who have spoken in the debate.

In recognition of the Prime Minister's saying that teachers are the change makers in modern society, the latest report from the school teachers review body accepted that there are particular problems in London, but noted that recruitment and retention difficulties vary considerably between London boroughs, schools—I can personally confirm that from what happens in my constituency—and subjects. The review body is committed to finding out more about the problems in London, to gather some of the data for which hon. Members have been asking, and to establish why funding for London does not more often find its way into discretionary recruitment and retention payments. It will give details on the outcome of its findings in its next report. On 30 March, my right hon. Friend the Secretary of State for Education and Employment announced a training salary for post graduate trainee

teachers of £6,000 a year, which will take effect from 1 September. It is hoped that it will attract more people into teacher training and a teaching career.

In response to the hon. Member for Carshalton and Wallington, I must say that retention in the police is not a major problem. According to data from the Confederation of British Industry, in 1998-99, the rate of turnover in the Metropolitan police was about 7 per cent. compared with 19.3 per cent. for the whole economy, but less for the public sector. However, there have been recruitment difficulties, which are being dealt with through the police negotiating board whose negotiations are under way. As was mentioned, there has been a referral to the police arbitration panel to take forward those negotiations. One of the particular problems facing people in London is, as the hon. Gentleman said, the high cost of housing.

Mr. Burns: Will the Financial Secretary deal with the London weighting allowance and say what impact it will have on police in the home counties?

Mr. Timms: As I said, discussions are under way with the police negotiating board, which covers salaries in the Metropolitan police and those outside London. I have no doubt that such issues will be a factor in the discussions.

The hon. Member for Carshalton and Wallington asked me to say more about the proposals of my right hon. Friend the Deputy Prime Minister. The housing Green Paper entitled "Quality and Choice: A decent home for all" proposes a new starter home initiative designed to help key workers and others on low incomes to buy their own homes in areas of high house prices and high demand. It is a consultative document: we have not defined which key workers should be helped, or the income thresholds of those who should benefit from it. I suspect that they are likely to vary from one locality to another. We are consulting on all such matters at present and asking for views on the help that should be offered, such as whether we should offer interest-free loans, cash grants or help with shared ownership, and which key workers should be the target of the initiative.

We shall be looking for innovative proposals that build on the range of existing low-cost, home ownership schemes. It is our intention that detailed proposals for the initiative, including the amount of funding available for it, will be announced later this year, in the light of responses to the consultation and decisions under the Government's spending review for the next three years. Proposals will be invited from registered social landlords and others. Hon. Members might be interested to know that my right hon. Friend the Secretary of State for Health recently announced the appointment of a national nurse housing co-ordinator, to act on our intention to have more affordable homes for nurses throughout the country.

The Government are offering in the public sector something for something. We value public services and the people who provide them. We want our public services to thrive and we need to demonstrate the value that we place on them, inside and outside London, through the pay and conditions that we provide. Equally, we need those in public services to work with us to bring about the changes that will modernise the services, restore public confidence in them and equip them for the challenges of the future. In that way, we can provide confidence for the future for the users of those services in London and elsewhere, and for those who work in them, too.

Special Educational Needs

11 am

Mr. Desmond Swayne (New Forest, West): I have been assisted in my understanding of special educational needs and the issues surrounding them by the existence in my constituency of several centres for excellence. I should like to pick out for special attention Ashley junior school and its headmaster, Mr. Colin Williams, who is supported by his thoroughly professional staff. It is a very successful primary school, with a fully integrated special needs unit catering for pupils with simple learning difficulties through to those with autism.

The school's strength lies in the fully integrated nature of its special needs unit, which is managed by close contact with parents and with various professionals. The school's aim is to ensure that pupils with special needs are able to enter mainstream classes by the time that they enter secondary education. Although it is not always possible to achieve that aim, the school's success rate is high.

It is important that resourced, attached units such as the one at Ashley enable children with a variety of needs to enjoy their education within a mainstream setting, among other pupils who will act as good role models. Parents believe that their children's attendance at a mainstream school will help to meet their own aspirations of ensuring that their children are assimilated into society and can make a contribution to it.

I do not want to enter into the argument about the various merits of special schools against those of mainstream schools. My view is that there must be choice, because a mainstream school cannot always be the answer. However, I have neither expertise nor great knowledge in the sphere—unlike my hon. Friend the Member for Tewkesbury (Mr. Robertson). I am sure that, if he is fortunate enough to catch the eye of the occupant of the Chair, he will share some of that knowledge with us.

Ashley junior school's growing reputation has brought with it some penalties. Although a recent report on the school by the Office for Standards in Education was full of superlatives and recognised it as a centre for excellence, a consequence has been that Ashley has become a magnet for referrals from outside agencies, particularly local paediatric consultants. Therefore, a growing proportion of children at Ashley have special educational needs, and the school has had to work harder to maintain its position in local and national league tables. Ashley must still cope with the pressures of meeting what must be, at least in some cases, unrealistic or non-achievable targets. Nevertheless, Ashley continues to insist that, regardless of any short-term effects on statistics and league tables, increasing children's self-esteem will reap long-term benefits.

If the Minister is interested in seeing a school that has such an excellent reputation for special needs teaching, she could visit Ashley, where I am sure she would be most welcome and learn much.

My main purpose in initiating this debate, however, is to draw attention to problems in acquiring statements of special educational need. I know that there are always two sides to a story. For many parents, the granting of a statement brings comfort and makes them feel more at ease. They believe that such a label seems to make their child's condition more socially acceptable. There is also a belief that a statement will ensure that the school provides a level of support that was not previously provided.

My view is that a statement should make no difference. In an ideal world, a statement would make no difference. At many schools, such as Ashley junior school, a statement does not make a difference. If a school provides support on a needs basis, rather than a resources-driven basis, it should not matter whether a child is statemented. If more schools were provided with sufficient resources and the freedom to deploy those resources according to their priorities—as they were under the grant-maintained regime; I assure the Minister that this is the only party political point that I shall make in the debate—the need for statements would be much reduced.

We do not, however, live in an ideal world, and not all schools are like Ashley. Schools have resource constraints, and different schools may have different priorities. Nevertheless, there is increasing demand among parents for statements. I believe, however, that that demand is capped by an artificial restriction.

The 1979 Warnock report, which formed the basis of the Education Act 1981, took the view that 20 per cent. of pupils have some special educational need, whereas, at any one time, no more than 2 per cent. of pupils should be statemented. My perception is that, despite the passage of time and hugely changed circumstances, those guidelines remain effectively in place. In the past 20 years, however, we have discovered a whole series of new conditions, such as attention deficit and hyperactive disorder.

To digress from my theme for a moment, I am concerned about the number of pupils who are being diagnosed with ADHD and prescribed Ritalin, which is being dispensed at school. The headmaster at Ashley junior school told me that he is concerned that he has 13 pupils to whom he dispenses daily doses of Ritalin, whereas he believes that, in 50 per cent. of those cases, Ritalin make little difference to the pupils' behaviour at school. He suggests that we should be looking for other explanations for children's behaviour, which is often well under control while at school.

As I said, a series of other conditions has recently been diagnosed, although such conditions were not prevalent in the late 1970s and early 1980s. Other than ADHD, they include organisational dyspraxia, motor dyspraxia, the autistic continuum and a variety of other disorders. I do not know the reason for the increased diagnoses, but suspect that we are only now noticing conditions that were always present, and not that something else has suddenly changed to cause them. Nevertheless, we should review the guidelines and criteria established by the Warnock committee.

I sought to initiate this debate because I perceive that there will be huge frustration if we maintain the resistance to statementing when there is an increased demand for it among parents. I am sure that I am not the only hon. Member who, at constituency advice sessions, faces parents at the end of their tether, filled with absolute frustration, because they feel that they are entirely on their own. They seem almost to be trying to

wage war against the local education authority in an attempt to obtain a statement for their child. I have also had parents who were in tears, after succeeding in achieving a statement for their child, as they recalled the frustration of months and years in which they seemed to be banging their heads against a brick wall.

Parents who are resourceful and articulate, of course, win through. I am concerned about those who are less resourceful or articulate—many of them lone parents—because they often do not stay the course and do not achieve a statement. That is a serious problem.

I am fortunate in having in my constituency Mrs. Irene Sharman, an adviser who runs a telephone support line for the Independent Panel for Special Education Advice. IPSEA is the largest parent advice and advocacy organisation in the voluntary sector. Mrs. Sharman recently put me in touch with its director, Mr. John Wright. IPSEA does a tremendous job in supporting those parents who are able to access its services and gain support from them, but the statement achieved at the end of the frustrating process is often not worth the paper that it is written on.

In the Education Act 1981, a statement was envisaged as an enforceable contract under which a local education authority was bound to make provision to meet the child's needs. That aim has been frustrated over two decades by local authorities refusing to specify how much special help a child should receive. I have seen a number of examples, including the following shocking extract from a statement:

> This child requires provision suitable for a child with general learning difficulties.

What does that mean? How is it enforceable? How can parents be sure that their child is getting the support that he or she needs at school? I am told that such vagueness is not uncommon.

I am not the only one who says that. In 1992, the Audit Commission published a report entitled "Getting in on the Act: Provision for Pupils with Special Educational Needs. The National Picture". It said:

> Since most statements for pupils in ordinary schools are vague, they cannot protect a specific level of provision. The notion that statements protect resources is therefore a fallacy. The 1981 Education Act envisaged that a statement would be a guarantee that extra help would be provided consistently and for as long as required. In fact, there are numerous examples of LEAs changing provision. One LEA, facing a budget crisis, reduced the extra teaching hours by 50 per cent. for all pupils with statements issued because of learning difficulties. LEAs which ran their own teams of peripatetic teachers frequently changed the levels of support offered to pupils. Rarely was there any discussion of this with parents—but even if there had been, the parents could hardly have claimed that the provision specified was not being made since it was not usually made clear in the first place. . . .
>
> There is an incentive for LEAs not to specify what is to be provided because they thereby avoid a long-term financial commitment.

In response to that damning report, the Government issued a code of practice in 1993. It required that the statement should normally be quantified, specifying the number of lessons or hours of assistance per week that the child was to have. That was subsequently confirmed by a decision in the High Court. Notwithstanding that, I continue to receive a host of complaints about the vagueness of statements.

IPSEA has drawn to my attention the excuses that local education authorities give for failing to be specific in their statements, as they are required to be by the code of practice. For your amusement, Mr. Deputy Speaker, I shall regale you with a few. One says:

> The school timetable won't let us be precise on the Statement.

Another says:

> In our county there is a policy not to quantify provision on a Statement– this is done instead in the school's Statement Implementation Plan.

A further excuse runs:

> We like to keep it vague so that if we are able to give a little extra we are not prevented from doing so by the Statement.

How extraordinary!

The intention of the 1981 Act was to guarantee provision so that special needs would be given the resources that the statement called for. The 1992 Audit Commission report showed that the law had failed to deliver that. The 1993 code of practice has similarly failed to deliver. Parliament is still failing to deliver the guarantee promised two decades ago to some of our most vulnerable children. It would be out of order for me to call for legislation in an Adjournment debate, but I should like the Minister to answer two specific questions. First, does she still support the principle enunciated in the 1981 Act that there should be a legal guarantee that a child will receive the special education that his or her needs call for? Secondly, if she is still committed to that principle, what will she do to ensure that we start to deliver it in practice?

11.17 am

Mr. David Drew (Stroud): I am pleased to be able to take part in this important debate. I have to disappear for a few minutes at 12 o'clock. I apologise to the hon. Member for New Forest, West (Mr. Swayne) and to my hon. Friend the Minister for that, but I shall be back to hear the concluding speeches.

I am pleased to see the hon. Member for Tewkesbury (Mr. Robertson) here. I am sure that he will dwell on the issues as they affect Gloucestershire, and I make no apology for doing likewise. A long-overdue review of special educational needs provision is going on in Gloucestershire. It has concentrated on the moderate learning difficulty schools, but it will have an impact on severe learning difficulty provision and schools that cater for educational and behavioural difficulties.

The debate in Gloucestershire has become quite heated, to put it mildly. It has not always been handled as well as it might have been, but it is easy to speak from a distance and cast aspersions. I may disagree with some of what the hon. Member for Tewkesbury says. I agree that the review is needed and with the general direction in which it is going. I have always believed that to argue in extremis in favour of exclusion is as wrong as to argue that inclusion is neither possible nor reasonable.

Bownham Park special school is in my constituency. I have worked with the Special Schools Protection League, under the chairmanship of Mr. Graham Barton. It does not argue against inclusion in principle, but it is unhappy about some aspects, which I shall concentrate on.

The hon. Member for New Forest, West identified the essence of the problem. The fact that parents often have great difficulty with the statementing process and there

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is often a battle to get children statemented—or at least to have their special needs identified—flavours the way in which they regard their children's education. That often means that it is difficult to include the children later. In an ideal world, all children would be in mainstream education, but that will never be feasible or realistic. We must understand the background and try to overcome some of the difficulties.

Gloucestershire's review is ongoing and some proposals have been made. I am a great believer in the need for incremental change, but to carry out that change we must provide facilities to allow children to integrate for some of the time, but have support when necessary. The difficulty is that in carrying that through, some mainstream schools will have to provide some special provision—I do not like the idea of special units—where children can go when it is not appropriate for them to be in the mainstream.

There is a supposed problem of stigma for the schools that provide those facilities. More particularly, the parents of children in moderate learning difficulty schools essentially distrust the system because of the battles that they have had in the process of getting their children identified as needing either statementing or additional help. They believe that if their children go into the mainstream, support will be diluted—notwithstanding the fact that many children in the mainstream who are already identified as needing special help are not getting it, for all sorts of reasons. It is a question of resources—we cannot hide from that—but it is also a question of early identification and support.

I understand and support what the county is doing—even if I do not necessarily go along with all the findings and conclusions—because we have to take people along with us. Choice is something of a myth, but people need assurance that what is being provided for their children is right and as good as it can be.

We must understand that the debate on inclusion is approachable from the other side in the sense that, in our changing society, it is right to try to include people in whatever way we can. That must mean that we look at the balance of provision and whether it is right. That is why Gloucestershire has had difficulties. I know many other counties have been through this in the past, but Gloucestershire is something of a special case as we have had a high percentage of children in special schools. That may have been right historically—and it may be right now—but we must consider how best to move the picture forward.

The hon. Member for New Forest, West looked at some of the dilemmas that we face. In Gloucestershire, this has become a political issue, although not a party-political issue. Understandably, people will fight for their school and for their provision, and I have had some moving letters about this matter. However, we must argue the case, if it is right, and take people with us. I believe that that is possible. People at Bownham Park school understand and support the logic of integration, but not on all occasions and not at the cost of the educational provision for their children.

What we do must be right for the individual child. That is a wonderfully idealistic concept, but if my understanding of the 1981 Act is right, that should be happening now. For too long the battle lines have been drawn in terms of authorities seemingly trying not to provide the necessary education and, if they do, providing too little, too late. We must overcome that.

This is not a finance-led exercise, and too often we are taken along that road. We must also recognise that many children in the mainstream need additional support. Special schools will remain, although they may not stay on their existing sites. If integration is possible, we must identify how it can be achieved in practice.

I wholeheartedly believe that we need to engage in the debate. It is not easy, and I shall always argue for the provision of special needs education for all children who require it. I would be interested to hear what the hon. Member for Tewkesbury has to say in terms of taking the matter forward. Special educational needs is rightly a subject for debate, and I am grateful for this opportunity to debate it here this morning.

11.25 am

Mr. Laurence Robertson (Tewkesbury): I congratulate my hon. Friend the Member for New Forest, West (Mr. Swayne) on securing this debate. It is not easy to get these one-and-a-half hour debates, and I am sure that he has been persistent. There is a good reason for his persistence, and he eloquently went through the problems.

I do not know whether I ought to declare an interest, but I declare that my wife is a county councillor in Gloucestershire. She sits on the education committee and, for a year, she was the Conservative group's spokesman on that committee. One of the biggest items that she dealt with was the changes to the provision of special educational needs.

I am pleased to follow the hon. Member for Stroud (Mr. Drew). He said that I was not his hon. Friend but, away from the Chamber—and, quite often, in it—we work closely together for Gloucestershire. This may not help the hon. Gentleman's career, but he comes from an independent-minded position on many issues; I mean that as a compliment. I may not agree entirely with his comments, but I recognise that our opinions come from different, but genuine, standpoints.

On the question of money, I will make some accusations regarding the process in Gloucestershire, one of which relates to the speech of my hon. Friend the Member for New Forest, West. He talked about statementing, of which there is a great shortage in Gloucestershire. We could query why that is; I suggest that it suits some people in the county to have a lack of statementing facilities. When there are a great many statemented children, that means that one must question whether special needs provision should be retained or expanded. If there are no statements, it is easy to pretend that there is no need for special educational needs provision.

The hon. Member for Stroud, who has been at the meetings with me, knows that Gloucestershire has had a funding problem in education generally, and we have done what we can to try to improve matters. However, I must refer to a comment, which was probably not intended, by the county's director of education when we were discussing the general problem of education funding. When it was pointed out that the county had quite a good provision for special educational needs and

that money could be saved there, the director of education said that he was "doing his damnedest" to save money in that respect. That is a disgrace; it is supposed to be not a question of saving money, but of providing the right kind of education for children.

I recognise that many children with special needs are already integrated in schools across the country—certainly across Gloucestershire. If we can include children in mainstream schools, we should. That is an obvious statement with which most people would agree.

My hon. Friend the Member for New Forest, West and the hon. Member for Stroud recognised that there are many children who simply cannot be included in mainstream schools and who need the special care, education, treatment and facilities that only special schools can provide.

If we are agreed on that, what is the problem? Some authorities, including Gloucestershire, have taken the Green Paper as a green light for the wholesale closure of special schools. That is beginning to happen. The Minister will no doubt say that that was not the intention, and I would accept that, but that has certainly been the effect.

I have taken the matter as high as I can, to the Secretary of State and to the Prime Minister, who recently wrote to me to say that his concern was that parents should have a choice. That is a good, Conservative principle, but there will be no choice for any parent if the schools are closed.

I support the principle of inclusion, but I recognise that it is not always possible. A nephew and godson of mine has special needs, and he has been tried in both kinds of school. He is extremely bright, but he has one or two problems that caused disruption in the mainstream school. That was not fair on him or, equally importantly, on the other children. Because of his difficulties, the special needs school tended to provide a far better education for him.

It is important to recognise people's feelings on the issue. I have spoken to many parents in Gloucestershire and to heads and teachers at mainstream schools, as well as a great many pupils, and they are all in favour of retaining the special schools.

Alderman Knight school in my constituency provides education, care, treatment and facilities of the highest quality. If the Minister came to that school and saw the work that was being done there and the feeling that the pupils have, or if she saw the letters that I and my wife, as a then education spokesman, received from the pupils, or the petitions calling for us to do our utmost to save the school, I am sure that she would be persuaded that it is important to keep it open. Nobody who has seen that school's work would allow it to close.

It is not entirely down to the Minister whether such schools close, because responsibility has been handed down to regional or county level. One could argue that that is the right thing to do, in that people in the area should know what provision is needed and which schools are doing a good job, but it concerns me that the Department for Education and Employment seems to be washing its hands of the issue. If the special school is under threat, will I still be allowed to hold an Adjournment debate on the issue, or will I be told that it is not the Minister's responsibility?

Given that so many people who are involved in education do not want the wholesale closure of special schools to go ahead, who are we to engineer that closure? Who are we to say that inclusion has to be the right way? It may be the right way for many children, but for many others it is not.

I congratulate my hon. Friend the Member for New Forest, West again on what he said about statementing, although I have confined my remarks to another issue, which concerns me and a great many other people in Gloucestershire. Somebody who came to see me yesterday, who is heavily involved in Alderman Knight school, asked why we should work to help the school if it is to be closed. It is not under immediate threat of closure, but, given Gloucestershire education authority's policy, neither I nor the parents have any doubt that it is under threat.

I end by making a plea for the very special pupils who attend special schools.

11.35 am

Dr. Evan Harris (Oxford, West and Abingdon): I, too, pay tribute to the hon. Member for New Forest, West (Mr. Swayne), who so eloquently introduced this subject—when we saw it on the Order Paper, we realised that it was a big subject—and who made an effective point about the vagueness of statements. We all recognise that problem. What he said about how authorities seem to want to keep their statements vague to give them more flexibility has many resonances in my local authority, although I question whether that is a matter of intentions or of the resources available.

I think that we all appreciated the contributions of the hon. Members for Stroud (Mr. Drew) and for Tewkesbury (Mr. Robertson), who identified some issues in Gloucestershire that have received national attention in the media. They brought out well the difficulties that local authorities face in dealing with integration.

It is helpful to analyse the pressures on local authorities by considering both the demand and the supply side and recognising that many factors create pressures that, sadly, are transmitted to parents and children and lead to inadequacy of provision, delay in identifying the need for provision, vagueness over what is to be provided and, sometimes, cuts. When cuts are needed, it is sometimes seen as a soft option to cut special needs provision.

Much of what the hon. Member for New Forest, West said about the demand side is true. He listed some of the reasons why there may be an increasing—and legitimate—demand for special educational needs provision and, as a subset of that, for statements. One is that more difficulty and disability in communication, behaviour and learning are recognised these days by educational psychologists, paediatricians and other experts. We would expect that to be the case in this, as in any, field of medicine and education.

It may be the case that, at the margins, advances in neo-natal care have led to a greater number of severely disabled children—of course, I make no judgment on that—and to a wider range of disabilities that, quite rightly, have to be catered for. That has certainly been observed in terms of health care provision and there will of course be a spillover to education. Physically or

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mentally disabled children have a right to education, and that can add an enormous amount to their and their families' quality of life.

There is probably more information available now—in the information age—to parents of children with needs, alerting them to the fact that there are services out there. Many patient organisations and organisations of the recipients of education do invaluable work in identifying best practice and alerting parents and teachers to what can be done. The National Autistic Society is but one. In the age of the internet, we would expect more parents to have a great deal of information about the best practice that is out there. There is also information about new practice, which will be portrayed as good by those who are promoting it, although there may be no evidence to back up the claims.

More can be done in schools, as the professionals become more expert and experienced. Both the legislative and the good practice approaches that have been taken over the past few decades to try to ensure that children with special needs get the attention that they need can be built on. Potentially, in certain areas, there may have been a shift from health service provision for some children with severe difficulties to the education service, and that raises the issue of whether that shift has been matched by a transfer of funds. Both sectors, of course, try to retain as much funding as possible, as demands increase.

Demands may increase for other reasons and the hon. Member for New Forest, West mentioned the increased diagnosis of conditions. It is unclear whether that is caused by new conditions emerging, new recognition of conditions or the labelling of conditions that were previously recognised but did not have a diagnostic label that enabled people to campaign more clearly on the issues. Attention deficit hyperactivity disorder is one example, and many of us will have had representations from people concerned about the recognition of that spectrum of problems and whether the drug treatment is appropriate.

On the supply side, it is inevitable that funding questions will arise. Even in the best-resourced education service, and even with a Government with the best will towards education, one would expect resource pressures, whether in terms of grants to local education authority or of the level of standard spending assessment. The two are not necessarily linked. Simply calling a school grant maintained does not suddenly magic up extra resources—they are taken from somewhere else in the system. The hon. Gentleman said that that was a party political point, but my response would be that it misses the point on funding issues.

Clear underfunding still exists in education, and the Government have recognised that in giving a big increase in funding this year. Many of us would note that the 8 per cent. real-terms increase in funding has come three years into this Parliament, and we should therefore ask what people receiving the service went through in that time, as well as under previous Governments.

There is a question—no more than that—about the danger of distorting priorities through target setting. I have not investigated the issue in detail, but I ask the Minister to recognise that the problem may exist and to investigate it. If more targets are set in an area other than special needs, or the Government or Ofsted decide that targets set in special needs must be more stringently adhered to, there is a danger that local politicians will put resources into ensuring that they meet the targets that they must meet. By default, resources would then be taken from areas with fewer targets or with targets that appear to have lesser political importance. That may be an issue for the media, because it seems that, if something is not capable of being measured by a league table, they are not interested in it. In asking the Minister that general question, I do not defend the use of targets as the answer. There may be merit in having fewer targets and allowing priorities to be set locally and letting teachers get on with their jobs within a Government-set framework.

A question arises from the Gloucestershire debate on integration and whether that creates pressures on funding. We want parents and children to have a choice, but it must be a funded choice. We must recognise that if a certain number of special schools have a certain number of pupils and slowly but surely those pupils are integrated into the mainstream without the closure of any special schools, the per capita cost of providing that special schooling increases. Overheads cannot be reduced as quickly as the number of pupils in the system. While the Government may have provided additional help for special needs, the question is whether that has been sufficient to cope with the additional cost in the special schools sector of providing the same service for a smaller number of pupils. It is also questionable whether full funding has been provided for the sort of support that statemented and non-statemented children and their parents wish for in the mainstream sector. Such support is not a cheap option.

Another area in which resource pressures may have been created by policy is the continued delegation of funding to schools. I do not oppose such delegation and. indeed, the early pilots of delegated budgets took place in Liberal Democrat-controlled authorities, for example—at the time—Cambridgeshire. It has been pointed out by schools receiving delegated budgets and by local education authorities that one loses economies of scale when some services are not provided centrally because of the following of the mantra of delegation. That has certainly happened in the case of school meals in my authority, and the Government have also recognised the problem in the provision of music education. We must also question the continuing drive to measure the efficiency and competence of local education authorities by the amount that they keep centrally, even if that is for effective and efficient provision for special educational needs.

Mr. Drew: Does the hon. Gentleman agree that there is a problem that, if we integrate more children, special schools will become smaller, which means that they will face a deteriorating budgetary situation? That is the double whammy facing Gloucestershire's special schools.

Dr. Harris: I am grateful to the hon. Gentleman for agreeing with my point. Without some closures, the cost per capita of educating children in special schools will increase because overheads cannot be reduced as

quickly as school numbers are falling. If the number of children educated in special schools falls by 10 per cent., the logical answer is to close 10 per cent. of the schools to achieve the overhead savings, but that can be difficult for political reasons. It can also be difficult for practical reasons, if a school specialises in specific provision, whether for a disability group or a mode of delivery of education. That may make it counter-productive to seek to rationalise the buildings.

That issue must be recognised by those responsible for resource allocation, or the responsibility for taking difficult decisions that are unpopular should be taken by those who have control of the budget. As we know, 80 per cent. of control of LEA budgets rests with the Chancellor and the Secretary of State for the Environment, Transport and the Regions and only around 20 per cent. rests with the democratically elected members of local authorities and their discretion to raise the council tax, where that is permitted under capping rules. Blame—if that is the right word—and responsibility should rest with those who set the budgets.

I have several specific suggestions on the issue of special needs, based on my experience of what Oxfordshire has done in the short time that I have been a Member of Parliament for the area. Parents feel genuine concern that targets in the form of league tables for attainment may make schools, perhaps irrationally, resist the inclusion of children with special educational needs, especially in large numbers, because of the effect that that may have—even marginally—on attainment levels. It is important for the Under-Secretary of State for Education and Employment, the hon. Member for Redditch (Jacqui Smith), to put on the record her position on that issue, if she has the opportunity to do so. My LEA is on record as saying that such discrimination in admission is unacceptable, especially for that reason, and I hope that the Minister can assure us that it is also unnecessary. The market that is being created by the publication of league tables in their current form—I recognise the changes the Government have made to reflect added value better—can be a disincentive to integration.

A second suggestion is that the Government should develop specialist mainstream schools dealing with certain disabilities. They may be doing that in certain areas, but in Abingdon in my constituency I recently visited the Larkmead school, the county specialist for the integration of deaf children and of children with hearing difficulties. It has an excellent reputation, and provides a supportive yet challenging culture for its children. It does not rely merely on sign language, but does a lot of other work with pupils.

The Minister must also accept that the additional cost of transport for special needs children has implications for funding. Large distances may be involved when children have to travel to specialist mainstream or special schools. In Oxfordshire, I am told that transport for SEN children costs £3.6 million year, compared to a total of £5.8 million for transport for mainstream children. The Minister will not want to get into a discussion about standard spending assessments, but there is a feeling that the cost of transport, especially in rural areas, is not covered adequately in SSA calculations. That problem may worsen as specialist mainstream schools become more common.

There is an argument for regional planning of special needs provision. That would ensure that each county or local education authority did not regard its area boundary as the limit of its responsibilities and of the requirement to share good practice. Provision must be shared between LEAs in a region, and they must work closely together. Clearly, it is easy for the Liberal Democrat party to call for that, given our attachment to a democratically elected tier of local government at regional level, but existing regional structures should also consider that suggestion.

Mr. Tim Boswell (Daventry): I am listening with interest to the hon. Gentleman's thoroughly constructive speech. Although I do not necessarily accept his regional agenda, will he join me in asking the Minister to say a little more about the regional co-ordinating committees for special educational needs provision? They have been established, but we have heard very little about them to date.

Dr. Harris: I look forward to the Minister's response to a joint quasi-delegation on that point.

The use of new technology provides an opportunity to integrate the delivery of education to some children with special educational needs. It allows them to integrate even better than they do in mainstream schools, as children with physical disabilities are at least as adept as others at using joysticks and computers. Do the Government have any plans to fund or encourage new initiatives in that area?

I end by thanking the hon. Member for New Forest, West for introducing the debate, which has given us an opportunity to hear his concerns about statementing, and to discuss the wider issues. The hon. Gentleman noted that statements are seen to be an end in themselves, rather than a means to provision. Parents tend to focus on statements because of the way in which the legislation and codes of practice are put together. The situation will improve when we concentrate more on the provision and less on the statement.

11.54 am

Mr. Tim Boswell (Daventry): I echo the congratulations extended to my hon. Friend the Member for New Forest, West (Mr. Swayne) on his good fortune in securing the debate, and on the way in which he introduced it. He tackled an important subject with the appropriate blend of passion and sensitivity.

As we consider these issues, we should all adopt the phrase "sensitivity matters" as our motto. I have no quarrel at all with what was said in the distinctive contributions from my hon. Friend the Member for Tewkesbury (Mr. Robertson) and from the hon. Members for Stroud (Mr. Drew) and for Oxford, West and Abingdon (Dr. Harris). The first two speakers explained and made more widely known some of the difficulties in their local education authorities, and the third contributor added to the mix some constructive points arising out of his experience of what is happening in his area.

I have no intention of spoiling the tone of the debate, and I am sure that the Minister has no such intention either. All hon. Members have different points to add to what I hope will remain a broad consensus on this

[Mr. Tim Boswell]

matter. We are all aware, from our work as constituency Members of Parliament, of the immense effort expended and concern expressed by parents of children with special educational needs. Equally, we are aware of the frustration and hassle that they experience when they try to get from their local education authority the appropriate provision for the distinctive—and often unique—needs of individual children.

The debate has revealed a phenomenon that is evident in the wider spectrum of social policy. Better scientific knowledge, improved information among citizens and rising expectations blend together to make it difficult to provide appropriate resources for special needs education, and to resolve conflicts with respect to that provision. Parents have huge concerns about SEN provision, which Members of Parliament must loyally try to represent to the providing authorities. However, at the same time, we must accept the difficulties that LEAs face in balancing the allocation of resources between mainstream education and SEN provision. In that connection, the hon. Member for Oxford, West and Abingdon made some highly revealing comments about transport costs.

Moreover, overall SEN provision will vary between LEAs. Some authorities may make better provision for blind children than for children with hearing difficulties, for example, while others may do more for children with specialist conditions than for those with more familiar categories of disability. It is extremely difficult to treat all cases fairly and in the best possible way. We must also bear in mind the fact that special school provision will not always fit a changing pattern of presenting disabilities or needs, or the various transport and geographical requirements of a well scattered county authority.

As I have said in previous debates on disability issues in this Chamber, the right approach is not to play party political football with what has or has not been done in the past. Instead, we must accept that all parties want to achieve continuous improvement when it comes to disability matters, and a gradual raising of standards, expectation and provision.

As my hon. Friend the Member for Tewkesbury said, the Conservative Government made some contribution in the early 1990s, when they established the code on SEN, and the tribunal. I was a Minister at the time, and played a small legislative role in that process. However, I am happy to accept that the Government now want to move on to other matters, and I hope that we will spend some time today on those.

The new phase was ushered in by the Green Paper and the Government's welcome commitment to involving education in the disability rights agenda, which extends to all education in maintained schools, and to further and higher education. The Government have also promised that they will introduce a Bill on disability in education, and I hope that the Minister will say when that is expected to appear. It is an open secret—Ministers have admitted as much—that the Bill was agreed to at the very last minute and that it is being drafted.

That Bill is complex to draft, and it is another open secret that the Government are having some difficulty with their legislative timetable. Will the Bill appear this Session? If not, should not the Government make a clean breast of the matter and concentrate on getting a largely agreed Bill ready in good time for the next Session? Given the sensitivity of these issues, it is better to legislate properly than to legislate in haste. That should not, however, be seen as a blank cheque for sitting on such a measure indefinitely. There is a balance to be struck, and I should be grateful for the Minister's comments.

From the general tenor of the debate so far, I wish to identify two areas of particular sensitivity. The first, to which nearly everyone has referred, is the inclusion agenda. The Government's programme of action tells us quite eloquently:

> Inclusion is a process, not a fixed state. The term can be used to mean many things, including the placement of pupils with SEN in mainstream schools, the participation of all pupils in the curriculum and social life of mainstream schools, the participation of all pupils in learning which leads to the highest possible level of achievement and the participation of young people in the full range of social experiences and opportunities once they have left school.

Try as I might, I find it impossible to disagree with the spirit behind any of those sentiments. However, difficulties may arise in their delivery.

Philippa Russell, known to some of us as the director for the Council for Disabled Children, has said that increasing inclusion will be challenging—a word which the Minister will know is occasionally used by officials to indicate a task that will require a great deal of work in Whitehall, rows with the Treasury and difficulties with the lawyers; however, that does not mean that we should not attempt to increase inclusion.

Another point, which was made well in the speech of my hon. Friend the Member for Tewkesbury and implicit in the contribution of my hon. Friend the Member for New Forest, West, is that inclusion policies cannot be implemented on the cheap. If inclusion is to be appropriate, it may cost more in resources than continuing special schools. The test ought to be whether it is appropriate.

That brings us back to some important concerns. There is concern at the suggestion by some local educational authorities that they see little future need for special schools. They would like to impose an element of compulsion on inclusion. Some parents—not many—are over-protective of their children and expect too little from them. They do not realise the opportunities that may be available in mainstream education. The Government have, on the whole, been encouraging about the principle, and local education authorities that are worried about resources need to be imbued with an element of pragmatism and to recognise that special provision is needed for children who might be lost or vulnerable in mainstream schools, and/or have a clear need for specialist support.

In certain cases, with a bit of ingenuity and lateral thinking, we may be able to break out from the simple concept of one or the other. We may be able to provide an element of inclusion alongside extra support or special provision, as is often done in mainstream schools, or by including children from special schools in some activities. I hope that local authorities and schools will be flexible, and that the Government will disseminate good practice.

I should value the Minister's comments on the interaction between the special educational needs regime with which we are broadly familiar, and which is based, at least in concept, on the educational appraisal of the individual child, and the new agenda that will take a civil rights-based approach to disability rights. We all acknowledge that disabled pupils have a right to appropriate education. The converse is that their schools have a duty to make reasonable adjustments to accommodate them. Some adjustments, which require capital investment, are quite do-able, and others require special arrangements in the classroom. The difficulty with joining the two concepts arises where a statement, particularly one on which it is difficult to put a specific value, does not fit in with the legal concept of a right or a disability right. The Government have made it easier for themselves by indicating that they intend to deliver the disability right in education for pupils through the tribunal. That is with the difficult exception of further and higher education where, as I understand it, the courts will be involved in adjudication, as they might be where other issues of disability rights are involved.

There are also interesting and important resource implications where local education authorities may look to the Government to meet contingent commitments. I need hardly mention the huge cost to the national health service of liability claims—it exceeds £600 million a year. We have only just started on the disability rights agenda and it could be very expensive if matters are not handled well. I tabled a parliamentary question to register my concern that the original approach would not even evaluate the impact costs of these moves on further and higher education.

As with inclusion, we cannot offer disability rights on the cheap. There will be further resource implications, of a capital and current nature. The Government must face those and work out, with the local authorities, how to deal with them.

My final points concern the awkward interface between SEN provision and the wider social issues that are relevant to any inclusion agenda. We really need to improve the transitional provision from school to further education and past that, wherever possible, into work experience and work. It is generally conceded that the current practice is not ideal because local authorities do not always do what they are obliged to do under previous legislation. The Government need to ensure that the existing law is properly implemented as well as taking forward into law any improvements, such as those in the Learning and Skills Bill. In no sense is that a cop-out. We need to ensure that local authorities are doing what they are obliged to do and that any new duties are properly carried out. A lot of value is added if people can be properly assessed and passed from one stage of their provision to another as part of a proper plan.

We need to consider families and family units as a proper framework, as part of our wider approach to inclusion. There needs to be proper consultation with all relevant agencies and with the family as a whole, given the interaction and relationships between family members. For example, one child may be in mainstream education and have a sibling who is in specialist education. We need to be more sensitive to such issues.

A Member of Parliament is often the holistic bit of the jigsaw. Constituents who come to our surgeries may have three or four needs. The Member of Parliament sometimes functions as the sole agency, drawing those needs together and referring to the various pieces of the jigsaw. Families, pupils and parents need an approach that is centred on meeting their needs.

In conclusion, local authorities may sometimes view local children with special needs in terms of problems, resource centres and costs, but there are also huge opportunities. These are very special children and they deserve, as I think they will receive, our firm, warm-hearted and generous support.

12.9 pm

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): I, too, congratulate the hon. Member for New Forest, West (Mr. Swayne) on securing a debate on a topic which all hon. Members agree is most important. I join him in paying tribute to the good work that is obviously going on at Ashley junior school in his constituency. Since taking up my post, I have been fortunate enough to visit many schools where excellent work is being done on such matters, and I hope that the hon. Gentleman will pass on my congratulations to schools in his constituency.

Education of children with special educational needs was one of the first issues that the Government tackled after the general election in 1997. Within months, we published the Green Paper "Excellence for all Children: Meeting Special Educational Needs". We followed that up with an action programme, through which we have continued to work hard to establish a system to enable children with special educational needs to receive the education they need and deserve. That forms part of our overall drive to improve standards for all children. I hope that I shall be able both to respond to the points made by hon. Members and to highlight how, in practice, we are delivering what we said we would.

The hon. Member for New Forest, West asked about the specificity of statements. There is no absolute requirement that the educational provision to be made for a child should be specified in hours per week. However, in most cases, it will be necessary to set out the hours of help needed in order to comply with the requirements of section 324 of the Education Act 1996 and with the Education (Special Educational Needs) Regulations 1994.

The code of practice to which hon. Members referred indicates that provision should normally be specific, detailed and quantified; for example, for the hours of ancillary or specialist teaching support. Although some flexibility should be retained in order to meet the child's changing needs, it will be necessary, in many cases, to specify the hours of ancillary or specialist teaching support required for a child with a statement.

If an authority does not specify the hours when making a statement, the child's parents have the right of appeal to the SEN tribunal. The Secretary of State is able to consider taking action against an authority which maintains a blanket policy of not specifying such provision in a child's statement.

Concerns were expressed about statementing and the code of practice. The Department is currently engaged in revising the SEN code of practice, in close

[Jacqui Smith]

consultation with a specially convened sub-group of our national advisory group on special educational needs. As we explained in the action plan, the revised code focuses on guidance for SEN school-based provision in each phase of education, with an emphasis on the roles and responsibilities of all teachers in relation to children and young people with special educational needs.

Alongside the new code, we plan to publish a good practice guide that will help schools, LEAs and other agencies to improve the ways in which they meet the needs of children and young people. We shall also publish guidance on thresholds for the identification of pupils with special educational needs and on the range of provision that would be appropriate to meet those needs.

I share the concerns expressed by hon. Members that the code should not be seen as a rush to statement, if parents and schools are worried about what support will be offered to their children. I shall refer later to other measures that we are taking to support those children and their schools and families.

The hon. Member for Tewkesbury (Mr. Robertson) and my hon. Friend the Member for Stroud (Mr. Drew) rightly raised their concern about the review of special educational needs provision currently under way in Gloucestershire. The hon. Member for Tewkesbury and I have been in communication on the issue, and I understand his anxiety about a particular school in his constituency. However, changes will continue to be made to school provision, both special and mainstream, in accordance with local needs and circumstances. That has always been true and was reflected in the remarks of both hon. Members. All hon. Members who have experienced changes in school provision in their constituencies are aware that such changes will always be difficult; they always raise considerable local concern which needs to be addressed.

LEAs cannot, of course, summarily close a special school; they must publish statutory proposals and, before doing so, must ensure that they have consulted all interested parties. Under the new arrangements, they have to refer those plans to the school's organisation committee, whose members are drawn from local groups with an understanding about the decisions to be taken. They can include members of the LEA, governors of local schools—at least one of whom should be a special school governor—the Church of England, the Roman Catholic Church, the Further Education Funding Council and other groups deemed relevant in the LEA area. If that committee is unable to reach a unanimous decision, it will pass the case to an independent adjudicator for determination. Notwithstanding the difficult decisions that will be made in Gloucestershire, I hope that hon. Members feel that the process at least allows their concerns to be reflected.

The Government's position was spelt out in our Green Paper. We are firmly committed to promoting inclusion by choice. That is a cornerstone of our strategy for raising standards of achievement and for meeting the educational needs of all children. We are determined to maintain progress on that matter, so that more parents feel confident that their child's needs can and will be met in a mainstream school.

My hon. Friend the Member for Stroud made the important point that the inclusion of children with special needs in mainstream schools would be beneficial not only for them, but—socially and educationally—for the other children in the school. That was proved by the hon. Member for New Forest, West when he highlighted the good work in a school in his constituency.

Our approach has been practical. The objective must be to safeguard the interests of all children. When parents want a mainstream setting for their children, our policy is to try to provide one. However, it is equally important to respect the right of parents to specialist provision, if that is what they want. We have underlined the point that specialist provision continues to play a vital role.

Inclusion is not an agenda for the closure of all special schools; it creates a challenge for the education system—often to find new roles for special schools and for specialist provision. In particular, we want such schools to become outward-looking centres of excellence and to work with their mainstream colleagues to help to support pupils who would benefit from a mainstream place. We are acting to support such collaboration between schools.

The hon. Member for Daventry (Mr. Boswell) is right to point out that we must not only outline our objectives but ensure that we can deliver improvements for children with special educational needs. The importance that we attach to promoting inclusion is emphasised by a range of initiatives designed to help schools to develop their practice so as to become more inclusive. The initiatives offer practical solutions to enable schools to meet the challenge of providing for the needs of a more diverse range of pupils. They will also ensure that we maintain high-quality provision for all children with special educational needs and the other children who are learning alongside them.

The first of the practical approaches relates, as hon. Members have suggested, to funding. I strongly agree with the sentiment that the move to inclusion and to improving provision for special educational needs is not about saving money. That is why the extra £219 million in funding to schools that was announced in the March Budget will give schools the flexibility to use it to support all children and children with special educational needs. In particular, the money provides an extra £15,000 to each of the 62 non-maintained special schools.

We also are allocating £15 million this year from the SEN standards fund to support 100 innovative local inclusion and emotional and behavioural difficulty projects. That is nearly double the money that was available last year. Overall, the SEN standards fund has been raised from £35 million last year to £55 million this year, and the money is being used to support training, parent partnerships, pilot speech and language therapy projects and to help schools to prepare to become more inclusive.

Since 1997, 3,300 schools have benefited from the schools access initiative and the capital support available to make schools and the curriculum accessible to all pupils. That money has been increased to £30 million this year as part of a £100 million package over three years. The Department is funding the distribution of the index for inclusion to all schools and local

authorities. That is a practical review tool to enable schools to examine what they need to do to become more inclusive, to increase participation and to raise standards not just for pupils with special educational needs but, as I stressed, for all pupils in school.

A special mainstream links working group is producing an interactive CD-ROM package aimed at teachers, showing how we can, as I suggested earlier, develop in a practical way the links between the specialist provision that remains and the mainstream sector. The package will be launched later this year at a series of seminars.

There is nearly £1 million to support the network of 11 SEN regional co-ordination projects that were mentioned by the hon. Member for Daventry. Since this April, they have covered the whole of England and they bring together all the local partners—health, social services, education, employment and the voluntary and private sectors—and they help to promote inclusion.

The projects aim to redress through collaborative planning and working the variations in access to, and the quality of, provision for pupils with special needs. They go some way to dealing with the concerns expressed by the hon. Member for Oxford, West and Abingdon (Dr. Harris) about the need to ensure that we do not allow different authorities and sources of funding to isolate themselves so that they do not work together in the way that they should to provide the best of the whole package to children with such needs. I am more than happy to send the hon. Member for Daventry details about the work that the regional co-ordination projects currently undertake.

Rightly, we heard about the importance of involving and helping parents and about the frustrations that they sometimes feel. The importance of an effective partnership with parents was one of the key themes in the SEN programme for action. All local education authorities have been expected to provide parent partnership services from 1999. LEAs do not necessarily have to provide the services themselves: they can, and in many cases do, arrange for the services to be delivered by the voluntary sector and by organisations such as those highlighted by the hon. Member for New Forest, West. I strongly believe that it is important that LEAs look for good supportive provision in the voluntary sector that will work with them to support parents.

The aim of parent partnership services is to ensure that parents of children with special educational needs have access to information, advice and guidance on their children's needs so that they can make appropriate and informed decisions, in what, as has been pointed out, can be a stressful, difficult and emotional time. In 1999-2000, the Department supported expenditure of £6 million through the SEN standards fund to develop and expand such services. This year, we have doubled that to £12 million.

In relation to the concerns expressed about statements and the code of practice, the parent partnership services will be expected to ensure that parents of any children identified as having special educational needs—not just those with statements—should have access to an independent parental supporter. That goes some way to meeting the concern expressed that parents think that their child must have a statement before they receive the advice and support that they want.

Mr. Boswell: I sense that the Minister is beginning to draw her remarks to a conclusion. Before she does, will she tell us what has befallen the promised legislation?

Jacqui Smith: The hon. Gentleman will be pleased to learn that I was coming to that point.

The Department also funds the national parent partnership network that is operated by the Council for Disabled Children. It plays an important part in encouraging positive partnerships by providing information on existing services, distributing newsletters, arranging meetings, sharing good practice and exchanging information. The draft revised SEN code of practice to which I referred will include a new chapter on effective partnership working with parents. We intend to legislate on that subject as part of the planned SEN disability Bill that is designed to ensure that LEAs provide parent partnerships services and to replace the current arrangements for named persons that operate only in relation to children with statements.

In reply to the hon. Gentleman's question about the Bill, regrettably, it is not for me to decide the timetable for legislation. However, he will be aware that we have carried out consultation on our proposals in the Bill, and he raised important questions about how we intend to take forward the disability measures in it. Following the results of the consultation, we are committed not only to implementing the Bill but to implementing it in a way that delivers the changes that we all want. I think that hon. Members will agree that we should reflect the views expressed in trying to ensure that the Bill works. We are committed to the changes, but, as I said, I am not responsible for the parliamentary timetable.

I hope that hon. Members will accept from what I have said that we recognise that parents, teachers and children need support and reassurance on these issues. We are providing the funding, the renewed structure to the system, the support for teachers, the support for schools and the examples of good practice that will be necessary to ensure—as all hon. Members have emphasised—that we provide the best possible opportunities for all our children, and particularly for the special children whom we have considered today.

12.29 pm

Sitting suspended.

Consumer Protection (Uno plc and World of Leather)

12.30 pm

On resuming—

Mr. Bill Tynan (Hamilton, South): I am grateful to have secured time for this important debate and to have the opportunity to speak on behalf of many colleagues who, like me, have been inundated with pleas for help and requests for assistance from many angry and confused constituents. Numbers affected in my constituency are relatively small, but the overall effect on individuals is considerable. The administrators have confirmed that approximately 21,000 people have been affected throughout the United Kingdom. With so many people involved, justification for this debate is self-evident.

As I go through events, I hope that the Minister for Trade, my right hon. Friend the Member for Sheffield, Central (Mr. Caborn), will agree that there is a case for a thorough investigation of the relevant issues which, if mismanagement is established, may lead to the introduction of legislation to protect consumers who find themselves in similar circumstances. Two of the furniture stores traded in Lanarkshire, and, like me, my colleagues in neighbouring constituencies, my hon. Friends the Members for Clydesdale (Mr. Hood) and for Motherwell and Wishaw (Mr. Roy), have constituents who ordered and paid for furniture in part or in full. Those people now find themselves with little chance of receiving either their furniture or a refund of their hard-earned cash, leaving them with substantially reduced bank balances. The vast majority have been told that they will not receive a penny of compensation as they have little or no protection under current consumer laws.

However, the problem is not confined to Lanarkshire. As hon. Members can confirm, approximately 21,000 consumers throughout Scotland, England and Wales are affected by the closures of Uno plc and World of Leather plc. World of Leather was acquired by Uno in April 1997, and, between them, the two companies traded in 58 stores throughout the UK, 19 under the name of Uno and 39 under the name of World of Leather. In November, both companies issued a profit warning and announced a £6.06 million loss for the previous 26 weeks in, I understand, the *London Gazette*, a well-read journal in my constituency.

It is safe to say that the customers who continued to shop at both stores were totally unaware of the companies' perilous financial position. Had they known, I believe that they would never have parted with their money. Unsuspecting customers continued to order furniture between November and 14 March, the date on which the decision was made to close all Uno and World of Leather stores. In fact, they were encouraged to pay in full to qualify for substantial discounts or early deliveries. On the advice of a colleague, I visited a Uno store, but, fortunately, did not place an order. I was totally unaware of the company's financial difficulties, and I sincerely hope that my colleague was, too.

It has come to light that both companies sold off all their freehold properties prior to the appointment of the administrator in an attempt to address their liquidity problems. It is possible that about £11 million was raised, but I have no idea what it was used for, where it went or, indeed, how long it was between the sell-off and the appointment of the administrator. I am sure that the Minister could use his good offices to inquire into that.

During that period, I believe that purchasers for the companies were being actively sought. It is thought that detailed negotiations began with interested parties in December 1999: one set of negotiations involved the companies' main supplier and the other a proposed management buy-out. Unfortunately, negotiations broke down in early March and subsequent efforts to find another buyer were unsuccessful.

I do not know why the negotiations failed. It appears that the directors considered their options carefully and discussed the way forward with their professional advisers. On 8 March 2000, a separate bank account, known as the trust account, was established for consumers' cash and cheque deposits. However, cash and cheque deposits paid prior to that date were paid into the companies' overdrawn bank account and were not held in trust for the benefit of customers. If, at the time of the announced profit warning, the companies had set up a trust account, consumers would have been protected. Unfortunately, however, for the 21,000 customers, that is not the case.

Following the closure of all the stores on 14 March 2000, on 15 March, the High Court appointed Simon Allport, Alan Lewis and Richard Dixon Fleming of Arthur Andersen as joint administrators to the companies, and they became responsible for the management of the companies' affairs. I should like to place on record my thanks to Simon Allport, who has been extremely helpful. At my request, yesterday, with his colleagues, he attended a meeting in the House of Commons to brief Members. Those who attended agreed that the meeting was informative and worth while.

The administrators concluded that formal trading of the business was not viable for several reasons. The two companies owed a total of £3.2 million in rental payments on 24 March 2000, and salary payments of approximately £600,000 were due on 31 March 2000. Many customer deposits had been taken and there were related outstanding orders. Finally, substantial losses were being incurred by Uno.

Despite those and other difficulties, the sale of World of Leather as a going concern took place on 24 March. Thirty-two of its stores were transferred to the purchaser, a consortium of private individuals who, for whatever reason, decided to trade as New World of Leather. I think that that choice of name was unfortunate, as customers who were left high and dry by the closure of Uno and World of Leather could not understand why stock once owned and displayed by those companies was now being sold in the same stores under the name of New World of Leather. That was confusing for the many customers who ordered and paid for purchases from stock that is now back on sale. They cannot come to terms with losing their money and furniture while the stores are back in business and even employ the same employees as before. That is quite unacceptable.

As I said, the two companies had approximately 21,000 customer orders outstanding on the date of administration. Following representation on behalf of

my constituents, the administrator told me that he was attempting to establish the position of individual customers' orders by reviewing the companies' records and identifying individual orders. He said that considerable work was involved, as the particulars of every outstanding order had to be analysed and the furniture held at the companies' storage locations had to be sorted, counted and allocated. It was necessary to ensure that all furniture stored in all sites could be identified and relocated to central storage units.

There was also a need to sort, count and trace from source documents all furniture that appeared to have been appropriated by individual customers, thus identifying all customer stock. All competing title claims to furniture, including customer stock, had to be resolved, which involved negotiation and resolution of legal issues with suppliers who had not been paid for furniture manufactured by them. I understand that that may end up in test court cases. Finally, negotiations with customer finance providers and credit card companies had to take place to permit the release of furniture.

After that exercise, approximately 2,400 items of customer stock were identified—compared with a possible total of 21,000 outstanding customer orders—and stored in distribution depots throughout the country, one of which was in Baillieston in Glasgow. My hon. Friend the Member for Clydesdale and I gained access to that depot, checked our constituents' order numbers and identified their furniture. To his credit, the administrator had authorised the release of any furniture with a customer's name, address and order number, and three of my constituents were fortunate enough to obtain orders held in that depot.

The current position is that customers are likely to fall into three broad categories. Some are likely to receive their furniture because their order has been identified as customer stock. Others are likely to receive their order as the result of the administrator reaching an agreement with a third party on completing their order. Finally, some customers are unlikely to receive their order or have their money refunded, resulting in a claim against the companies for the amount paid. Unfortunately, however, those customers would be classed as unsecured creditors and are unlikely to receive any substantial return. Alternatively, depending on circumstances, they may have a claim against the credit card or finance company under the Consumer Credit Act 1974.

Is it any wonder that customers are extremely angry and are asking how companies can get away with what they believe is tantamount to fraud? They do not accept that there is nothing to be done in such circumstances and have asked that the Government take whatever action is necessary to prevent innocent people being ripped off in such a way in future. My constituents find it totally unacceptable and immoral that, on the same site where World of Leather and Uno previously traded, a new company trading under the name of New World of Leather is selling stock previously owned by World of Leather and Uno as bankrupt stock.

To return to the profit warning, it is clear that the announcement was known to those who knew where to look for such information. Was it just a coincidence that a private company of investors set up an organisation in November? I am sure that the Minister could explore that and confirm whether it is true. I am not suggesting any impropriety, but the Department of Trade and Industry must undertake a thorough investigation into the events surrounding the closure. There are many questions to be asked and answered.

According to a customer notice issued by the consumer and trading standards advice service in Hamilton to my hon. Friend the Member for Motherwell and Wishaw and myself, the new company, MM&S, confirmed that the organisation acquired the display stock of Uno plc from the administrators on 24 March. The administrators have confirmed that part of the assets of World of Leather were sold to an independent consortium of private investors trading under such a title. The administrators further confirmed that no customer stock was sold as part of the sale agreement.

MM&S said in the customer notice that it had taken on some of the staff previously employed by the two companies, and went on to reassure customers who had lost their hard-earned savings that it had no connection with the previous owners. MM&S, now trading as New World of Leather, said that it would like further to reassure all customers that the staff were totally unaware of the financial state of Uno plc and World of Leather, whose collapse came as a complete and very nasty surprise, and resulted in significant loss of earnings for each and every one of them.

On that basis, the profit warning in November was unknown not only to consumers but to staff. Indeed, one of the employees—a manager—confirmed that. It is therefore essential that we revise how profit warnings are given, where they are published and how we maximise consumer awareness of the financial difficulties that companies may face.

This Government have a proud record of introducing legislation to ensure that consumers are protected—for example, the recent Utilities Bill. I do not accept that we should or can continue to allow consumers who buy goods in good faith to use their hard-earned savings only to find themselves in a similar situation to my constituents: simply being informed "It's just your bad luck" and given sympathy. They need and desire protection against sharp practices. That must be delivered by creating a fund or bond to compensate consumers in such circumstances. It is unacceptable simply to advise consumers that the Office of Fair Trading suggests avoiding paying in full for goods before receipt of them or, if paying a deposit in excess of £100, to consider using a credit card. Many of the consumers in my constituency do not have credit cards.

Since I was elected, I have constantly heard complaints from the Opposition about the amount of regulation that the Government are introducing. I make no apology in this instance for seeking more protection for my constituents and the 21,000 customers who feel that they have been ripped off. I seek a commitment from the Minister to investigate thoroughly all the issues and to introduce additional regulation if required in order to ensure proper consumer protection. On that basis, I ask the Minister to consider three changes to legislation.

First, a scheme similar to the bond scheme that operates for travel agents, which compensates consumers when a travel agent goes out of business, should be introduced. Secondly, a profit-warning notice

[Mr. Bill Tynan]

should be given maximum coverage, especially in local publications. Thirdly, the DTI should agree to an extensive investigation of the facts and act on its findings. If the Minister examines events leading up to the closure of those companies, I believe that he will reach the same conclusion as my constituents and I and many hon. Members.

12.44 pm

Mr. Keith Darvill (Upminster): I congratulate my hon. Friend the Member for Hamilton, South (Mr. Tynan) on securing this debate. I should like to emphasise concerns across the country. Although he represents a Scottish constituency, while I represent an east London constituency, many of my constituents have raised similar problems. Some of them have lost—or are looking like they will lose—more than £3,000 in deposits. Others may have to rely on chance to receive their suites of furniture on the retention of titled clauses.

I emphasise the need for stronger consumer protection in this area, similar to that in the travel industry, where consumers pay such large deposits. We need a thorough investigation into the matter because the companies to which my hon. Friend referred clearly encountered financial difficulties some time ago, and because consumers were clearly unaware of that and unable to protect themselves.

12.45 pm

The Minister for Trade (Mr. Richard Caborn): First, I apologise to you, Mr. Jones, and to the House for being half a minute late. I was trying to get some information from the stock exchange, which I was not able to get but will pass on when I eventually do so. If I do not complete my speech, I will write to my hon. Friend the Member for Hamilton, South (Mr. Tynan), probably depositing that letter in the Library. Some 21,000 people have been affected by the matter and it is therefore important that we provide as much information as possible, although some of it will be an interim response.

I congratulate my hon. Friend the Member for Hamilton, South on securing this debate. I am very sorry to learn of the difficulties faced by customers who may lose money that they have paid for furniture ordered from the 58 furniture stores throughout the country. I assure him that some of my constituents have been hit, too; there are complaints in my postbag just as there have been in his. Many of those affected can ill afford to lose the sums that they paid, which in some cases was in excess of £2,000.

Before addressing the issues, let me confirm the facts as we know them. Administration orders were made against Uno plc and its wholly owned subsidiary, World of Leather plc, on 15 March 2000 on the petition of their directors. As my hon. Friend the Member for Hamilton, South said, three partners in Arthur Andersen were appointed as administrators. The objective of the administration was to secure the survival of the companies as an on-going concern or, if that was not possible, to sell the assets at an enhanced value.

As my hon. Friend knows, achieving the former objective was not possible, so the assets, comprising premises, showroom stock and the order book for potentially profitable contracts, were sold to New World of Leather. The administrators have a duty to sell assets at the best value. I understand that the assets were sold to the New World of Leather Ltd. partnership, which was formed after the date of the administration's appointment. A separate company, New World of Leather Ltd., which is part of the group, was formed in November 1999 under the name MM&S (2599) Ltd. It is quite possible that that company was acquired off the shelf from company formation agents.

The potentially profitable orders to which I referred represented a small proportion of the total. Generally, they are orders on which only a small deposit was paid, and most were placed with World of Leather, not Uno. None of the directors of Uno or World of Leather is a director of the new company.

I understand that the administrators will be calling a meeting of creditors in mid-June to vote on the administrators' proposals on the companies' affairs. Generally speaking, an administrator is not permitted to distribute funds among creditors. That will occur by placing the companies in liquidation in due course.

Officials have obtained information from the administrators about the prospects of customers obtaining goods that they have ordered and paid for in whole or in part. As I said, about 21,000 customers are in that position. Broadly speaking, customers fall into one of three categories. First, there are customers whose furniture has been manufactured and delivered to Uno or World of Leather. Secondly, there are customers, mainly of World of Leather, who have paid a small deposit and consequently whose orders may still be fulfilled profitably. New World of Leather has acquired such orders. Thirdly, there are customers who fall into neither of those categories. They are unsecured creditors.

The position is complicated by the fact that most suppliers to Uno and World of Leather sold goods to them under terms whereby they retain the title of the goods until they are paid for in full and by the fact that some of the furniture appropriated to customer orders is in commercial warehouses, which may exercise liens on goods stored with them for unpaid costs. That means that it is unsafe to make definitive statements about any customer order until all the relevant circumstances have been investigated.

When companies are placed in liquidation, the order of distribution of assets will be determined by insolvency law. The Crown has certain preferential rights, but only for taxes that the company will have collected and should have paid, such as PAYE and VAT, and then only to certain limits. Employees also enjoy preferential rights for sums due to them, but, again, they are limited. I shall return to preferential rights later.

A question that I am sure is running through the minds of customers and hon. Members is what action might be taken if misconduct by Uno's directors is discovered. Although the Insolvency Service has no power under the Insolvency Act 1986 to investigate the affairs of a company in administration or any regulatory role in relation to one, the administrators have a duty under the Company Directors Disqualification Act 1986 to report to the Secretary of State if they form the view that the conduct of any of Uno's directors makes them unfit to be involved in the management of a company. I

am sure that, in preparing their report, the administrators will be at pains to establish the causes of the failure of both companies.

Mr. Jimmy Hood (Clydesdale): I am listening carefully to my right hon. Friend's response and, if he does not mind my saying so, the legal rhetoric. Let us be clear that, from our constituents' point of view, and ours, we are talking about corporate robbery, and I want him to tell us what will be done about it. There may be an inquiry further down the line, but we and the 21,000 creditors who have been robbed by the company want some answers. Where are the directors now and what are they doing? What influence did they have? If they are not still directors of the company, are members of their family or their friends involved in it? We would like him to tell us that there will be an inquiry.

Mr. Barry Jones (in the Chair): Order. Interventions must be brief.

Mr. Caborn: Thank you, Mr. Jones. I hope to cover some of those matters. If I had had notice of those questions, I might have been able to answer them, but I cannot at the moment.

I cannot anticipate whether the administrators will make such a report, but, if they do, the Secretary of State has the power to apply to the court for a disqualification order against the director concerned if he believes that it would be in the public interest to do so. That partly answers my hon. Friend's questions. The court may take into account the extent of a director's responsibility for any failure by the company to supply goods or services that have been paid for in whole or in part—in other words, deposits and pre-payments.

On 4 November 1999, more than four months before the administrators were appointed, Uno made a trading statement warning that results for the year to April 2000 were

likely to fall materially short

of market expectations. I understand that publicity given to such a statement is covered by chapter 9.2 of the listing rules: a listed company is required to notify the company announcements officer of the London stock exchange, which makes the information publicly available. In addition, it must notify shareholders, either by sending them a copy of the statement or by placing a copy in the national newspapers.

My Department also has investigatory powers under the Companies Act 1985. They are exercised if there is good reason to do so, but they are not used to duplicate investigation efforts elsewhere. We considered Uno plc for investigation, but took the view that administrators were already in place and were alert to their duty to report misconduct, so we do not plan to investigate at present. That stance will be reviewed if circumstances change.

An administrator has powers under insolvency law to apply to the court to reverse any payments made by the company that amount to preferences to certain creditors or transactions that are undervalued. The wrongful trading provision in the Insolvency Act 1986—which enables a court, on application, to make a director personally liable if he permits a company to continue trading while insolvent—applies only to a company in liquidation, as does the provision whereby a director may be made liable to contribute to a company's assets if fraudulent trading is proved to the court's satisfaction.

Hon. Members will want me to address the question of whether, if nothing can be done to help the customers of World of Leather, the law could be changed to avoid a repetition of the position in which customers of World of Leather find themselves. The Government's view is that any attempt to protect consumers by removing existing preferential rights or, indeed, extending preferential rights to consumers in an insolvency case would not achieve adequate protection of customer deposits and pre-payments because it would not overcome the fundamental problem that, in many insolvencies, there are simply insufficient assets to go round, even for preferential creditors.

Mr. Desmond Browne (Kilmarnock and Loudoun): On possible changes to the law, what is my right hon. Friend's response to the not unreasonable suggestion of my hon. Friend the Member for Hamilton, South (Mr. Tynan) that, in the particular circumstances of the credit retail business, information about the insolvency or the trading circumstances of a business should be advertised in publications that circulate in the area where that business trades so that potential customers might know what the stock exchange and the limited number of readers of the *London Gazette* know?

Mr. Caborn: That is a very valid point. I was late arriving at the House today because I was trying to find out exactly what had gone on with the stock exchange. It could be argued that rights are given to shareholders, but not to customers, which needs to be investigated. I was trying to find out for hon. Members whether the public had been informed and, if so, exactly how. I cannot answer that question now, but, as soon as I receive that information from the stock exchange, I will write to my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) and put it on the public record. We might have to look at such matters when we discuss the consumer affairs White Paper.

Changing such rights would constitute an attempt to close the stable door after the horse has bolted. If protection were to be afforded to advance payments by consumers, it would have to operate when the payment was made. There are good policy reasons for not extending the ranks of preferential creditors. To do so would lead to demands from other categories of creditor who could advance an equally strong claim. For example, subcontractors could argue that moneys due to them by main contractors should be granted preferential status. To accede to any such requests would open the floodgates and lead to a general extension of preferential rights. That would be contrary to policy under the Insolvency Act 1986, which is to reduce preferential claims as far as possible. Time is running out, but I assure hon. Members that I will put in writing the information that I would have given them had I been able to do so.

It has been suggested that the Government should provide some means of compensation for consumers when firms fail. For example, there could be a statutory requirement on retailers to protect consumers' deposits and pre-payments generally by placing them in a

[Mr. Caborn]

bond—which was referred to by my hon. Friend the Member for Hamilton, South—or a trust account until the contract is fulfilled, or we could make retailers take out insurance. However, while that might well be effective, it would all have to be enforced, and that would be costly. Inevitably, the additional costs on business would be passed on to consumers generally in the form of higher prices. All consumers would pay, but relatively few would benefit. A small business might find it increasingly difficult to trade, especially because of the loss to its cash flow. On balance, therefore, that approach would not be a viable solution to the problem.

Illegal Immigrants

12.59 pm

Mr. Charles Wardle (Bexhill and Battle): I am grateful for the opportunity to draw attention to what appear to be serious irregularities on the part of the immigration service in the way in which the renewal of the contract for the escort of persons to be removed from the United Kingdom under the Immigration Act 1971 was conducted. I shall also refer to allegations of unacceptably late payments by the IS of money requested in invoices, involving delays of up to four years. I shall cite evidence of administrative chaos, and the failure of the IS to keep records of removals.

These matters were drawn to my attention by Mr. Barry Southon, who lives at Broadoak, Brede, in my constituency. He is the proprietor of Airline Security Consultants Ltd. ASC has worked for the IS for some 18 years. In this debate, I shall rely on what Mr. Southon has told me and shown me, which I take to be entirely sound.

At the outset, I should declare a past interest. I served as an Immigration Minister in the Home Office during the previous Parliament. I did not meet Mr. Southon in that capacity, however; I first encountered him when he came to one of my constituency advice surgeries in February this year.

I have the highest regard for the hard work and dedication shown by men and women in the IS, who must frequently operate in trying conditions. If, on some occasions in the past, I have expressed reservations about the management calibre of some senior officials in the immigration and nationality directorate, as it now is, that does not detract from my esteem for the achievements of rank-and-file members of the IS. However, none of that prevents me from putting the spotlight on what appears to show carelessness and malpractice on the part of a very few officials during the tender for the new escort contract.

I hope that, following this debate, the points that I raise will be investigated more closely, not only by the Minister—to whom I have already written—but by the National Audit Office. I asked the Comptroller and Auditor General for a copy of the Public Services Contract Regulations 1993 in connection with the debate, and I intend in due course to draw to his attention what I have said today.

Mr. Southon tells me that, since he began working under contract to the IS in 1982, he has been personally involved in the escorted removal of more than 4,000 people from the UK. I am not aware of any significant criticism by the IS of the way in which ASC has operated during that period; indeed, I have been told that, in 18 years, only nine complaints have been made about ASC, all of which proved on further investigation to be without foundation. In contrast, I have seen copies of many commendations of ASC, from the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), directors, an inspector, training teams, chief immigration officers and immigration officers. All have praised the company. Some of the most recent letters of commendation have expressed downright surprise that such an experienced team should be dropped at the very time when the British public looks to the IS to increase its effectiveness in removing immigration offenders.

Over the years since 1982, ASC has developed a highly efficient service in which security and medical escorts have been made available at just two hours' notice, together with a secure vehicle with airside access when required. Until 1994, it was the sole provider of escorted removals to the IS, but, following a written question tabled in 1994 by the Minister of State, Home Office, the hon. Member for Hornsey and Wood Green (Mrs. Roche), who will reply to the debate—she was then an Opposition Member, and I was the Minister—a second escort company, Loss Prevention International, was taken on at the instigation of a procurement official, Mr. Paul Quibell. From then on, ASC handled about 80 per cent. of the work and LPI about 20 per cent.

In 1996, ASC—presumably along with LPI—participated in a tender for renewal of the escort service contract, but, for some unexplained reason, that tender competition was never completed. It was eventually abandoned three years later, in July 1999. At that juncture, ASC was asked to re-tender, which it did, by submitting an 83-page document by the due date of 9 November last year. The result of the new tender was to be announced on 20 December, although, in fact, no such announcement was made on that date.

Only one of the companies that tendered in November was called in for a clarification meeting with the IS. That was the eventual winner, LPI, whose representatives met Mr. Hassett and other officials in Croydon on 13 December when, it is alleged, they were told that they had been successful. That was a week before the designated date for the announcement of the winner.

On 20 January, a month after the date on which the result of the tender process should have been announced, Mr. Hassett spoke to Mr. Southon on the telephone and confirmed that the contract had indeed been awarded to LPI. Mr. Hassett said that another bidder, Reliance, had been placed second, ahead of ASC. A meeting was arranged for 26 January, at which Mr. Quibell gave his reasons why ASC's tender offer had not succeeded. He said that ASC had, in particular, fallen short on standards of quality and training.

At the meeting, Mr. Quibell denied that LPI had been told on 13 December that it had won the contract, but, in his letter of 21 February to Mr. Southon's solicitor, he appears to have changed his position. In that letter, Mr. Quibell admitted that

> we had already . . . selected LPI as the contractor we proposed to appoint prior to calling the company in for . . . further discussion . . ; LPI attended a meeting with us on 13 December to clarify a number of points . . . in order to allow us to proceed

to award the contract.

In that letter, Mr. Quibell said that the successful tender offer by LPI and the second-placed tenderer, Reliance, had set out a much more extensive package of training and a more comprehensive management structure. He said that the quality of systems and procedures offered by both those companies were supported by current accreditation to ISO 9002. What he did not say was that LPI's and Reliance's ISO 9002 accreditation was for activities other than deportations. The only company working for full accreditation for deportation is ASC, and the only reason for a delay in ASC's accreditation for that task is that the Home Office has refused to give the accreditation body permission to observe a removal by ASC. That was confirmed when I saw a fax from National Quality Assurance Ltd.'s regional office in London saying precisely that.

Mr. Quibell's allegation that ASC fell short of its competitors' training standards is, to say the least, strange. On 26 January, Messrs Quibell and Hassett claimed that ASC had afforded only a six-day training course, with no monitoring of staff or acceptance testing. They could not have read ASC's tender document very carefully. That document makes it clear on page 9 that the initial six days of induction training will be followed by operational training, to be conducted by experienced staff and recognised outside instructors. Pages 12 and 13 outline no fewer than 28 aspects of the on-going training sessions, and make it clear that great emphasis will be placed on training on the job. ASC should know how to train better than anyone else, as it is the only company with a sustained track record in the business.

Pages 41 and 43 of ASC's tender document show what training is to follow the induction course. Pages 23 and 45 describe performance monitoring, and the on-going assessment of escorts; pages 32, 49 and 50 explain how staffing levels will be adjusted to cope with the expected increase in the volume of work. Mr. Quibell and his colleagues were entirely wrong to suggest that the ASC tender document had nothing to say on that point.

Equally wrong was the assertion by the IS that ASC had failed to ensure that escorts would identify themselves properly. Pages 36 and 50 make clear precisely how escorts are to do that. Equally inaccurate was the IS's suggestion that ASC had ignored questions of quality and the issue of Investors in People. ASC's quality policy and the commitment to Investors in People is set out on page 5 of the tender document; similarly, page 11 sets out in detail ASC's security plan, and page 61, together with the letter at appendix 5, confirms that ASC has the ability to increase its insurance cover.

For all those reasons, the objections to ASC wheeled out by the IS simply do not stack up. Even if we assume for the sake of argument that LPI and Reliance had demonstrated a greater thoroughness than ASC in their plans, it is not good enough for the IS to claim that ASC did not have a detailed plan in its tender document when it certainly had precisely that.

As I have said, I wrote to the Minister earlier this month. I imagine that she has by now been able to compare the three tender documents from LPI, Reliance and ASC in the unamended form in which they were presented on or before 9 November last year. I hope that she will agree that it would be appropriate now for the NAO to examine those three documents, too. As I have said, it is something that I shall ask the CAG to do.

If the discrepancy between IS officials' criticism of ASC's tender document and the reality of what that document contains is not serious enough, there are other warning signals from the tender, about which the Chamber should be aware. The first concerns Reliance, which was placed second in the tender process. In 1995, the IS raided the offices of Reliance and found that no fewer than 15 of its employees were illegal immigrants. The Minister will, I hope, be able to explain why, under those circumstances, Reliance was placed second.

[Mr. Charles Wardle]

As for LPI, IS officials will no doubt have alerted the Minister to the controversy in which that company became embroiled over stowaways on a Nigerian-flagged vessel in Lagos harbour some years ago. Equally, I feel confident that she will have been informed of the occasion a few years ago when LPI used four escorts for a removal to Sierra Leone. The immigration offender being removed was put under sedation by LPI and was delivered unconscious at Freetown. None of LPI's four escorts on that case was medically qualified. All four were detained in Freetown for a week for questioning.

I have no doubt that the Home Office will have on its files the latest accounts for LPI and will be aware that, as recently as the 1997 financial year, it appeared to be insolvent. When the Minister replies, I hope that she will be able to assure the Chamber that she has examined its latest accounts and can confirm a substantial increase in capital since the end of that financial year.

ASC is not insolvent. I am assured that it has never traded while insolvent, although no thanks for that are due to the Home Office, which has an appalling record of delays in payments and non-payments of invoices due to ASC.

In the past, ASC regularly had monthly meetings in Croydon. Almost every time, the issue at the top of the agenda was slow payment. Some of the invoices have been outstanding for four years before payment has been made. The delays have had nothing to do with queries on the content of those invoices. At one time, the debt owed by the Home Office to ASC was about £250,000.

In 1997, ASC was not paid anything for four months because of a Paymaster General dispute in Liverpool, yet, at the same time, it paid more than £90,000 in VAT on invoices for which it had not received a penny from the Home Office. Repeated requests to the IS did not result in payment.

ASC claims, for example, that, if it had been able to charge interest on late payment from the Home Office prior to November 1988 in the manner subsequently required by legislation, it would have been able to claim an extra £400,000. That is the extent of the inefficiency and muddle over finances into which the Home Office appears to have got itself over a period of years. I hope that that has been remedied.

There has been an equally unsatisfactory muddle over records that the IS is supposed to have maintained concerning the removal of immigration offenders. Mr. Southon has assured me that, whenever Members tabled questions about the number of people removed, the IS had to seek urgent answers from ASC because there were no in-house records of its own on which it could rely.

I turn to a particularly disturbing facet of the run-up to the tender offer. I am told that an LPI director, whose name I can provide to both the Minister and, if I am asked to do so, the NAO, regularly entertained IS staff at Harmondsworth. I have been given the names of the IS staff who were entertained and offered other inducements. I am assured that ASC is willing to provide an affidavit to support that allegation.

The IS officials who were entertained told ASC that they were looked after by LPI and asked whether ASC was willing to do the same. Specifically, they asked whether ASC would "weigh in too." Mr. Southon tells me that he refused point blank, but after he did so the work placed with ASC from Harmondsworth declined noticeably. I am unwilling—I am sure that the Minister will agree with this—to name in the Chamber officials who are the subject of those allegations, but I shall provide their names to the Minister and to the NAO if required to do so.

I have been alerted to reports that a former senior enforcement official at the IS has joined the board of LPI, since when that company appears to have gained favour, despite its modest track record and past inadequate capitalisation. I worked with that individual when I was at the Home Office and had no complaints about him. Nevertheless, it is said on the Home Office grapevine and among reputable home affairs press correspondents that, following that person's retirement, he secured for himself an unusual assignment in Russia, where, it is said, he produced a highly original guidance manual for clients about ways in which they might obtain entry into the UK with the minimum difficulty.

Two experienced journalists have related that story to me over the past year, but I did not feel that there was sufficient hard evidence from what I was told to raise the matter with Ministers then. In view of that official's involvement with LPI now, and LPI's success in the tender offer in the face of an apparent shut-out of so much of the ASC tender document, all those things now must surely merit closer investigation.

I have been informed that, on 2 March, at a meeting in Dover, the director of the immigration and nationality directorate, Ms Collins, was asked why the contract had been awarded to LPI instead of ASC. I understand that she seemed unaware that LPI had obtained the contract. That was more than two and a half months after LPI had been told of its success and a month and a half after ASC had been informed that it had lost out. I remind the Chamber of my past criticism of management performance among senior officials at the Home Office. That seems to be yet another clear example of an abysmal lack of communications.

I point out a frustrating catch-22 situation in which ASC has been placed following its failure to secure the contract. Mr. Quibell has told Mr. Southon that, where a carrier—for example, an airline or ferry company—brings an illegal immigrant into the UK, that carrier is now responsible for the removal of that immigration offender. Historically, the IS has arranged for the deportation and then invoiced the carrier for the costs. Mr. Quibell has said to Mr. Southon that, as from April this year, under new legislation, carriers have had to contract directly with escort companies for the removal of those offenders.

Mr. Quibell went on to say that, although the main IS contract had been awarded to LPI, he hoped that ASC would still carry out carriers liability removals under the new arrangements. To be able to provide that service to the carriers, ASC needs sponsorship from the IS to obtain airside passes, but Mr. Quibell has said that IS sponsorship of such airside clearance can no longer be made available. Thus, with that catch-22 situation, ASC finds that insult has been added to injury.

Under all those circumstances, I hope that the Minister will review as a matter of urgency the conduct of the tender procedure. I am sure that she will appreciate how important it is that ASC and the wider public receive an explanation of why there appear to be so many anomalies between what IS officials said on 26 January, what Mr. Quibell wrote in his letter of 21 February and the reality of the content of the ASC tender document.

1.18 pm

The Minister of State, Home Office (Mrs. Barbara Roche): I am grateful to the hon. Member for Bexhill and Battle (Mr. Wardle) for providing me with an opportunity to set the record straight about the award of the overseas escorting contract. I remember when I was in opposition asking a number of questions and taking an interest in that area of work. We now find ourselves in different roles on the subject.

It may be helpful if I say why it is necessary for us to escort some people overseas and why it was necessary to retender the contract. The immigration service and the immigration and nationality directorate remove about 39,000 people per year from the United Kingdom. Most people who are directed to leave accept that they must do so, but a small minority—around 600—must be escorted to ensure that they reach their destination. The majority of those escorts are for security reasons.

For more than six years, the overseas escort service has been provided by two suppliers: Airline Security Consultants and Loss Prevention International. ASC has provided the service for considerably longer than LPI, as the hon. Gentleman said. Owing to the new regulations specified in the Immigration and Asylum Act 1999, it will be necessary for escorting staff to be certified as fit and proper persons to conduct escorts under the arrangements set out in the Act. Existing contracts did not provide a satisfactory platform to achieve that; nor was it possible to demonstrate that the Home Office was getting best value for money or proper continuity of service by using those arrangements.

Consequently, and following an investigation and recommendation by the National Audit Office, it was decided to hold a competition last year for the provision of an overseas escorting service by one contractor. That was done on the basis of what the NAO had to say. Both ASC and LPI, which had previously been providing escort services, were aware that that would happen, and they participated in the competition.

The hon. Gentleman has made some allegations about LPI. I understand from the brief advice that I have taken that, at this stage, we have no knowledge of these accusations. However, I shall investigate his allegations and write to him.

The competition was run in accordance with the Public Services Contract Regulations 1993, using the restricted procedure. The contract was initially advertised in the *Official Journal* of the European Communities and also in *Government Opportunities*. As a result of the advertisement, eight companies were invited to submit tenders, although two of these subsequently withdrew from the competition. Of the six remaining tenders, LPI's was judged to be the best, in that it offered the most economically advantage proposal with both the best technical solution and best overall value for money to the taxpayer.

The hon. Gentleman mentioned the sequence of events. Although it was hoped to announce the results of the tender on 20 December 1999, there were a number of practical issues to be resolved before the contract could be signed. These included confirmation that the insurance meeting our full requirements was in place. All matters were resolved and a decision was finally taken and notified to tenderers in writing on 17 January 2000. The contract was finally signed on 8 March. As the hon. Gentleman knows from his past experience and from his present position in the House, such decisions are taken by officials and Ministers are informed. I wish to make it clear that I had no part in the decision-making process.

The hon. Gentleman has suggested that the competition for the contract was not handled properly. I shall carefully examine his remarks when they appear in *Hansard* tomorrow. I can say only that, from the information that is before me, the procedures were fully complied with under the Public Services Contract Regulations 1993. The competition also had independent oversight from the Home Office procurement unit and the Treasury Solicitor, and both are completely satisfied with the process. That is important because those bodies are in place to make checks and balances. The hon. Gentleman will know that all our procurement procedures are subject to audit.

The hon. Gentleman has mentioned, as has ASC, that the company does not believe that the tender documents were properly scrutinised. There was the example of staff training. I am advised that the training proposals submitted by ASC with the tender were inadequate. It was only at a subsequent meeting on 26 January 2000 that ASC suggested that the training proposals were only indicative and represented one week of a programme of several weeks. It was alleged by ASC that the tender had not been read properly, but it was unable to show in its documentation any details about the further expansion of the one-week example into a full programme.

Mr. Wardle: I am acutely aware that I have taken more than my share of time, but may I say that I fully understand that the Minister was not involved in the procedure? I hope that she will find time to study the contracts, because that is what I shall be asking the Comptroller and Auditor General to do as well. I have no idea whether he will do that, but it would be a great help if the hon. Lady were to examine them.

Mrs. Roche: I shall examine what the hon. Gentleman has said when his remarks appear in the record.

The evaluation process cannot be expected to take account of things which might or might not be intended. It can take account only of the contents of the documentation.

The hon. Gentleman has raised extremely serious matters, and I want to deal with them in the time that is available to me. He implies that there has been some misconduct in the relationship between IND officials and ASC and LPI. Similar implications were contained in a letter from ASC's solicitors dated 7 March, in which

[Mrs. Roche]

it is alleged that two members of staff had been socialising with LPI directors. I take such allegations extremely seriously. The two members of staff concerned deny the implications absolutely.

We asked the solicitors to provide specific details so that the matter could be investigated. To date, more than two months later, they have not done so, and I take great exception to that. If the hon. Gentleman is able to provide specific examples, I will ensure that there is an investigation. As I have said, these are serious allegations.

Mention has been made of a retired director of the immigration service. Again, serious allegations were made by the hon. Gentleman. I am informed that the retired director's appointment had no direct bearing on the decision to award LPI the contract. He did not attend any of the meetings with LPI and made no contact with officials responsible for the procurement process. As I have said, it was run under the 1993 regulations.

The hon. Gentleman made other allegations, which I heard for the first time. He repeated gossip. These are serious matters to raise on what is effectively the Floor of the House. As he is entitled to do, he raised them with the protection of privilege. I will consider the allegations. If he has any evidence to show, I will ensure that a proper investigation is conducted.

The hon. Gentleman mentioned late payment and the relevant legislation. I am responsible for it because I campaigned for its introduction when in opposition. It was one of the measures that I took through the House when I had the privilege to be a Department of Trade and Industry Minister. The hon. Gentleman will recall that I was critical of late payment by government, and made it a feature of what I was doing in opposition. I have in mind particularly the record of the previous Government, of whom the hon. Gentleman was a member. I am assured that payment practices, which were not good in the past, have improved dramatically. That is important.

It is important also for us to place arrangements for escorting people away from the United Kingdom on a better contractual basis. That is what we have sought to do. The hon. Gentleman mentioned the knowledge of senior management in terms of the contract. It was known at senior levels of management that the contract had been placed. The hon. Gentleman suggested that, in regard to accreditation, ASC was placed in not as good a position as the other companies. That is certainly not the case. On the basis of the information that I have seen, I can reassure the hon. Gentleman and the House on that point.

Given what I have seen so far and what has been presented to me—it was seen by the relevant bodies, including the Treasury—everything was done to meet the bona fides of the process. I shall carefully examine the record to ascertain what was said. I shall write to the hon. Gentleman as soon as possible. However, it is incumbent on him and on those who have provided him with information to provide that information, rather than merely making allegations—

Mr. Barry Jones (in the Chair): Order. Time is up.

Shipbuilding

1.30 pm

Mr. Mohammad Sarwar (Glasgow, Govan): I am grateful for the opportunity to debate the future of British shipbuilding. Events in recent weeks have given the debate great relevance, particularly for workers at the Govan shipyard in my constituency.

United Kingdom shipbuilding has a proud past and a rich heritage. Britain's empire and wealth were based on our shipyards employing huge work forces. The Clyde yards in particular were pioneers of innovation and shipbuilders of quality. The first iron ships for the British Navy were built in Govan. At one stage, one sixth of the world's shipping was launched from Clydeside berths.

However, the present day has seen an industry in decline for a number of years. It is now readying itself to meet the challenges of the new millennium. Up to 30,000 people are directly employed in shipbuilding, repair and conversion, and an estimated 50,000 are employed by subcontractors, suppliers and support industries. United Kingdom yards now compete strongly for orders, with up to 30 vessels being built annually. Our capacity allows us to build almost as much again.

Shipbuilding and ship repair work generates £2.6 billion per annum in Britain. In facing new challenges head on, our industry is gaining a reputation for repair and conversion work. Conversion is increasingly seen as a genuine alternative to new building. Europe has about 40 per cent. of the world market, with the UK among the top three converters in Europe.

Our industry knows that it can shape its own future. Market conditions can be influenced, and Britain's shipbuilders are seeking new opportunities for work in an intense marketplace. They are changing practices and influencing policies that help the industry to improve its competitiveness in the world market.

I praise the work of the Minister's predecessor, my hon. Friend the Member for Leeds, West (Mr. Battle), in instigating the shipbuilding forum. Only a Labour Government would have established the shipbuilding forum and the Scottish shipbuilding forum within months of taking office, bringing the Government, the unions and the industry together to make real progress in British shipbuilding. It has provided real support to the industry, and encouraged practical recommendations that benefit shipbuilding in the United Kingdom. It has also facilitated broad co-operation between shipbuilders, the Shipbuilders and Shiprepairers Association, the British Marine Equipment Association and the Chamber of Shipping.

The Minister will recognise the value of continued co-operation in the forum in allowing the industry to flourish in the future. The nature of competition faced by British shipbuilders will shape the future for our shipyards. I urge the Minister to remain responsive to the concerns of Britain's shipbuilders about our direct competition in Europe. While I recognise that significant work has been done by the European Commission to remove barriers to fair competition across the European Union, it is important for our own industry to remain vigilant and to work closely with the Government when there is perceived unfairness through hidden subsidies on the continent.

I welcome the increased co-operation at British level, through the SSA, to promote the industry as being at the cutting edge of technology and innovation. Shipbuilding is a high-tech industry that combines the most advanced technologies in production and operation. Our shipyards have a key role in a knowledge-driven economy. They have a proud heritage of achievement, but they will have a future only if they work together across the board to increase productivity and to remain the most advanced shipbuilders in the world.

Operating aid granted under the shipbuilding regulations will be essential for the industry across Europe in the current global market. The second report of the European Commission to the Council of Ministers on the situation in world shipbuilding has proved that Korean yards continue selling new ships at prices that do not cover their cost. Those predatory practices undermine the market.

Last year, South Korea succeeded in replacing Japan as the world leader for incoming orders. The agreed minutes in April of discussions between the European Commission and South Korea offer a real opportunity for fair competition, and address problems in tariff practices and financial transparency. That followed hard negotiations and an ultimatum requiring South Korea to bring its shipbuilding prices into line or face action before the World Trade Organisation. The agreed minutes are clearly a step towards solving the problem, but the solution requires a level playing field in the market. Market conditions will not change dramatically overnight, but it will soon become apparent whether the South Korean Government intend to introduce fair competition or are simply trying to win time for their yards.

I hope that the Minister will outline the Government's position on British shipbuilders co-operating with European competitors in the preparation of a case to bring before the WTO, so as to safeguard against the eventuality of no change in Korea. A watchful eye must be kept on Korean ship prices and the pervasive influence of Government-controlled banks on Korean shipbuilding. We must all hope for fair competition to prevail. There may be the prospect of a multilateral agreement through the Organisation for Economic Co-operation and Development being initiated—an agreement that even the United States may no longer be restrained from ratifying.

My right hon. Friend the Secretary of State for Trade and Industry and my hon. Friend the Minister for Competitiveness have made it clear that they will work with the shipbuilding industry to help it to improve its competitiveness and to win orders. The Government have demonstrated a strong belief that the shipbuilding industry has a future as a modern and dynamic part of the manufacturing sector. There has been improved financial support for shipbuilding, with changes made to the home shipbuilding credit guarantees scheme. I appreciate the successful efforts of the Minister in that regard.

The shipbuilding intervention fund has been extended to previously excluded yards such as Ailsa Troon on the Ayrshire coast. Conversion contracts previously excluded from support have also seen support extended, as the British industry develops a reputation in Europe for conversions. The Government positively encourage increased productivity. Companies are no longer punished by reduced financial support if they reduce their costs. That is a great benefit to well-run shipbuilders across the UK.

New investment has been encouraged, particularly in research and development, which is the clearest way of investing in the industry's future. The shipbuilding intervention fund now allows a 9 per cent. profit element. By no longer basing the grant on break-even basis, we have been able successfully to secure new orders for our shipyards.

Cammell Laird recently won the largest cruise liner conversion ever, worth £57 million. The north-east yard will also build the first vessel on the Tyne in six years. Harland and Wolff worked closely with Government Departments and agencies under great pressure to secure for the work force a conditional contract for four sophisticated RoPax ferries worth £300 million.

In addition to the threat over Harland and Wolff being lifted, Appledore in Devon earlier this month lifted notices on 300 workers following an order. That is good news for British shipbuilding.

The Minister has been attentive to the concerns of the industry over the ending of intervention fund money this year. While the fund did not always help to make our yards competitive, it continues to offer useful short-term assistance for our shipbuilders. Shipyards across the UK now have the common goal of improving productivity to increase competitiveness.

Defence orders are vital to UK shipbuilding, as can be seen at places such as Scotstoun, which is the biggest shipbuilder in Scotland, working solely on naval vessels. It must be stressed that maintaining shipbuilding capacity is also vital to our modern defence strategy, as was shown most recently in the Government's response to the crisis in Sierra Leone. The Amphibious Ready Group was dispatched, including the helicopter carrier HMS Ocean, which was constructed in Govan. HMS Ocean is an excellent example of Clyde-built quality and Govan's commercial build methods.

The yard operates as Britain's biggest merchant shipbuilder and has great flexibility—flexibility which is needed for the modern operations of the Ministry of Defence and which will be of paramount importance in determining future orders for British yards. Last month, the MOD issued invitations to tender for two landing ships logistics. Swan Hunter, Harland and Wolff, Cammell Laird in Birkenhead, Appledore and BAE Systems in Govan are all in the running, with orders expected later this year. Govan's sister yard Scotstoun is involved in designing the new type 45 destroyer. The first class will be assembled and launched on the Clyde at Yarrow. Thousands of jobs will be safeguarded by that decision, which is part of a multi-billion pound shipbuilding programme.

The type 45 destroyer future services combatant and the future aircraft carrier programmes will together create orders with British yards for more than 30 major warships. That is more than was ordered in the whole period since 1979. The MOD's procurement programme signifies a huge investment in the future of British shipbuilding. It gives the industry a long-term stable platform for the next two decades, to invest, modernise and become more competitive in the world market.

[Mr. Mohammad Sarwar]

Orders should be made not only on the best commercial grounds but in the best interests of our shipbuilding industry. Defence contracts must be rolled out in a manner that ensures a viable, competitive future for UK yards. The Government must fulfil their commitment to work with the industry and the unions to build a world-class industry. I welcome plans by Ministers to hold discussions with Britain's main shipyards and the unions, and consider how we can best meet the challenges and take advantage of the opportunities provided by the MOD programme. It offers us an historic opportunity. Britain's shipbuilders cannot afford to miss this chance.

The Minister has always stressed that competitiveness in shipbuilding needs and demands a strong supplier base. A wider look at the industry is essential for decisions that protect and enhance our shipbuilding capability. That is a lesson that has been taken on board in my constituency. The west of Scotland defence and aerospace network has looked at the wider economy based around the Govan shipyard. At present about 1,200 people are employed directly by BAE Systems at Govan, with more than 2,000 employed at Scotstoun. Almost 5,000 are employed in and around Glasgow by suppliers and subcontractors to the Govan yard. That is a huge number of jobs reliant on shipbuilding in Govan, and it is not exclusive to Glasgow or even Scotland.

Up to 200 jobs in the north-east of England could go if the MOD order for roll on/roll off ferries is not awarded to Govan as part of the Sealion bid. The north-east defence diversification project, a networking organisation for the defence industry, predicts that 76 small firms in the region which would supply specialist parts and skills to the Govan yard could lose valuable orders. Although my focus is understandably on the Glasgow, Govan constituency, the placing of the contract elsewhere would have a major long-term impact on Scotland and the north-east for many years to come, as more than two thirds of the work would be carried out by sub-contractors. The order could provide employment to hundreds of workers in the north-east, not only during the building of the ferries but over the entire 25 years service of the ships.

Let there be no doubt: the Prime Minister and many other Ministers have assured me on numerous occasions that no decision has been made on this order. I anticipate my hon. Friend the Minister for Competitiveness doing so again this afternoon. There is everything to play for as the Government scrutinise the bids. My own position is also clear. The necessary skills and experience are in my constituency. Govan is ready to build the ships immediately. As the local Member of Parliament, I am grateful to the many colleagues who have constituents employed at Govan for the total support that they have shown in lobbying for this order and for future work. The message is clear in Scotland—we are fighting for Govan.

Our argument has moved on from attempting to secure this order to working effectively as a team to secure the long-term future of shipbuilding on the Clyde. Workers at the yard, through shop stewards led by yard convener Jamie Webster, the trade unions, Members of this House and of the Scottish Parliament are all united in support of Govan shipyard. When my right hon. Friend the Secretary of State for Scotland, brokered the deal that saved Govan last year and saw Kvaerner sell the yard to BAE Systems, it was cause for real celebration in my constituency and across Scotland. The shipyard is the major employer at the heart of Govan, but it is a great symbol of pride across Scotland.

People appreciate that Govan has a justifiable reputation for Clyde-built quality—building ships to last, on budget and on time. Scottish MPs have mounted a positive campaign and made a persuasive argument on the strong merits of the Govan yard. Across Scotland, we have taken our campaign to the streets and asked our constituents to sign a petition in support of Govan. Thousands of people continue to express their full support for Govan. They believe that Clyde shipbuilding has not only a proud history but great potential for the future and they know how vital this order is for Govan. Work would be guaranteed for at least three years. Up to 200 additional workers would be needed. Apprentices could be taken on for the first time in three years. That is vital in an industry that desperately needs young recruits able to learn skills for the future.

Our argument has to be persuasive, as work ends at the Govan yard in a matter of months. Closure would rip the heart out of a community and be an economic and political disaster for Scotland and Britain. Earlier this year, BAE Systems announced plans for substantial future investment in Govan and Scotstoun as a centre of excellence. The two yards worked closely as one in partnership with the sister yard at Barrow. Govan needs the work offered by the ro-ro order to bridge the gap until key projects such as the type 45 destroyers come to fruition.

The future can be bright if political will and industrial competitiveness continue to work for the common goal. The dedicated and skilled work force at Govan and their families have suffered greatly through the uncertainty of the past year and a half. I have shared their rollercoaster ride and realise how unbearable the stress can be. They know that the future of shipbuilding depends on flexibility and technology. They deserve the chance to continue proving themselves. This is a vital time for shipbuilding in the UK. Nowhere is that more true than at the Govan shipyard. The Labour Government have worked hard for an end to boom and bust in British shipbuilding. I know that the Minister will continue his good work with colleagues in active and creative support of the industry. I also urge the Government to meet the challenges of securing the future for Govan.

1.47 pm

The Minister for Competitiveness (Mr. Alan Johnson): I congratulate my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar) on securing this debate. He has been a persistent and effective advocate for the British shipbuilding industry and has articulated the concerns of his constituents on many occasions in the House. It is indicative of the importance of the subject to the area and the nation of Scotland that we have my hon. Friends the Members for Glasgow, Pollok (Mr. Davidson), for Hamilton, South (Mr. Tynan), for Clydesdale (Mr. Hood), for Midlothian (Mr. Clarke), for Kilmarnock and Loudoun (Mr. Browne)—I apologise for my pronunciation—and for Eastwood (Mr. Murphy) present at the debate this afternoon.

The Government are well aware of the importance of the shipbuilding industry, both to the British economy and to the economy of the constituency of my hon. Friend the Member for Govan, where the largest merchant yard in Great Britain—BAE Systems, Govan—is located. Govan accounts for more than one fifth of all employees in British merchant shipyards.

I am also acutely aware that all British shipyards face difficult challenges. There is fierce international competition. It has been assessed that global overcapacity of about 30 per cent. exists, which, despite increased demand, has led to a significant fall in real prices in the last 10 years. The Government know that British yards are finding it very difficult to win new orders against international competitors. We have been discussing the matter with industry and unions and we share their concerns about the current problems.

Before I deal with those problems, however, I stress that it should be recognised that the industry has not been without its successes. As my hon. Friend the Member for Govan mentioned, last year, Cammell Laird won the £60 million contract for conversion of the Costa Classica cruise vessel, which is the biggest ever cruise conversion. Conversion is more labour-intensive, and therefore creates more jobs, than new build.

I assure hon. Members—as my hon. Friend the Minister of State, Scotland Office did in the recent debate on the future of shipbuilding on the River Clyde—that the Government remain committed to working closely with the industry to help it to face the challenges and to achieve the improvements necessary to win the contracts that are needed.

Despite the current difficulties, I firmly believe that the British shipbuilding and ship repair industry has a future as a modern and dynamic manufacturing sector in today's knowledge-driven economy. There is nothing old-fashioned about shipbuilding. Today's industry is high-tech and requires a strong skills base. In today's industry, modern computer skills are as important as some of the more traditional shipbuilding skills. Modern shipbuilding also calls for a high level of project management and marketing skills.

The key challenges facing the industry—my hon. Friend the Member for Govan articulated them in his speech—are to improve competitive performance and to tackle Korean unfair pricing: and Korean pricing most definitely is unfair.

We are working closely with the industry in both those spheres. We are helping the industry to achieve improved competitiveness through both the national shipbuilding forum and the Scottish shipbuilding forum, which—as my hon. Friend said—were formed in 1998 to facilitate that process. It is worth remembering that, in the whole history of this maritime nation, never before had the industry, the unions and Government sat round the same table, as they have in the forum, created a couple of years ago by my predecessor, now the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, West (Mr. Battle). The forum is currently implementing all 40 recommendations made by the industry, including enhanced Government financial support for the industry.

Much progress has been made. We have enhanced the shipbuilding intervention fund and the home shipbuilding credit guarantee scheme. In fact, if I had not been called to today's debate—I make no complaint about that; this debate is obviously the priority and where I need to be today—I would have visited Appledore, to announce more than £1 million of SIF funding to build a fisheries protection vessel for the Irish navy, plus a further half a million pounds regional selective assistance towards a three-year, £6.5 million dry dock expansion project—which will increase throughput, create at least 230 new jobs and safeguard 82 existing jobs.

Mr. John Burnett (Torridge and West Devon): I am truly delighted to hear that news, for which I am very grateful to the Minister. It is greatly important to my constituency. However, may I draw his attention to one of the central thrusts of the comments of the hon. Member for Glasgow, Govan (Mr. Sarwar)? Will the Minister assure the Chamber that all Departments will examine very carefully overseas tenders—particularly overseas tenders—for illegal subsidies?

Mr. Johnson: I am pleased to see the hon. Gentleman in the Chamber, and I thank him for those comments. Much of my speech, which I have limited time to deliver, will deal with the very issue of unfair subsidies.

The Government have supported a number of competitiveness projects that the industry has developed in the forum. We are currently considering proposals by the Shipbuilders and Shiprepairers Association for a programme that will deliver increased competitiveness within the shipbuilding and ship repair industry through productivity improvements and site-specific master classes, which are based on our earlier, highly successful master class programme for the automotive sector. We are also considering the industry's proposals for improving marketing, the main elements of which are the production of an industrywide marketing strategy by a marketing specialist and the creation of a database of shipowners, to help identify potential customers.

We continue to offer the industry significant financial support. As my hon. Friend the Member for Govan said, we pay the shipbuilding intervention fund maximum rate for new ships. We have also brought our financial support schemes into line with our European competitors' practice, in direct response to recommendations made by the shipbuilding forum.

We remain vigilant in seeking to ensure that our European Union competitors do not receive unfair subsidies. When there is hard evidence of such practices, we will take the matter up with the European Commission. However, as we have often said to the industry, there must be firm, not merely anecdotal evidence of such abuse. It is fair to say that no evidence has been produced to suggest that other member states are bending the rules.

We share entirely the industry's concern about unfair trade practices by Korean and other low-cost Asian shipbuilders, as we believe that that is where the major problem lies. We are continuing to make vigorous efforts to address those concerns. At the November 1999 Industry Council, the Council agreed bilateral trade actions to combat Korean unfair trade practices.

Much progress has been made. The Commission has engaged Korea in bilateral talks, which have resulted in an agreement that addresses the EU industry's concerns.

[Mr. Johnson]

That is a significant advance in our approach to tackling Korean unfair trading practices. The priority now is to pursue Korea under the agreed minutes, as the agreement is called, as vigorously as possible.

The agreed minutes have extracted Korean commitments on financing yards on a commercial basis only, transparency in accounting rules for shipyards, and pursuit of commercially viable ship prices. The agreement has also secured a key consultation mechanism to take up specific cases of unfair competition. At the 18 May Industry Council—just last Thursday—we achieved a very strong outcome on Korea. The Council directed the Commission to press Korea to implement fully the agreed minutes and called for rapid bilateral consultations with Korea on specific cases of unfair competition. The UK took the lead in advocating that tough approach.

If Korea does not respond effectively, the European Union still holds the possible World Trade Organisation anti-subsidy case in reserve. The Government and the Commission are continuing to work closely with the industry in the preparation of a WTO action, should that be necessary. However, we all hope that the problems caused by Korean unfair competition can be resolved through the agreed minutes. That is the desirable way forward, and we are working hard to make the deal that we have struck with Korea work.

In the longer term, we continue to press for the only viable solution to the anti-competitive practices that my hon. Friend the Member for Govan described: to establish effective international trade disciplines, as embodied in the Organisation for Economic Co-operation and Development shipbuilding agreement. We have taken a leading role in advocating that approach both in the European Union and in the OECD. The problem is that we have been frustrated in our efforts by the failure of the United States—which has a special relationship with South Korea—to ratify the 1994 OECD shipbuilding agreement. Nevertheless, we shall continue to pursue our objectives.

My hon. Friend urged us to remain vigilant to unfair subsidies in Europe. As I said, if we receive any hard evidence of such subsidies, the matter will be pursued vehemently. Although it is true that the shipbuilding intervention fund will be abolished at the end of this year, the United Kingdom industry last year gave its complete support to abolition; moreover, the fund will be abolished across Europe. In all the years for which the SIF has been available, it has done very little to help us in world competition. Therefore, although there has been a change of heart in some quarters about SIF abolition, the UK industry agreed to it unanimously. Nevertheless, as my hon. Friend said, we must remain vigilant on the issue of unfair subsidy.

The fundamental need is for the industry to improve its competitiveness. Operating aid has not delivered the improvements in competitiveness that the industry needs. We do not believe that continuation of operating aid is the right approach to dealing with Korean unfair competition.

I am convinced that the British shipbuilding industry does have a future. We shall continue to work closely with the industry to help it meet the tough challenges of the market, boost its competitiveness, improve its success and win new orders. In the summer, my right hon. Friend the Secretary of State for Trade and Industry will convene a high-level meeting of shipyards and unions for that purpose. The Secretaries of State for other Departments with an interest in shipbuilding, including the Scottish Executive, will be invited to attend.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

Written Answers to Questions

Monday 15 May 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the published and pre-reviewed studies that the Government have assessed to date on the safety of GM crops. [117029]

Mr. Meacher: There are hundreds of published and peer-reviewed scientific papers and studies that inform the safety assessments of GM crops. It is not possible to list them all here but some examples considered recently by the Advisory Committee on Releases to the Environment (ACRE) are as follows. This body of knowledge on GM crops which is contained in the scientific literature is brought to bear on risk assessment not only through the individual experts on Government advisory committees, such as ACRE, but also via the Government's own scientists and Non-Governmental Organisations.

Environmental Risks of Herbicide-Tolerant Oilseed Rape: A Review of the PGS Hybrid Oilseed Rape. *DETR Research Report No. 15. March 1999.*

Birch, A.N.E., Geoghegan, I.E., Majerus, M.E.N., McNicol, J.W., Hackett, C.A., Gatehouse, A.M.R. and Gatehouse, J.A. (1999). Tri-trophic interactions involving pest aphids, predatory 2-spot ladybirds and transgenic potatoes expressing snowdrop lectin for aphid resistance. *Molecular Breeding* 5, 75–83.

Huang, F., Buschman, L., Higgins, R.A. and W.H. McGaughey. (1999). Inheritance of Resistance to *Bacillus thuringiensis* Toxin (Dipel ES) in the European Corn Borer. *Science* 284 pp 965–967

Losey, J.E., Raynor, L.S., and Carter, M.E. (1999). Transgenic Pollen Harms Monarch Larvae. *Nature* 399 pp 214[1]

Ho, M. W., Ryan, A., Cummins, J.,(1999). Cauliflower mosaic viral promoter—a recipe for disaster. *Microbial Ecology in Health and Disease* 11 (4)

Note:

[1] Discussed at ACRE meeting on 9 June 1999.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what measures he took to notify district and parish councils about the GM crop trials in *(a)* St. Osyth and *(b)* Wivenhoe in Essex. [121276]

Mr. Meacher *[holding answer 8 May 2000]:* Information about the Farm Scale Evaluations of GM crops is widely available. I announced the programme on 17 March and wrote to the hon. Member and other MPs with constituencies in England, outlining the aims and nature of the research.

A full list of proposed site locations is available on my Department's website, along with more detailed information about the programme and GM crops in general. The Cabinet Office website also contains further information.

My Department has organised a series of regional meetings, to which district and local councillors in areas where GM crop trials are proposed have been invited. There is also a DETR leaflet, "GM Crops—Take a Closer Look", which is on the website and available at public meetings.

The proposed trial of oil seed rape at St. Osyth (which is now not going ahead) was advertised locally by Aventis. Officials from my Department wrote to the local parish and district councillors to invite them to attend a public meeting in Ipswich on 13 April and I understand that several councillors were able to attend.

The proposed trial of GM maize at Wivenhoe has not been advertised locally, because the crop involved has a European Part C marketing consent which means that it can be grown in the UK without my Department being notified. However, the biotechnology industry has agreed that this crop should be grown in the Farm Scale Evaluations and have agreed to provide my Department with the grid references of the fields involved. Details are on the DETR website.

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from Herefordshire about the siting of the GM trial sites in Kempley, Gloucestershire, and Preston Wynne, Herefordshire; and if he will make a statement. [122039]

Mr. Meacher: Following notification of the proposed Farm Scale Evaluation of oil seed rape at Kempley, Gloucestershire, my Department has received 18 letters from those objecting to, and seeking further information about, the Evaluations programme.

My Department was told about the GM maize at Preston Wynne on 26 April, at which time details were placed on the Department's website. To date, no letters have specifically referred to this field site.

Food Safety (Hospitals)

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions in each of the last five years, how many times the Health and Safety Executive has investigated hygiene and food safety standards in hospitals through *(a)* spot checks, *(b)* pre-arranged inspections and *(c)* legal action for the enforcement of standards. [120990]

Mr. Meacher: The Health and Safety Executive has not, in any of the last five years, investigated any hygiene and food safety standards in hospitals.

These matters are properly the responsibility of Environmental Health Officers employed by local authorities for the districts in which the premises are located.

Refrigerants

Mr. Derek Twigg: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the cost to his Department of converting air conditioning and refrigeration equipment from using HFC refrigerants to using *(a)* hydrocarbons and *(b)* ammonia. [120427]

Mr. Meacher *[holding answer 8 May 2000]:* My Department's local property managers are asked to assess the practicality and cost-effectiveness of such measures in drawing up plans to reduce the environmental impact of our estate.

Estimating the costs of converting from HFC refrigerants, consistent with the draft UK programme on climate change, requires studies by appropriate specialists to determine on a case by case basis the practical and economic options. These studies address the size and costs of replacement plant and associated works as well as the cost of replacement refrigerants.

Disadvantaged Neighbourhoods

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for improving the management of programmes for disadvantaged neighbourhoods. [121453]

Ms Beverley Hughes: The Government's plans for the future management of regeneration programmes, targeted at deprived neighbourhoods, will take account of the recommendations in the National Strategy for Neighbourhood Renewal (the framework document of which was published for consultation on 12 April) and the Urban and Rural White Papers (scheduled for publication later in the year). The National Strategy framework document proposes a significant number of recommendations for overcoming the problems of deprived areas, including ideas for improving the way regeneration, and other, programmes are managed and delivered centrally and regionally.

Bus Safety

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make the installation on buses of safety equipment designed to alert drivers to faults in bus wheels mandatory. [121491]

Mr. Hill: Faults in wheels of commercial vehicles and buses are identified during normal maintenance checks depending on a particular operator's maintenance schedule. My Department's Guide to Maintaining Roadworthiness, which is issued to all vehicle operators, emphasises the need for a daily "walk round" check by the driver. My Department is aware of several proprietary devices intended to give a visual indication of loosening of wheel retaining nuts, which could assist the driver in this check, but there are not any plans to introduce these as a mandatory requirement. Certain wheel faults such as cracks or excessive wear are only apparent on close inspection which is not normally expected to be within the competence of the driver.

Green Transport Plans

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the number and quality of green transport plans produced by private sector businesses. [121481]

Mr. Hill: A survey carried out in early 1998 showed that at least 200 organisations (excluding local authorities) were implementing plans. The provisional Local Transport Plans submitted in 1999 suggest that numbers have increased significantly in some areas since then. We intend to commission a full survey shortly.

Town Centres

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what recent research he has undertaken on the impact of upward-only rent reviews on town centre property markets. [121483]

Ms Beverley Hughes: My hon. Friend the Minister for Housing and Planning published a research report on 19 April about the impact of the property industry's Code of Practice on Commercial Property Leases. This considered, among other things, the extent of upward-only review clauses in the property market generally. The research did not look specifically at town centre property markets.

The study, by the University of Reading, found that upward-only rent review clauses still predominate in longer leases. We have asked the property market and professions to consider how the market could best promote alternatives to upward-only rent review clauses. We recognise that landlords may seek a higher initial rent to offset the greater risk of letting without such a clause. It will therefore be important for market promotion to draw the tenant's attention to the offsetting advantages of renting without an upward-only provision, as well as to any higher rent.

Stoke Lane Allotments, Gedling

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what contact his Department has had with Gedling Borough Council regarding the proposed sale of part of the Stoke Lane Allotments. [121946]

Ms Beverley Hughes: The Department has had no contact with Gedling Borough Council regarding the proposed sale of part of the Stoke Lane Allotments.

Whitley Way, Hampshire

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 May 2000, *Official Report*, column 4W, on Whitley Way, if he will list the representations he has received about this road. [122300]

Ms Beverley Hughes: There have been six separate representations on this matter. In addition to the reply that the then Under-Secretary of State, my hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford) sent the hon. Member on 19 August 1998 in response to representations on this issue, one further representation was received from Winchester City Council in September 1999. Representations were made by three local members of the public between April and June 1999. More recently, representations have been received from one further member of the public.

Landfill Tax

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions what proposals

he has to return moneys collected from the landfill tax to local authorities; and if he will make a statement. [121023]

Mr. Timms: I have been asked to reply.

There are no such proposals. Revenues raised from the landfill tax contribute to general Government revenue. The Government are considering the question of resources for local authorities as part of the overall 2000 spending review.

HOUSE OF COMMONS

Human Rights Act 1998

Sir George Young: To ask the President of the Council what plans she has to introduce mechanisms to oversee the use of statutory instruments to amend primary legislation under the provisions of the Human Rights Act 1998. [121505]

Mrs. Beckett: The Government intend to invite the House to give the proposed Joint Committee on Human Rights the task of scrutinising remedial orders shortly.

EDUCATION AND EMPLOYMENT

Computers for Teachers Scheme

Mr. Coaker: To ask the Secretary of State for Education and Employment (1) what steps he will take to ensure that teachers can obtain a response from his Department about receiving their subsidy under the Computers for Teachers scheme; [121948]

(2) what assessment he has made of the operation of the Computers for Teachers scheme; and if he will make a statement. [121947]

Mr. Wills *[holding answer 12 May 2000]:* The Computers for Teachers Initiative was launched on 12 January 2000. Due to high teacher take-up, the first phase of the scheme was closed on 30 April, with a deadline for receipt of applications of 5 June. Some 17,000 applications have been received, with over 2,200 teachers already having received their subsidies. The Department has put in place a range of measures to answer teachers' inquiries, including the recruitment of extra staff, opening further telephone lines and arranging a dedicated Computers for Teachers e-mail address.

Higher Education (Cheltenham)

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment how many people resident in the Cheltenham constituency have *(a)* applied for, *(b)* been accepted into and *(c)* graduated from full-time courses in higher education in each of the last 10 years for which figures are available. [122004]

Mr. Wicks: The available data for 1998–99 and 1999–2000 are given in the following table; the data on student postcodes from which these figures are derived is not sufficiently complete to allow similar figures to be produced for earlier years.

Full-time undergraduates whose normal residence prior to entry was Cheltenham constituency

Academic year	*Entrants*	*Graduates*
1998–99	920	710
1999–2000	905	[1]n/a

[1] Data on 1999–2000 graduates will be available in February 2001

Student Support Contributions

Mr. Boswell: To ask the Secretary of State for Education and Employment for what reason changes were made to the calculations for parental income in assessing liability for student support contributions whereby MIRAS relief was disapplied in 2000–01; and for what reason life assurance premiums were similarly disapplied. [121339]

Mr. Wicks *[holding answer 11 May 2000]:* The removal of the disregard of parental income in student support for mortgage interest that attracts tax relief follows the wider Government decision to abolish tax relief for mortgage payments from April 2000. The abolition of MIRAS has been public for some time and the families of students entering higher education this year will be well aware of it. We will ensure that the families of students already in higher education are not asked to pay any more as a result of the abolition of MIRAS in the 2000–01 academic year. From the 2001–02 academic year, we are raising the contribution threshold from £17,805 to £20,000, as announced by the Secretary of State on 25 January. This increase is well above the rate of inflation and will benefit both mortgage payers and those who do not have mortgages.

The Government keep the student support system under review to ensure that support is targeted at those students who need it most. The disregard for life assurance premiums which attract tax relief has been removed because it gave a limited group of parents with certain life assurance policies a double benefit of tax relief on payments and a disregard from their income in determining their contribution to their children's support.

Supply Teachers

Mr. Llwyd: To ask the Secretary of State for Education and Employment what recent representations he has received from schools that are having to fund the use of supply teachers in place of teachers who are on jury service; and if he will make a statement. [121730]

Ms Estelle Morris: No such representations have been received.

Fresh Start Schools

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will make a statement on progress at each of the Fresh Start schools. [121970]

Ms Estelle Morris: Fresh Start policy is in its infancy—only 15 schools have undergone a fresh start to date, 11 secondary and four primary. Three opened in September 1998, eight in September 1999, two in January 2000, one in April 2000 and one in May 2000.

Former school name	New school name	Phase	LEA area
September 1998			
Blakelaw School	Firfield Community School	Secondary	Newcastle
Earl Marshal School	Fir Vale School	Secondary	Sheffield
The King's CE School	Regis County Secondary	Secondary	Wolverhampton
September 1999			
The Marina High School	East Brighton College of Media Arts	Secondary	Brighton
George Orwell School	Islington Arts and Media	Secondary	Islington
Perronet Thompson School	Kingswood High School	Secondary	Kingston Upon Hull
Hatcham Wood School	Telegraph Hill	Secondary	Lewisham
Watermeads High School	Bishopsford Community School	Secondary	Merton
Alderman Derbyshire School	River Leen School	Secondary	Nottingham City
New College	News Park Community College	Secondary	Leicester City
Park View Academy	Langham School	Secondary	Haringey
January 2000			
Kevington Primary School	Manor Oak Primary	Primary	Bromley
Heathcote County Primary	The Richard Heathcote Community Primary	Primary	Staffordshire
April/May 2000			
Christ Church CEVC Primary	New Christ Church CE VC Primary	Primary	Reading
Grove Vale Primary	Goose Green Primary	Primary	Southwark

These schools all present major challenges, and we are working with them to support them and learn from the early experiences of the process. All currently have a substantive or acting headteacher in place and Ofsted is monitoring the schools progress on a termly basis. There are no performance data on the schools that fresh started since September 1999 but there are early signs of improvement in the first three schools. Exam results are up and truancy down—to a marked degree.

School/Year	5+ A*-G GCSEs 1997	5+ A*-G GCSEs 1999	Unauthorised absence 1997	Unauthorised absence 1999
Firvale	57	80	6.9	3.2
Firfield Community School	43	74	12.6	3.3
The King's School	81	91	13.2	8.5

GCSE Statistics

Mr. Maclean: To ask the Secretary of State for Education and Employment what proportion of pupils achieved at least five GCSEs at grades A* to C at *(a)* Blakelaw school, *(b)* Earl Marshall school and *(c)* Regis school in (i) 1996, (ii) 1997 and (iii) 1998. [121969]

Ms Estelle Morris: The proportion of pupils who achieved at least five GCSEs at grades A* to C was as follows:

	Percentage		
	(i) 1995–96	*(ii) 1996–97*	*(iii) 1997–98*
(a) Blakelaw school	10	9	7
(b) Earl Marshall school	8	11	10
(c) Regis school	24	25	29

New Deal (Sheffield)

Helen Jackson: To ask the Secretary of State for Education and Employment how many New Deal places have been *(a)* offered, *(b)* taken up and *(c)* completed within Sheffield City Council since the start of the New Deal initiative. [121492]

Ms Jowell: From April 1998 to date (10 May 2000), Sheffield City Council have employed two new deal 25+ clients on the New Deal subsidised employment option. These were a result of the clients being encouraged by their New Deal personal advisers to market the option themselves to prospective employers.

One client commenced subsidised employment on 7 September 1999 and has since been retained after the six-month subsidy period.

The other client commenced subsidised employment on 26 April 2000, and is in the process of completing the subsidised period of six months.

Departmental Publications

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list each publication issued by his Department since May 1997, the number of copies printed of each publication and the cost of publication, printing and distribution of each publication. [121328]

Mr. Wicks *[holding answer 9 May 2000]:* It is not possible to provide all the information requested on individual publications without disproportionate expense.

The Department faces enormous communication challenges in reaching its diverse audiences, including around 6.5 million parents, over 415,000 teachers, some 8.5 million students in further and higher education and up to 3.2 million small and medium-sized employers. Since May 1997, the Department has spent £5.85 million from its central Advertising and Publicity Budget on printing 559 new information leaflets and booklets. Print runs vary greatly—from 4.3 million copies of the leaflet "It all adds up", which shows parents easy ways to help with their children's mathematics, to 5,000 copies of an information pack on Millennium Volunteers.

Distribution costs for publications cannot be separated from the Department's contract with its mailing house without disproportionate expense. Since May 1997 this contract has cost £5.22 million for distribution and fulfilment of requests for publications funded from the Advertising and Publicity Budget.

Further Education

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the funding available for individual students at further education colleges on similar courses when sourced by *(a)* the Further Education Funding Council and *(b)* New Deal programmes. [121688]

Mr. Wicks: Currently the Further Education Funding Council and Employment Service funding systems are not directly comparable. We intend that all post-16 funding should be on a more comparable basis in future. We are currently consulting on a common funding system across the Learning and Skills Council and Employment Service.

Mr. Boswell: To ask the Secretary of State for Education and Employment how many further education corporations have not yet cleared their 1998–99 accounts following external audit. [121687]

Mr. Wicks: Matters concerning external audits and college accounts are dealt with by the Further Education Funding Council (FEFC). I have asked the Chief Executive to reply to the hon. Member direct.

AGRICULTURE, FISHERIES AND FOOD

Trawlermen

Shona McIsaac: To ask the Minister of Agriculture, Fisheries and Food on what date he expects to publish his joint report with the Department of Trade and Industry on compensation for distant-water trawlermen. [121955]

Mr. Morley: It is not customary for policy advice given by officials to Ministers to be made publicly available. I can assure the House that the trawlermen's case is well understood and that the Government are considering it as a matter of urgency.

Environment Agency (Fisheries)

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received on the environmental impact caused by the cut in grant in aid for the Environment Agency for fisheries work; [121734]

(2) what representations he has received on the effects on the Environment Agency's fisheries work as a result of the cuts in their grant in aid. [121758]

Mr. Morley: I have received representations from a number of individuals and organisations, including some 150 letters from Members of Parliament and over 90 letters from the general public.

Migratory Salmonid Fisheries

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what initiatives he is pursuing to aid migratory salmonid fisheries. [121733]

Mr. Morley: The report of the independent Group established by Ministers to review all aspects of salmon and freshwater fisheries legislation and policy in England and Wales was issued for public consultation in March. This report includes many recommendations aimed at improving migratory salmonid fisheries. Interested parties have until 31 July to submit their views; we shall then prepare a Government response setting out how we intend to take matters forward.

Pest Shooting

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if his current policy to allow a general licence to shoot pests includes *(a)* sporting events and *(b)* mass shoots; and if he will make a statement. [121782]

Mr. Morley: The shooting of certain 'pest' bird species is permitted under the terms of general licences issued by MAFF and DETR under the provisions of the Wildlife and Countryside Act 1981. The general licences allow authorised persons, such as the landowner or occupier, or a person acting with the owner or occupier's permission, to kill or take certain bird species. This control is permitted for the purposes of preventing damage to agriculture (licensed by MAFF) and to preserve public health or public or air safety (licensed by DETR) and does not cover sporting events.

The populations of the species concerned are monitored and there is no evidence that their conservation status is currently threatened by any of these control measures.

Primates

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food how many primates are kept in research laboratories in the UK funded through the European Community; and if he will make a statement. [121306]

Mr. Mike O'Brien: I have been asked to reply.

Home Office records are not held in such a way as to identify the numbers of primates, or other animals, being held at designated establishments at a particular time, nor do they record centrally the sources of funding of establishments engaged in animal research. It is the nature of the work proposed in relation to the cost/benefit assessment, rather than the source of funding, which is the key consideration in deciding whether a project should be licensed under the Animals (Scientific Procedures) Act 1986.

PRIME MINISTER

Broadcasting (Religious Freedom)

Mr. Leigh: To ask the Prime Minister how many letters have been received by his office since 1 May 1997 supporting greater religious freedom in broadcasting. [121324]

The Prime Minister: Between 1 May 1997 and 20 April 2000 my Office received 9,898 letters regarding broadcasting. Information on whether letters supported greater religious freedom in broadcasting is not kept.

CULTURE, MEDIA AND SPORT

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what is his latest estimate of net receipts to the New Millennium Experience Company from ticket sales. [120229]

Janet Anderson *[holding answer 2 May 2000]:* Net receipts from ticket sales up to 31 December 1999 will be published in the company's 1 April 1999—31 December 1999 Annual Report and Financial Statements due to be published before the end of June. Forecast net receipts from ticket sales over the project life-time are an integral part of the business review. They will be informed by assumptions and judgments made about ticket yield and about percentages of sales through the different ticket distribution channels—the call centre, the National Lottery, the website (www.dome2000.co.uk). The potential range of net receipts under discussion are commercially confidential because they are directly relevant to the company's competitive position in the visitor attraction market-place.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what expressions of corporate interest in acquiring the New Millennium Experience Company as a going concern he has received. [121952]

Janet Anderson *[holding answer 12 May 2000]:* The Dome Legacy competition has received one serious expression of interest in acquiring the New Millennium Experience Company (NMEC) as a going concern since financial offers were invited.

Millennium Dome

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on attendance figures for the Millennium Dome. [120806]

Janet Anderson *[holding answer 5 May 2000]:* Attendance at the Dome to date totals 2.1 million, making it the most popular pay-to-visit attraction in the UK. Visitor figures are posted on the Dome website (www.dome2000.co.uk) weekly.

The latest independent survey shoes that visitors have overwhelmingly enjoyed their day at the Dome with satisfaction levels of over 80 per cent. This is borne out by the largest monthly attendance to date of 579,333 visitors in April and May day's record attendance of 32,192 visitors.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many responses were received to the dome legacy competition; if he will publish them; and if he will make a statement. [121953]

Janet Anderson *[holding answer 12 May 2000]:* I refer the hon. Member to the answer my right hon. Friend, the Minister for Local Government and the Regions gave my hon. Friend the Member for Battersea (Mr. Linton) on 17 January 2000.

Road Closures

Mr. Gill: To ask the Secretary of State for Culture, Media and Sport what recent representations he has received regarding the cancellation of sporting and charitable events due to the imposition of charges for road closures; and if he will make a statement. [121358]

Kate Hoey: My Department has received three letters recently about the cancellation of athletics events on the public highway. The Association of Chief Police Officers is undertaking work on the staging of sporting events on the public highway and I am consulting it on the current position. I will write to the hon. Member as soon as I have had a response, placing copies of my reply in the Library.

Broadcasting (Religious Freedom)

Mr. Leigh: To ask the Secretary of State for Culture, Media and Sport for what reason religious groups are prohibited from applying for local digital radio licences. [121320]

Janet Anderson: Schedule 2 to the Broadcasting Act 1990 (as amended by the Broadcasting Act 1996) disqualifies a body whose objects are wholly or mainly of a religious nature from holding local digital multiplex or digital sound programme service licences.

Mr. Leigh: To ask the Secretary of State for Culture, Media and Sport how many letters have been received by his Department since 1 May 1997 supporting greater religious freedom in broadcasting. [121323]

Janet Anderson: Since 1 January 1999, my Department has replied to around 16,500 letters on religious broadcasting. Figures relating to the period since 1 May 1997 are not available.

Creative and Cultural Education

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what progress has been made towards implementing the recommendations of the report of the National Advisory Committee on Creative and Cultural Education; and if he will make a statement. [121950]

Mr. Chris Smith *[holding answer 12 May 2000]:* The Secretary of State for Education and Employment and I announced the Government's response to the NACCCE report, "All our Futures: Creativity, Culture and Education", in January and have placed copies in both Libraries of the House. We have made significant progress in implementing the commitments, notably: guidance on creative development for pre-school children is available to accompany the new Early Learning Goals; schools will be working with a more flexible National Curriculum from September with greater emphasis on the need for creative and cultural education; guidance on building partnerships between schools and arts practitioners has been published; an arts award for schools is being developed and will be piloted shortly; the creation of the National Foundation for Youth Music and the injection of £180 million has made a huge impact on the teaching of music.

We will also be making £150 million available to create multi-purpose sports and arts facilities for primary schools; and work by the Qualifications and Curriculum Authority on the role of arts and creativity in the curriculum will further strengthen standards of teaching and learning.

This is a substantial body of work and underlines the importance we place on creativity and culture in education. But this is just a small snapshot of where we have got to so far. The real value of the NACCCE report is the influence it is continuing to have as our thinking develops.

Museums (North-west)

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what funds museums in the North West of England will receive from the amounts which his Department has allocated to cut museum entry fees; and which museums will receive the money. [119101]

Mr. Alan Howarth: Due to an error my answer was incorrectly printed. The correct version is as follows:

In 1990–2000 to enable free admission for children at the two museums funded by my Department in the North-West which are affected, the National Museums and Galleries on Merseyside (NMGM) received £719,000 and the Museum of Science and Industry in Manchester (MSIM) £188,000. In 2000–01, to enable free admission for children and people over 60, NMGM has been allocated £855,000, and for free children only MSIM has been allocated £188,000. The allocation of funds to cut museum entry fees at the museums and galleries funded by my Department in 2001–02 is still under consideration and no detailed figures are available yet. An announcement will be made in due course.

INTERNATIONAL DEVELOPMENT

European Humanitarian Office

Mr. Mitchell: To ask the Secretary of State for International Development what is the remit of the European Community Humanitarian Aid Office; what public reports it has issued; and what are the *(a)* percentage and *(b)* total of United Kingdom Overseas Development funds that are channelled through the European Union. [121637]

Clare Short: The European Community Humanitarian Office (ECHO) is mandated to provide humanitarian assistance to people outside the European Union, particularly in developing countries, who are affected by natural disasters or man-made crises.

Since 1993 ECHO has published an Annual Report, periodic information updates (ECHO News and ECHO Files) and special reports on particular aspects of its activities such as disaster preparedness. A full list of current publications is available on the ECHO website (http://europa.eu.int/comm/echo/index.html).

Some 30 per cent. of UK development funds are currently channelled through the EC. In 1998–99 (the latest year for which confirmed figures are available), the total DFID contribution to EC external spending was approximately £706 million.

Ethiopia

Mr. Worthington: To ask the Secretary of State for International Development how much food aid was promised by the European Union through ECHO to Ethiopia in 1999; and when and where it was delivered. [121094]

Clare Short: Food Aid is the responsibility of the EC's DG-Development rather than ECHO. The EC pledged some 150,000 metric tonnes (MT) of food aid in 1999 and delivered about 190,000MT. EU pledges against Government of Ethiopia Emergency appeals are effectively multi-annual. Food pledges one year may not be delivered in the same year. The process is in effect a rolling programme of support with food from the year before filling gaps in the food pipeline. We do not have details of where the food was distributed.

European Community Humanitarian Office

Mr. Worthington: To ask the Secretary of State for International Development how much food aid has been committed to Ethiopia by the European Union through ECHO in 2000; and when and where it will be delivered. [121095]

Clare Short: Food aid is the responsibility of the EC's DG-Development rather than ECHO. The EC has committed 432,526 metric tonnes (MT) of food aid this year. A further 110,000MT will be provided by July 2001. Britain contributes 17 per cent. of the cost. Two shipments carrying 46,500MT of cereals have arrived. We do not have details of where the food was distributed.

Mr. Worthington: To ask the Secretary of State for International Development if ECHO is committed to finding the cheapest appropriate food aid on the open market in responding to humanitarian need in Ethiopia and other such crises. [121097]

Clare Short: Food aid is the responsibility of EC DG-Development. EC procurement rules for food aid include assurances on value for money and takes quality and quantity into account.

CABINET OFFICE

Agriculture and Environment Biotechnology Commission

Joan Ruddock: To ask the Minister for the Cabinet Office when she expects to announce the new chair of the Agriculture and Environment Biotechnology Commission; and what role this body will fulfil with regard to the GM farm scale trials. [120717]

Marjorie Mowlam: Appointments to the AEBC will be made shortly.

The Commission will have a wide-ranging remit to provide Government with independent strategic advice on developments in biotechnology and their implications for both agriculture and the environment.

DEFENCE

Service Discipline Acts

Mr. Gardiner: To ask the Secretary of State for Defence if he will make a statement about the consolidation of the Service Discipline Acts. [122507]

Mr. Spellar: We recognise the importance of updating the legislation governing discipline in the armed forces. It has been the intention for some time to consolidate the Army and Air Force Acts 1955 and the Naval Discipline Act 1957. We have been taking stock of the consolidation in the light of the changes to the present legislation made by the Armed Forces Discipline Bill and the likelihood of further changes in the quinquennial Armed Forces Bill in the next Session.

A further consideration is the Government's intention, indicated in the Strategic Defence Review, to replace the three present Acts with a single tri-Service Act. It is planned that the substantive development of this important project should get under way as soon as the quinquennial Bill is enacted and that, when the work is complete, the resulting legislation should be introduced when the parliamentary timetable allows. As a consequence, legislation consolidating the present Acts would be likely to have an effective life of only a few years.

We have therefore concluded that the most sensible approach would be to subsume consolidation within the development of the tri-Service Act, the purpose of which will be to provide legislation that better meets the requirements of the three Services in an increasingly joint environment.

Disciplinary Procedures

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to Civil Service Appeal Board Case No. AB/6751, held on 13 April, concerning Mr. A. J. Ely of Linlithgow and ABRO (MOD), what response he has made to the request by the Board to examine the implementation of the case, with particular reference to the rating of the offence in the charge letter, in their current review of disciplinary procedures. [120836]

Dr. Moonie: The Civil Service Appeal Board (CSAB) makes reference to a current review by the Ministry of Defence of its disciplinary procedures. The review was completed some time ago and, following lengthy consultation with the trade unions, revised guidance has been issued on the handling of the most serious disciplinary offences. This has also been made available to the CSAB.

The rating of a disciplinary offence as gross misconduct in the particular case in question followed full and proper consideration of the facts of the offence committed.

Cluster Bombs

Mr. Cohen: To ask the Secretary of State for Defence what failure rates for cluster bomb submunitions are assessed as acceptable. [121693]

Mr. Spellar: The small possibility of submunition failure is taken into account when reaching decisions on the use of UK cluster bombs in the light of national Rules of Engagement and targeting constraints.

Ranger Anti-personnel Mines

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how many Ranger anti-personnel mines have been cleared from the Falkland Islands. [121977]

Mr. Spellar: No Ranger anti-personnel mines have been laid by UK forces in the Falklands, and therefore none have been cleared.

Lynx Helicopters

Mr. Duncan Smith: To ask the Secretary of State for Defence how many Lynx helicopters are in reserve. [121601]

Mr. Spellar *[holding answer 11 May 2000]:* As of 10 May 2000, the Ministry of Defence has a total of 203 Lynx helicopters. All aircraft are rotated through a routine of operational use and regular maintenance, including update work such as the conversion from Mk 3 to Mk 8. There are no Lynx helicopters held as a "reserve", although some aircraft in maintenance are characterised, for fleet management purposes, as an In-Use Reserve.

Mr. Duncan Smith: To ask the Secretary of State for Defence for what reasons the number of Royal Navy Lynx helicopters has been decreased to 59. [121599]

Mr. Spellar *[holding answer 11 May 2000]:* The Royal Navy has 59 Lynx helicopters available for front-line units, sufficient for our current operational requirements. Other Naval Lynx are undergoing routine deep maintenance or conversion work.

Sea Harriers

Mr. Duncan Smith: To ask the Secretary of State for Defence how many Sea Harriers are available to the Royal Navy; how many are in service; of these how many are in reserve and how many Sea Harriers *(a)* have been converted to FA2 standard, *(b)* are undergoing conversion and *(c)* will be converted in due course. [121596]

Mr. Spellar *[holding answer 11 May 2000]:* The Royal Navy Sea Harrier FA2 programme consisted of 52 aircraft: 18 were purchased from new and a further 34 were converted from Sea Harrier FRS1. The conversion programme was completed in 1999. Allowing for attrition losses, the Royal Navy now has 47 Sea Harriers of which 29 are available to meet operational requirements. Of the remainder, a number are undergoing updates to the navigational system. The balance is held in reserve.

HEALTH

Social Workers

Mr. Harvey: To ask the Secretary of State for Health when he plans to publish his proposals for education and training for social workers; and if it is his policy that undergraduate and postgraduate social work qualifications should continue to be recognized when the General Social Care Council assumes its responsibilities. [119694]

Mr. Hutton: Independent contractors have completed reports on the content and delivery of the Diploma in Social Work. We shall make these reports available when we publish our Quality Strategy Green Paper for social care later in the spring.

In carrying out its functions the General Social Care Council will recognise existing professional social work qualifications at both entry and post qualifying levels.

Vaccinations (Deaths)

Mr. Ian Stewart: To ask the Secretary of State for Health how many children have died following a routine vaccination in each year since 1990. [111958]

Yvette Cooper: Over 150 million doses of vaccine have been distributed in the United Kingdom for use in the childhood programme in the last 10 years.

A report of a particular suspected reaction does not necessarily mean that it has been caused by the vaccine. There is no evidence to support the suggestion of a causal link between any of the childhood vaccines recommended in the UK and death.

Yellow card reports to the Medicines Control Agency of suspected adverse reactions to a routine vaccine where a child, aged 16 years or less, died are presented in the table for the UK.

Year	*Reports of a fatal reaction to a vaccine*
1990	2
1991	9
1992	10
1993	7
1994	4
1995	4
1996	3
1997	5
1998	2
1999	4

Vaccinations

Mr. Ruane: To ask the Secretary of State for Health what is the current percentage take-up for each childhood vaccination. [122157]

Yvette Cooper: The information available about the percentage of children receiving childhood vaccinations is contained in the Statistical Bulletin, "NHS Immunisation Statistics, England: 1998–99". A copy of the bulletin is available in the Library and can also be found on the Department's website: www.doh.gov.uk/public/sb9928.htm.

Mr. Ruane: To ask the Secretary of State for Health if he will list the potential side-effects for each of the current childhood vaccinations. [122155]

Yvette Cooper: The potential side effects for each of the current childhood vaccines are listed in the UK health departments' handbook, "Immunisation against infectious disease", a copy of which is in the Library. A revised chapter on meningococcal vaccine, including reference to the new meningococcal Group C conjugate vaccine, was issued on 18 October 1999 under cover of PL/CMO/99/4, PL/CNO/99/8, PL/CPHO/99/3; a copy of this is also available in the Library.

Strategic Services Reviews (South Staffordshire)

Mr. Fabricant: To ask the Secretary of State for Health what is *(a)* the total cost to date and *(b)* the total budgeted cost on completion of the Strategic Services Review being undertaken by South Staffordshire Health Authority. [121579]

Mr. Denham: The review of South Staffordshire health services commenced in July 1999 and has involved the health authority, National Health Service trusts, primary care groups and social services serving the health community. To date the review has spent £65,000 on specialist advice and consultants support and an additional £8,000 in respect of materials and publications to keep staff and the public informed (these costs exclude normal staff and professional time). It is anticipated that expenditure for the assessment and recommendation phases will not exceed £100,000.

Public Bodies

Mr. Steinberg: To ask the Secretary of State for Health, pursuant to his answer of 8 May 2000, *Official Report*, columns 324–25W, on transfer of work, how many of the bodies listed in *(a)* (i) and (ii) have been transferred since 1992 or are planned to be transferred to and from the Northern Region. [121624]

Ms Stuart: Of the bodies listed at *(a)*(i) (executive agencies), National Health Service Estates relocated its headquarters from London to Leeds in April 1993; it also has staff at the regional office headquarters in Durham and has an office in Newcastle, opened in April 2000.

Of the bodies listed at *(a)*(ii) (non-Departmental public bodies), the Family Health Services Appeal Authority has been located in Harrogate since it was established in 1995.

Social Services

Mr. Burstow: To ask the Secretary of State for Health what is his policy on taking power to issue statutory guidance to local authorities concerning their social services charging policies. [121612]

Mr. Hutton *[holding answer 11 May 2000]:* Our White Paper, "Modernising Soeial Services", recognised that the scale of variation in discretionary charges for non-residential care is unacceptable. This has now been confirmed in the Audit Commission report, "Charging with Care". We are considering all the options for changing the current system, and will consult representatives of service users, carers, local authorities, and other interested parties.

Mr. Burstow: To ask the Secretary of State for Health what assumptions are made by his Department in the social services Standard Spending Assessment for the recoupment of costs by means of charges. [121611]

Mr. Hutton *[holding answer 11 May 2000]:* The Standard Spending Assessment (SSA) for personal social services comprises four elements: SSAs for children's services, residential care services for older people, non-residential care services for older people, and services for adults aged 18 to 64 years.

The SSA formula for residential services for older people includes an estimate of the actual amount of income collected. The SSA formula for non-residential services for older people reflects differences in the potential to raise charge income in different councils. However, SSAs are intended to reflect relative differences in councils' need to spend. The Department does not set targets for recoupment rates, nor make assumptions regarding the monetary value of cost recoupment.

The SSA formulae for the other two elements make no assumption about income from charges.

VAT (Continence Products)

Mr. Burstow: To ask the Secretary of State for Health how much the reimposition of VAT on continence products is estimated to cost the NHS in 1999–2000 and 2000–01. [122106]

Mr. Hutton: Details of expenditure on continence products are not held centrally. The estimate of £9 million per annum given in the reply to the hon. Gentleman on 2 March 1998, *Official Report*, column 487W, was based on an earlier study. However, there is no reason to suppose that this estimate is not valid for 1999–2000 and 2000–01.

Animal Experiments

Mr. Dalyell: To ask the Secretary of State for Health what estimate he has made of the proportion of patients in the last five years who knew that the drugs dispensed to them had been tested on animals; and if he will make a statement. [122103]

Ms Stuart: No estimate has been made of the proportion of patients in the last five years who knew that the drugs dispensed to them had been tested on animals. Although there is no statutory requirement for pharmaceutical product labels to include a statement on animal testing, such information is often available in the Summary of Product Characteristic.

Breastfeeding (Food Supplements)

Mr. Robertson: To ask the Secretary of State for Health what plans he has to provide mothers with vouchers for food supplements to help with the breastfeeding of their babies; and if he will make a statement. [122142]

Yvette Cooper: The Welfare Food Scheme is being reviewed and the Prevention Modernisation Action Team is examining a wide range of options but no conclusions have been reached. Any proposals for change will be subject to parliamentary approval.

Phenobarbitone

Mr. Robertson: To ask the Secretary of State for Health if he will make a statement about the increase in the cost of phenobarbitone over the last three years. [122143]

Ms Stuart: Table A shows the change in prescription items and the net ingredient cost of phenobarbitone dispensed in the community, 1996 to 1998, and January 1999 to September 1999.

Phenobarbitone is included in our proposals to set maximum prices for certain generic medicines, announced on 20 April 2000.

Table A: Number of prescription items and net ingredient cost of phenobarbitone dispensed in the community, 1996 to 1998, and January 1999 to September 1999

Year	Prescription items (thousand)	Net ingredient (£000)
1996	403.6	187.6
1997	381.8	215.5
1998	363.8	237.2
1999[1]	260.1	258.8

[1] January to September

Notes:

1. The prescription information is from the Prescribed Cost Analysis (PCA) system and is based on a full analysis of all prescriptions dispensed in the community, ie by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered in England. Also included are prescriptions written in Wales, Scotland, Northern Ireland and the Isle of Man but dispensed in England. The data do not cover drugs dispensed in hospital or private prescriptions.
2. The net ingredient cost (NIC) is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.
3. Phenobarbitone drugs are those defined within the British National Formulary section 4.8.1, "Control of epilepsy".

Leukaemia

Mr. Ruane: To ask the Secretary of State for Health what clusters of sufferers of leukaemia there are around *(a)* current and *(b)* past rubbish tips. [122154]

Yvette Cooper: Epidemiological studies have not demonstrated that there is a connection between landfill sites and leukaemias. We have commissioned the Small Area Health Statistics Unit at Imperial College, London, to carry out a study of health outcomes, including leukaemias, in populations living near landfills in England, Scotland and Wales during the period 1982 to 1996. The study is expected to be completed this year. Further information is available on the Department website, at http://www.doh.gov.uk/landh.htm

Respite Care (Disabled Children)

Mr. Steen: To ask the Secretary of State for Health if he will make respite care available for parents of children with severe physical, mental or physiological difficulties. [120943]

Mr. Hutton: Respite care is already available for families with disabled children. Availability of respite care is being boosted by two important Government initiatives. First, the Carers National Strategy, which gives a strong commitment to improving services and support for all carers, including parent carers of disabled children. The Carers Grant in 2000–01 includes £10 million for services for families with disabled children.

Secondly, Quality Protects, the Government's £375 million programme to improve children's services includes the specific sub-objective for all local authorities to:

increase the number of disabled children receiving family support services (including short term breaks/respite care).

TRADE AND INDUSTRY

Deprived Neighbourhoods

Mr. Coaker: To ask the Secretary of State for Trade and Industry what support is available to businesses in deprived neighbourhoods outside the inner city. [120125]

Ms Hewitt: The full range of business support from the Small Business Service is available throughout the country. In the Assisted Areas, grants are available for eligible investment: in Tiers 1 and 2 Regional Selective Assistance, and in Tier 3 Enterprise Grants. There is a wider range of regeneration initiatives in the most deprived neighbourhoods, and the Government are currently consulting on a new National Strategy for Neighbourhood Renewal.

Eco-schools Scheme

Mr. Kidney: To ask the Secretary of State for Trade and Industry what support his Department gives to the Eco-schools scheme. [121672]

Mr. Mullin: I have been asked to reply.

Eco-schools is run by Going for Green and is funded through ENTRUST (the approved regulator of the Landfill Tax Credit Scheme) by Coca-Cola/Sita Environmental Trust. The Department also pays grant to Going for Green and its sister company, the Tidy Britain Group, to run a number of programmes, including Eco-schools, that will create an awareness of, and a demand for, litter free and sustainable environments. The Department paid a total grant of £3,763,000 in 1999–2000, with the same amount available in 2000–01.

World Trade Organisation

Mr. Colman: To ask the Secretary of State for Trade and Industry what steps he has taken to establish UK representation in a WTO parliamentary body to meet alongside future WTO ministerial meetings. [121964]

Mr. Caborn: The UK Government support the current consultations by WTO Director General Mike Moore and General Council Chair Ambassador Bryn which include consideration of WTO consultative and decision-making procedures. We would not like to pre-judge the outcome of these consultations—including any ideas concerning a WTO parliamentary body—which will need to take into account a wide range of views among WTO members on the nature of the issues and the shape of solutions for reform, in order to reach consensus between WTO members on a way forward.

Mr. Colman: To ask the Secretary of State for Trade and Industry what discussions the Government have undertaken with the Inter-Parliamentary Union about organising the representation of parliamentarians at future WTO ministerial meetings. [121965]

Mr. Caborn: The UK Government support the current consultations by WTO Director General Mike Moore and General Council Chair Ambassador Bryn which include consideration of WTO consultative and decision-making procedures. We would not like to pre-judge the outcome of these consultations—including any ideas concerning the representation of parliamentarians at future WTO ministerial meetings—which will need to take into account a wide range of views among WTO members on the nature of the issues and the shape of solutions for reform, in order to reach consensus between WTO members on a way forward.

Nuclear Reprocessing

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to the oral statement by the Minister of State, the hon. Member for Neath, (Mr. Hain) of 3 May 2000, *Official Report*, column 84WH, on what dates each of the UK's nuclear reprocessing plants, including those used to process military nuclear materials, were *(a)* put under Euratom safeguards and *(b)* made liable to inspection by the International Atomic Energy Agency. [121978]

Dr. Howells: Civil nuclear material at UK reprocessing facilities became subject to the safeguards provisions of the Euratom Treaty on 1 January 1973. Such material became subject to the terms of the United Kingdom's safeguards agreement with the International Atomic Energy Agency (IAEA) and Euratom (INFCIRC/263) when that agreement entered force on 14 August 1978. All reprocessing in the UK since March 1996 has been performed under Euratom safeguards and been liable to inspection by the IAEA under the terms of the INFCIRC/263 agreement.

Banana Dispute

Mr. Sayeed: To ask the Secretary of State for Trade and Industry what is his latest estimate of the number of British jobs lost as a result of the banana dispute between the EU and the US. [121711]

Mr. Caborn: The number of jobs lost within UK companies in the targeted sectors will depend on a number of factors, including the length of time that the retaliatory measures remain in place, and the ability of affected companies to find alternative customers for their goods. I have received many representations from UK companies affected by the US retaliation and recognise that there is a real risk of damage to UK companies in terms of both lost trade and jobs.

Mr. Sayeed: To ask the Secretary of State for Trade and Industry when the Council of Ministers will next meet to discuss the banana dispute between the EU and the US. [121709]

Mr. Caborn: I understand that Commissioner Lamy intends to report to the General Affairs Council on 22 May.

Motor Industry

Mr. Llwyd: To ask the Secretary of State for Trade and Industry what initiatives he is pursuing to safeguard jobs in the motor components industry which may be under threat from the sale of Rover; and if he will make a statement. [121728]

Mr. Alan Johnson: The sale of Rover cars to the Phoenix consortium is the best outcome to safeguard jobs in the supply chain for the models produced at Longbridge and the R75.

In the longer term, the Government will continue their efforts to help the industry to improve its competitiveness. The DTI is providing a total of over £18 million of support for initiatives such as the SMMT Industry Forum and the Foresight Vehicle programme, as well as undertaking activity to attract new investment and develop exports.

Coal

Mr. Heseltine: To ask the Secretary of State for Trade and Industry how many deep mine coal pits are operating in Great Britain; and what percentage of national electricity generation is fuelled by coal. [121448]

Mr. Byers: There are currently 17 major deep mine coal pits in operation in the UK.

There are also a number of smaller deep mines, each producing less than 100,000 tonnes of coal per year.

In 1999, coal accounted for 29 per cent. of national electricity generation.

Sub-post Offices

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry if he will list those documents and publications produced by his Department and its Agencies, including the Royal Mail but excluding the Post Office, that are available at sub-post offices. [121628]

Mr. Alan Johnson: I understand from the Post Office that the information requested is not readily available in the form sought. However, they have supplied their list of stores items available to be sent to sub-post offices. I have arranged for a copy of this information to be placed in the Libraries of the House. The Post Office has advised that changes to the list can occur on a weekly basis as items are withdrawn and new items added.

New World Trade Round

Mr. Mitchell: To ask the Secretary of State for Trade and Industry what will be the objectives of the European Union in respect of its initiating a further new world trade round; and what problems the Commission seeks to resolve in respect of specific market problems referred to in paragraph 1.2 of its work programme. [121636]

Mr. Caborn: The EU objectives for a future round of trade negotiations remain as set out in the October 1999 General Affairs Council Conclusions. This was confirmed at the Porto Informal Ministerial for EU Trade Ministers which I attended on 17–18 March. A copy of these Conclusions has been placed in the Library of the House and is also available on the European Commission's website at: *www.europa.eu.int/comm/trade/pdf/agr15en.pdf.*

The Commission has an ongoing programme to secure the removal of a wide variety of obstacles to EU exports in a range of third country markets by various means, including resort to the WTO disputes settlement procedure.

Miners' Compensation

Mr. Alan W. Williams: To ask the Secretary of State for Trade and Industry in the action for miners' compensation for chest disease, how many claims questionnaires have been sent out by his Department's solicitors; and how many of them have been returned by miners' solicitors in each week from 1 January to the present. [121523]

Mrs. Liddell: In total, to date, the Department's claim handlers have issued 27,372 claims questionnaires to solicitors in England, Wales and Scotland, and of these 11,722 (42.8 per cent.) have been returned. Detailed weekly statistics separately for Claims Questionnaires back to January are not readily available. But the return of full claims packs (consisting of Claims Questionnaires, Financial and Other Loss Questionnaires and Mandates) is monitored. From levels of 200 a week in the early part of the year, these have now risen to around 700 a week currently. This needs to rise to about 1,000 a week as the Medical Assessment Process becomes fully operational.

Mr. Alan W. Williams: To ask the Secretary of State for Trade and Industry if he will publish for each medical assessment centre set up by Healthcall Services Ltd. for handling miners' compensation claims for chest disease *(a)* its location and whether it is a hospital, *(b)* the number of chest consultants employed at the centre in full-time equivalents, *(c)* the capacity of the centre in terms of the number of medical assessment procedures per month and *(d)* the total number that have to date undergone medical assessment procedures at the centre. [121522]

Mrs. Liddell: The information is as follows:

Centre	*Centre type*	*Whole time equivalents*	*Capacity of tests per month*
Enfield	Healthcall	0.2	35
Newcastle	Healthcall	1.0	156
Nottingham	Healthcall	0.6	90
Sheffield	Healthcall	0.7	105
Newport	Healthcall	1.1	175
Swansea	Healthcall	1.1	175
Mountain Ash[1]	NHS	0.0	[2]72
Mansfield	Union	2.6	400
Glasgow	Healthcall	1.3	210
Lochore	Union	1.3	210
Coventry	Healthcall	0.4	60
Deal	Union	1.0	160
Chesterfield[1]	Union	0.0	[2]72
Mexborough	NHS	0.4	70
Pontefract	NHS	0.4	70
Stoke	Union	0.7	105
Manchester	Healthcall	0.9	140
Huddersfield	Healthcall	0.3	55
Cannock	Union	0.3	55
Durham	Union	0.8	130
Bristol	Healthcall	1.0	160
Barnsley	NHS	0.3	55
Edinburgh	Healthcall	0.9	140
Wrexham	Union	0.6	90
Ayr	Other	1.1	175
Unallocated[3]	—	3.1	413
Floaters/Holidays only[4]	—	2.8	363
Total		24.9	3,941

[1] Floating/unallocated consultants will be used here

[2] Estimate

[3] Consultants who have agreed to do sessions and will work in their holidays

[4] Consultants trained or to be trained and will work in their holidays

Total number of MAP assessments completed

	Number
Newport	97
Swansea	83
Mountain Ash	2
Domiciliary	40
Deceased	26

Mr. Alan W. Williams: To ask the Secretary of State for Trade and Industry if he will publish for each company of solicitors involved in the claims for miners' compensation for chest disease in South Wales *(a)* the total number of claims questionnaires sent to date, *(b)* the total number of completed questionnaires returned to date and *(c)* the percentage of those sent that have been returned. [121524]

Mrs. Liddell: The information is as follows:

Solicitors in South Wales	*Questionnaires issued*	*Questionnaires returned (percentage)*	*Incomplete questionnaires referred back to the solicitor (percentage)*
Hugh James	6,542	1,544 (23.6)	149 (9.7)
Thompsons	3,158	2,275 (72)	378 (16.6)
Randall			
Saunders	354	77 (21.7)	13 (16.9)
Morgan Cole	233	139 (59.6)	7(5)
TS Edwards	212	149 (70.2)	15(10.1)
Thomas and Company	155	87 (56.1)	6 (6.9)
Gabb and Company	23	1(4.3)	0(0)
Osborne Jones	2	1(50)	0(0)
David W. Harris	2	2(100)	0(0)
Leo Abse and Cohen	1	0(0)	0(0)
Total	10,682	4,275(40)	568(13.3)

Energy Supplies

Mr. Wyatt: To ask the Secretary of State for Trade and Industry what assessment he has made of Beacon Gas's practices in respect of taking over consumers' gas supplies. [121444]

Mrs. Liddell: It is for the Director General of Gas and Electricity Supply to monitor the performance of individual suppliers.

Mr. Wyatt: To ask the Secretary of State for Trade and Industry what guidance he has given to Ofgem about its treatment of companies that take over consumers' energy supplies without their consent. [121446]

Mrs. Liddell: In 1998, the Government worked with Ofgem in introducing a licence condition governing the sales and marketing practices of gas and electricity suppliers. Under the condition, suppliers are, among other things, required to make all reasonable efforts to confirm that individual customers wish to proceed with a change of supplier. Ofgem recently renewed the condition for a further two years, and is currently consulting on enhancing it by requiring suppliers to have effective management of their sales agents; ensuring that gas, as well as electricity, suppliers provide customers with copies of the terms and conditions of contracts entered into over the telephone; extending coverage of the condition to sales undertaken in public places and to certain sales over the internet; and requiring suppliers to take steps to ensure that the customer understands that he has entered into a contract.

The Government support these proposals to give additional protection to consumers. The Utilities Bill currently before Parliament would allow Ofgem to impose financial penalties for breaching the licence condition, including infringements relating to involuntary transfer.

Electricity Trading Arrangements

Mrs. Gilroy: To ask the Secretary of State for Trade and Industry if he will make a statement on progress in implementing the new electricity trading arrangements. [122510]

Mr. Byers: Implementation of the new electricity trading arrangements is planned to take place this autumn in the period following the change from British Summer Time to Greenwich Mean Time on 29 October. The project remains on target. A contract with Logica for the central computer systems has now been agreed which specifies 21 November 2000 for the new market to be implemented.

Parental Leave

Ms Oona King: To ask the Secretary of State for Trade and Industry what representations he has received on the introduction of paid parental leave. [120974]

Mr. Alan Johnson: From the start of the consultation on the Maternity and Parental Leave Regulations on 4 August 1999, we have received over 300 representations in support of paid parental leave.

As announced in the Budget speech, we will be undertaking a review of parental leave and maternity pay. The findings of the review will contribute to our future thinking on this issue.

Minimum Wage

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry what estimate he has made of the change in the total number of *(a)* full-time equivalent employees and *(b)* hours worked due to the introduction of the minimum wage; and if he will make a statement. [121745]

Mr. Alan Johnson: The second report of the Low Pay Commission, published in February 2000, looked at these matters but found no indication so far of significant effects on the economy as a whole as a result of the introduction of the national minimum wage. Some sectors have been affected more than others and this is dealt with in detail in the report.

The Low Pay Commission continues to monitor and evaluate the implementation of the national minimum wage and is due to report again by July 2001.

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry what estimate he has made of the *(a)* absolute and *(b)* proportional gross impact of the minimum wage on hourly wage rates for employees who were previously paid below the minimum wage; and if he will make a statement. [121744]

Mr. Alan Johnson: According to the second report of the Low Pay Commission, the average increase in hourly earnings in the year to April 1999 for those earning below minimum wage rates in April 1998 was between 18 and 31 per cent.

Domestic Fuels

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry what price elasticities of demand for domestic fuels were used in the document entitled "Energy Projections for the UK, Working Paper, March 2000"; and if he will make a statement. [121747]

Mrs. Liddell: The long run price elasticities of demand for domestic fuel implied in the working paper "Energy Projections for the UK, March 2000" are given in the table. This paper represents work in progress, on which comments have been invited.

Fuel	*Price elasticity*
Electricity	−0.29
Gas	−0.35
Oil	−0.22
Solid fuel	−1.46

The table is interpreted in the following way:

The electricity price elasticity implies that, in the long run, for a 10 per cent. increase in the price of electricity, demand for electricity would be expected to decrease by 2.9 per cent.

Civil Servants (Relocation)

Mr. Hunter: To ask the Secretary of State for Trade and Industry which relocation companies his Department has used when relocating civil servants since May 1997. [122295]

Dr. Howells: Since May 1997, the Department has used only one company for relocating civil servants, Bradford and Bingley Relocation Services (before March 1999, known as Black Horse Relocation Services).

Small Firms Loan Guarantee Scheme

Mr. Pollard: To ask the Secretary of State for Trade and Industry what plans he has to improve access to finance for small businesses through the Small Firms Loan Guarantee Scheme. [122074]

Ms Hewitt: David Irwin, Chief Executive of the Small Business Service, will be taking a close look at the problems faced by small businesses in accessing finance and what improvements might be made to existing forms of financial support provided by the Small Business Service, including the Small Firms Loan Guarantee Scheme. To assist this work the Small Business Service will shortly be setting up a dedicated finance division.

FOREIGN AND COMMONWEALTH AFFAIRS

UK Veto

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those areas of policy where the United Kingdom would lose its veto if the Commission proposals in Com(2000)34 were adopted. [120812]

Mr. Vaz *[holding answer 5 May 2000]:* The Commission's opinion Com(2000)34 is not an agenda for the intergovernmental conference. Only member states can make changes to voting procedures in the Treaty. The Government will consider the possible extension of qualified majority voting on a case-by-case basis. When it is in Britain's interests to support QMV, we shall do so. However, where key national interests are at stake—such as on treaty changes, border controls, social security, taxation, own resources and defence—we shall insist on retaining unanimity.

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the areas of policy where the United Kingdom has a veto over EU proposals. [120813]

Mr. Vaz *[holding answer 5 May 2000]:* There are 73 articles and sub-articles subject to unanimity in the main EU Treaties. I have placed a complete list in the House of Commons Library.

"Your Britain, Your Europe"

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what level of response was anticipated to the questionnaire on the "Your Britain, Your Europe" campaign; and what plans he has to issue further questionnaires. [121513]

Mr. Vaz: Although we distributed almost 7,000 copies of the "Your Britain, Your Europe" leaflet, we have no level of anticipation on the response numbers. We have no plans to issue any further questionnaires in the near future.

EU Postcards

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies of the postcard, "50 years of solidarity, property and peace" have been printed by the European Union; for what purpose; at what cost; and if he will make a statement. [121495]

Mr. Vaz: I refer the hon. Gentleman to the office of the European Commission in London.

Belarus

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Government policy towards human rights in Belarus; and what representations he has made to the Government of Belarus on this issue. [121494]

Mr. Vaz: Her Majesty's Government regularly raise our concerns over the human rights situation in Belarus with the Belarusian authorities. Our Embassy in Minsk is in close contact with human rights groups, trades unions and members of the Belarusian opposition. Embassy officials have been attending trials of members of the Belarusian opposition including the ongoing trial against

Mr. Chigir, former Prime Minister. During 2000, we have funded visits to the UK by two members of the Belarusian Independent Trade Unions. Mr. Vyachorka, Chairman of the BPF-Renewal party, will visit the UK next week for a series of meetings. Mr. Sharetsky, Speaker of the 13th Supreme Soviet (former Parliament disbanded by President Lukashenko in 1996), is planning to visit the UK in early June and will have meetings with senior officials.

EU policy towards Belarus is based around the General Affairs Council Conclusions of September 1997 which substantially restrict relations pending demonstrable improvements on constitutional and human rights matters. The EU has made a number of representations to the Government of Belarus including, most recently, a Declaration deploring the use of force by the Belarusian authorities to suppress an opposition-organised march in March 2000 and a formal representation on human rights concerns in April 2000.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Government policy in relation to the demand made by Mr. Denktash for recognition of Northern Cyprus as a pre-condition to discussions on the future of Cyprus. [121474]

Mr. Vaz: The UN proximity talks being held under the auspices of the UN Secretary-General are taking place on the basis of no pre-conditions. The UK continues to urge both parties to adhere to this important principle. The Government look to the Cypriot parties and all those with an interest in Cyprus to co-operate with Kofi Annan constructively and flexibly.

UN Millennium Summit

Ms Kingham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department is making to contribute to the UN Millennium Summit in September. [121516]

Mr. Hain: The Foreign and Commonwealth Office has worked hard to build international support for the UN Secretary-General's proposals for the Millennium Summit. We intend to publicise his recently published Millennium Report on the Foreign and Commonwealth Office website and to invite feedback on it. We helped fund a forum organised by the United Nations Association which sought to frame UK national civil society input to the UN's Millennium events. With DfID, we are also helping finance the Millennium Forum—the civil society companion event to the Summit.

EU Working Groups

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a list of all the *(a)* current and *(b)* temporarily suspended working groups of the European Union, listing in each case (i) the mandate of and (ii) the grade of participants in each group; what is on the agenda of each group; which groups have been attended by a United Kingdom Minister for at least one meeting since 1 May 1997; and if he will make a statement on his policy on openness in such groups. [121511]

Mr. Vaz: I refer the hon. Member to earlier questions on this subject from my hon. Friend the Member for Walsall, South (Mr. George), on 9 March 1999, *Official Report*, column 179W; from the right hon. Member for Penrith and The Boarder (Mr. Maclean), on 22 March 1999, *Official Report*, column 57W; and from Lord Pearson of Rannock, on 3 December 1998, *Official Report, House of Lords*, column WA56, and on 5 April 2000, *Official Report, House of Lords*, column WA137. None of the 28 Common Foreign and Security Policy Working Groups is suspended. The United Kingdom is represented by officials, with the necessary expertise, of varying grade, depending on the importance of the issues being discussed. No Working Group has been attended by a Minister. The Government favour the maximum possible transparency in all areas of EU business, including Common Foreign and Security Policy, and have consequently introduced procedures for the parliamentary scrutiny of all Common Foreign and Security Policy Common Positions and Joint Actions, and other politically important documents. The preparatory discussions within Working Groups are confidential, in order to preserve the negotiating position of the individual member state.

Ranger Anti-personnel Mines (DRC)

Mrs. Curtis-Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of the use of Ranger anti-personnel mines in the conflict in the Democratic Republic of the Congo. [121979]

Mr. Hain: We have received no reports of the use of Ranger anti-personnel mines in the Democratic Republic of the Congo.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122019]

Mr. Hain: Penalty clauses are not legally enforceable, but the FCO does include liquidated damages clauses in its contracts when this is appropriate. The FCO has a large number of contracts in operation at any one time, but details are not held centrally. A record of contracts where liquidated damages clauses had been enforced could be provided only at disproportionate cost.

Diamonds (Sierra Leone)

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to work with other countries to block the sale on the world market of diamonds illegally mined in Sierra Leone. [121833]

Mr. Hain: We have taken a leading role internationally in arguing for measures to improve the transparency of the international diamond trade and prevent the proceeds from illicit diamond trading fuelling conflict, including in Sierra Leone. In doing so, we have consulted a number of countries in Africa and elsewhere. At the forthcoming meeting of G8 Foreign Ministers we will be pressing for

agreement on further steps, including consideration of an international system to keep such diamonds out of the market.

Nuclear Non-Proliferation Treaty

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken to persuade *(a)* Israel, *(b)* India, *(c)* Pakistan and *(d)* Cuba to accede to the Nuclear Non-Proliferation Treaty. [121945]

Mr. Hain: Ministers and officials regularly raise this issue with the countries concerned. At the ongoing Non-Proliferation Treaty Review Conference the need for universal ratification of the NPT has been stressed in a number of documents, including the statement by the five Nuclear Weapons States and the EU Common Position and Statement.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library each of the documents *(a)* produced by Her Majesty's Government or *(b)* referring to United Kingdom nuclear and non-proliferation policy, distributed by official delegations to the Nuclear Non-Proliferation Treaty Review Conference in New York on 24 April to 19 May. [121944]

Mr. Hain: We shall arrange for documents circulated by the UK delegation at the NPT Review Conference to be placed in the Library. We shall also place a copy of the final document of the Review Conference in the Library when it is available. This will contain all the documents issued at the Conference.

Zimbabwe

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 8 May 2000, *Official Report*, column 257W, what evidence he has evaluated of the extent of the financial interests of President Mugabe in OSLEG Private Ltd. [121617]

Mr. Hain: We have no information on President Mugabe's interests, or otherwise, in OSLEG Private Ltd.

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the amount of unallocated land which the Government of Zimbabwe currently holds. [121349]

Clare Short: I have been asked to reply.

The Government of Zimbabwe have not published details of unallocated land. It has been unofficially estimated that the Government owed 300,000 hectares of former commercial land farm land that has not been resettled.

SOCIAL SECURITY

Disabled People

13. **Mr. Bercow:** To ask the Secretary of State for Social Security if he will make a statement on the Government's policies towards the disabled. [120950]

Mr. Bayley: We are committed to providing support and opportunities for all disabled people. We are introducing comprehensive and enforceable civil rights for disabled people and we are modernising the welfare system to help disabled people work and to provide better support for those in greatest need.

Local Exchange Trading Schemes

14. **Mr. Drew:** To ask the Secretary of State for Social Security what plans he has to introduce a benefits disregard for local exchange trading schemes. [120951]

Angela Eagle: We welcome initiatives to improve social inclusion and want to remove unjustified obstacles to greater community participation where that will contribute to our overall welfare to work goals.

LETS schemes can help promote community participation and we are, therefore, carefully considering whether changes are needed to the treatment of credits earned through participation in LETS.

Housing Benefit Fraud

15. **Mr. Robathan:** To ask the Secretary of State for Social Security what progress he has made in tackling Housing Benefit fraud. [120952]

16. **Mr. Gray:** To ask the Secretary of State for Social Security if he will make a statement on progress in tackling Housing Benefit fraud. [120954]

Angela Eagle: I refer the hon. Members to the oral answer I gave to the right hon. Member for Cities of London and Westminster (Mr. Brooke) earlier today, *Official Report*, columns 5–6.

Invalid Care Allowance

17. **Mr. Goggins:** To ask the Secretary of State for Social Security what plans he has to reform Invalid Care Allowance. [120956]

Mr. Bayley: We are aware of the need for adequate financial support for carers. Our National Strategy for Carers, published last year, committed us to keep under review the financial support available to carers, including Invalid Care Allowance, and we are continuing to do that.

Basic State Pension

18. **Mr. Burstow:** To ask the Secretary of State for Social Security what estimate he has made of the number of people entitled to, but awaiting, their first payment of basic state pension. [120957]

Mr. Rooker: No estimate has been made of the number of people entitled to but awaiting their first payment of basic state pension.

Most new claims to Retirement Pension each year result from people being invited to claim by the Department some four months before they reach pension age. This enables the majority of claims to be paid by the time the first pension pay day is reached.

The calculation of the various components that can make up a Retirement Pension award is made by the NIRS2 computer. Although there have been problems in NIRS2 calculating the additional pension for some claims, this has not applied to the basic pension calculation.

Housing Benefit Reform

19. **Mr. Clifton-Brown:** To ask the Secretary of State for Social Security if he will make a statement on the operation of the Housing Benefit system and his proposals for reform. [120958]

24. **Mr. Swayne:** To ask the Secretary of State for Social Security what proposals he has to reform Housing Benefit. [120966]

Angela Eagle: We intend to reform Housing Benefit to improve customer service through a modernised streamlined system, to tackle fraud and error, and to reduce the barriers to work. We have already made significant progress; our Housing Green Paper, currently out for consultation, sets out how we can take this further.

We are determined to deal with the weaknesses of the system we inherited from the previous Administration.

Minimum Income Guarantee

21. **Mr. Nicholas Winterton:** To ask the Secretary of State for Social Security what impact the minimum income guarantee will have on incentives to save for low earners. [120961]

Mr. Bayley: One of the Government's main objectives is to encourage people to save more for their retirement where they can afford to do so, while at the same time providing extra State support for those who cannot save.

We are introducing new stakeholder pensions and reforming SERPS through the State Second Pension. These reforms will mean that, in future, people with a lifetime of working behind them will get a large enough pension to take them above the MIG, even if they have been on low earnings throughout their life. However, it takes time to build up pension entitlements, so for many, particularly those who have already retired or who are close to retirement age, these reforms come too late. That is why we introduced the MIG to make sure that the poorest pensioners are guaranteed a basic decent income in retirement, even before stakeholder pensions and the Second State Pension mature.

We recently announced an increase in the MIG capital limits to make sure that people with relatively modest savings do not lose out. We want to do more to encourage savers. In the last Budget, the Chancellor announced that we propose to consult on a new Pensioner Credit which will do just that.

Our pensions reforms should be looked at as a package. We believe the package strikes the right balance between encouraging savers, while protecting those who cannot save.

26. **Dr. George Turner:** To ask the Secretary of State for Social Security how many pensioners in North-West Norfolk he estimates will benefit from the minimum income guarantee for pensioners in *(a)* 1999–2000 and *(b)* 2000–01. [120968]

Mr. Bayley: Around 3,500 pensioners in North-West Norfolk benefited from the minimum income guarantee last year.

For this year we estimate that around 1.5 million pensioners across Great Britain will benefit from the minimum income guarantee. This information is not available at local level.

27. **Mr. Edwards:** To ask the Secretary of State for Social Security if he will make a statement about the take-up of the minimum income guarantee for pensioners. [120969]

Mr. Bayley: We have recently announced our plans for an ambitious national take-up campaign for the minimum income guarantee. Starting from the end of this month there will be intense activity on a number of fronts; including television advertising, writing to around 2 million pensioners and a new tele-claim centre which allows pensioners to make a claim over the telephone.

Mr. Kidney: To ask the Secretary of State for Social Security what proportion of pensioners entitled to minimum income guarantee are receiving it. [120947]

Mr. Darling: Estimates on the numbers of pensioners in receipt of the minimum income guarantee (MIG) are to be found in the DSS report "Income Related Benefits: Estimates of Take-Up, 1996/97 and 1997/98". A copy has been placed in the Library.

To encourage pensioners to take up their entitlement we have launched a national helpline which has already received nearly 31,000 calls in the last five weeks, and we are launching a national TV advertising campaign on 30 May. We are determined that as many pensioners as possible get the MIG to which they are entitled.

Fiona Mactaggart: To ask the Secretary of State for Social Security how changes in Government spending since 1997 have affected the incomes of *(a)* poorer pensioners and *(b)* pensioners with small savings. [120960]

Mr. Rooker: The minimum income guarantee benefits around 1.5 million of the least well off pensioners.

From April the rates increased to £78.45 for a single pensioner this represents an extra £5 a week in real terms since 1998.

By increasing the minimum income guarantee in line with earnings, more and more pensioners with modest pensions and savings are benefiting. With an extra 92,000 cases becoming newly entitled to the MIG since April 1999.

From next April, the planned changes to capital limits will mean that pensioners with savings up to £12,000 will be entitled to the guarantee. Our estimate is that this will benefit a further 500,000 pensioners.

Mr. Flynn: To ask the Secretary of State for Social Security what estimate he has made of the loss of benefits suffered per week by a pensioner who is entitled to minimum income guarantee but is not receiving it. [120955]

Mr. Bayley: The latest estimates were published in the DSS report "Income Related Benefits: Estimates of Take-Up, 1996/97 and 1997/98". A copy has been placed in the Library.

Paternity Tests

22. **Mr. Bob Russell:** To ask the Secretary of State for Social Security what provision is available for a mother to demand a second DNA test to determine the father of her child. [120962]

Angela Eagle: If a man who is named by a parent with care denies that he is the father of a child, the Child Support Agency will normally offer DNA tests to the parties involved.

The DNA testing company has rigorous and secure procedures for carrying out these tests. If a parent with care refuses to accept the outcome of the DNA tests, it is open to her to apply to court for a declaration of parentage which would be binding on the CSA.

Benefit Fraud

23. **Mr. Ruffley:** To ask the Secretary of State for Social Security what recent representations he has received regarding fraud in the Social Security system. [120963]

Mr. Rooker: We are determined to combat fraud and error in the Social Security system. We have a comprehensive strategy, to safeguard the system from the first to the final payment. For example, we are insisting claimants produce more evidence before Income Support is paid, which will save £1 billion over the Parliament. This comprehensive strategy will help to strengthen public confidence, and thereby encourage their support.

Pensioner Incomes

25. **Mr. Borrow:** To ask the Secretary of State for Social Security what representations he has received on assistance for pensioners with small occupational pensions; and if he will make a statement. [120967]

Mr. Rooker: We have received a considerable number of representations from this group over the years. Following the current success of the Minimum Income Guarantee our concern is to develop initiatives that will reward work and savings. That is why we are starting development work on a new pensioner credit that will better help those pensioners with small second pensions and modest savings who have worked hard to provide for themselves in their retirement.

SERPS

28. **Dr. Tony Wright:** To ask the Secretary of State for Social Security what representations he has received about the proposed scheme for providing redress to those who were not informed about the benefit changes to SERPS. [120970]

Mr. Rooker: As the House was informed on the 15 March, we will introduce a scheme to give redress to those who received and relied on wrong or incomplete advice given by this Department in relation to the SERPS additional pension their spouses would inherit. The House was also informed that we would consult widely before bringing forward regulations setting out the detail of the Scheme.

In addition to the reports from the NAO and the Parliamentary Commissioner for Administration, the Department has received representations from Age Concern, NACAB, Help the Aged and the noble Lord Rix, and from a number of members of the public.

Pensioners (Departmental Spending)

29. **Mr. Jack:** To ask the Secretary of State for Social Security what percentage of GDP his Department's spending on people of above pensionable age represented in *(a)* 1996–97 and *(b)* 1997–98. [120972]

Mr. Rooker: Social security expenditure on people aged over 60 was 5.33 per cent. of GDP in 1996–97, and 5.23 per cent. in 1997–98.

Occupational Pensions (Taxable Allowances)

30. **Mr. Dalyell:** To ask the Secretary of State for Social Security if he will estimate the annual cost of providing that the state pension should not count against taxable allowances in respect of occupational pensions. [120973]

Mr. Rooker: The cost of exempting the basic state pension from income tax is estimated to be £2.2 billion in 2000–01.

Older Benefit Claimants

31. **Mr. Illsley:** To ask the Secretary of State for Social Security what proposals he has to encourage older benefit claimants back into employment. [120975]

Mr. Rooker: We have developed a range of measures to help older benefit recipients return to work.

The New Deal 50plus was launched by the Prime Minister at the beginning of April. It is the first major national programme of back to work help for older people and has the potential to bring back into the labour market thousands of people with the skills and expertise employers need.

New Deal 50plus is a voluntary programme available for people over age 50 who have been on Jobseeker's Allowance, Incapacity Benefit, Severe Disablement Allowance or Income Support for at least six months. It provides support from a personal adviser, jobsearch help, in-work training support worth £750 and a tax free Employment Credit of £60 a week for up to a year for those taking up full-time work, or £40 a week for those taking part-time work.

In addition the New Deal for Disabled People, which includes a large proportion of older benefit recipients, provides active help and encouragement for people with long-term illnesses or disabilities to move back into work.

The Performance and Innovation Unit Report "Winning the Generation Game" includes a number of recommendations for improving people's opportunity to contribute to society and the economy in their later working years. My right hon. Friend the Secretary of State for Social Security, will be carrying forward these recommendations in his role as Cabinet Champion for Older People and Chair of the Ministerial Group on Older People.

Appeal Tribunals (Medical Members)

Mr. Browne: To ask the Secretary of State for Social Security if he will make a statement about the appointment of part-time sessional doctors engaged by Medical Services (SEMA) and Nestor Disability Analysis Ltd. as medical members of appeal tribunals. [120938]

Mr. Bayley: My noble Friend the Lord Chancellor appoints appeal tribunal members. The qualification requirements for appointment are set out in regulations and do not exclude SEMA and NESTOR doctors.

We laid an amendment regulation on 10 May to reinforce current Appeals Service instructions which preclude doctors from hearing an appeal in which they have previously given advice or prepared reports on a claimant's medical condition.

Child Poverty

Mr. Matthew Taylor: To ask the Secretary of State for Social Security, pursuant to his answer of 3 April 2000, *Official Report*, column 334W, concerning child poverty, what measures he will use to judge performance against his target of halving child poverty in 10 years; and if he will make a statement. [121846]

Mr. Bayley: I refer the hon. Member to the written answer which my right hon. Friend the Prime Minister gave to the hon. Member for Northavon (Mr. Webb) on 19 October 1999, *Official Report*, column 486W.

Further details on all the indicators in the "Opportunity for All" report have been placed in the Library.

Bereavement Allowances

Mr. Webb: To ask the Secretary of State for Social Security what is his Department's policy on the benefit position of widowers with dependent children prior to the introduction of the new system of bereavement allowances, following recent judgments in the European Court. [122107]

Angela Eagle: Our obligation, following the friendly settlement of two cases before the European Court of Human Rights, is to future widowers. Our reforms meet this obligation and go further. Widowed Parents Allowance will be available to men who were widowed before the introduction of the benefit. Existing widowed fathers who meet the entitlement conditions may receive Widowed Parent's Allowance from the date it is introduced.

New Deal

Dr. Gibson: To ask the Secretary of State for Social Security what steps he has taken to ensure that women seeking to enter the labour market will benefit from the new deal. [120953]

Angela Eagle: The new deal programmes provide individually tailored advice and opportunities for each client. This ensures that everyone seeking to enter the labour market, men and women, will benefit from the new deal.

Means-tested Benefits

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what estimate he has made of the number of people who no longer receive *(a)* one and *(b)* more than one means-tested benefit due to the introduction of the minimum wage; and if he will make a statement. [121743]

Angela Eagle: It is estimated that there are 50,000 people who no longer receive one of Income Support, Housing Benefit or Council Tax Benefit as a result of the introduction of the minimum wage and there are 10,000 people who no longer receive more than one of these benefits.

Notes:

1. Estimates based on 1997–98 Family Resources Survey Data, uprated to 2000–01 prices and benefit rates. Minimum wage and benefit receipt have been modelled with the Policy Simulation Model.

2. Estimates rounded to the nearest 10,000.

3. Estimates are based on minimum wage rates when it was introduced (£3.60 for those aged over 21 and £3.00 for those aged 18–21).

4. Estimates assume no secondary effects on employment or wages.

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what estimate he has made of the proportion of recipients of *(a)* Council Tax Benefit, *(b)* Housing Benefit and *(c)* other means-tested benefits who are paid within (i) 5 per cent. and (ii) 10 per cent. of the minimum wage; and if he will make a statement. [121746]

Angela Eagle: Actual data on hourly earnings of those in receipt of means-tested benefits from administrative sources are not available. However, it is estimated that 6 per cent. of Housing Benefit recipients, 3 per cent. of Council Tax Benefit recipients and 3 per cent. of Income Support recipients are paid within 5 per cent. of the minimum wage. It is also estimated that 7 per cent. of Housing Benefit recipients, 3 per cent. of Council Tax recipients and 3 per cent. of Income Support recipients earn within 10 per cent. of the minimum wage.

Notes:

1. Estimates based on 1997–98 Family Resources Survey data, uprated to 2000–01 prices and benefit rates. Minimum wage and benefit receipt has been modelled within the Policy Simulation Model.

2. Estimates give individuals earning between the minimum wage and 5 or 10 per cent. above the minimum wage who are in a benefit unit receiving the means-tested benefit as a proportion of all adults in benefit units in receipt of the benefit. No account has been taken of overlapping receipt of means tested benefits.

3. Estimates are based on minimum wage rates when it was introduced (£3.60 for those aged over 21 and £3.00 for those aged 18–21).

4. Estimates assume no secondary effects on employment or wages.

Early Retirement

Miss McIntosh: To ask the Secretary of State for Social Security what recent representations he has received on his policy in relation to pension provision for those over 50 years old who take early retirement; and if he will make a statement. [120948]

Mr. Rooker: None. Under the present policy employees may retire early and draw an immediate pension from age 50 if their employer agrees. We will be consulting very widely before any decisions are made to change this policy.

Vaccinations (Compensation)

Mr. Ruane: To ask the Secretary of State for Social Security (1) what compensation has been paid to children who have suffered severe damage by vaccinations since 1970; [122160]

(2) what outstanding cases for compensation for severe damage resulting from childhood vaccinations there are; and what measures he is taking to draw these claims to a close. [122156]

Mr. Bayley: The Vaccine Damage payment scheme, which has been in place since 1979, provides a one-off payment to people severely disabled by vaccination against certain diseases. The scheme is not intended as compensation but is designed to ease the burdens of those suffering from vaccine damage, and their families. During the first six years of the scheme claims were accepted from people who had received vaccinations at any stage since 1948 (the creation of the NHS). The amounts payable since the inception of the scheme are as follows:

£10,000 for claims made from 9 May 1978 until 15 August 1985
£20,000 for claims made on or after 16 August 1985
£30,000 for claims made on or after 15 April 1991
£40,000 for claims made on or after 1 July 1998.

There are 29 claims for Vaccine Damage Payments outstanding and one awaiting a reconsideration. There are 46 appeals awaiting hearing with the Appeals Service. All cases are being actively considered by the Department's Vaccine Damage Payments Unit or the Appeals Service as appropriate.

Post Offices

Mr. Webb: To ask the Secretary of State for Social Security if he will place in the Library a copy of the letter from the Minister of State, the right hon. Member for Birmingham, Perry Barr (Mr. Rooker) to the Post Office, instructing sub-postmasters not to issue forms encouraging customers to opt for benefit payment at post offices. [122236]

Mr. Rooker: I have written no such letter.

I did recently write a private letter to Colin Baker (General Secretary of the National Federation of Sub-postmasters) about payment of benefits by automated credit transfer. However, it is not Government policy to make private letters such as this public.

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he will list the documents and publications produced by his Department and Agencies that are available at sub-post offices. [121625]

Mr. Rooker: The following leaflets have been distributed to all post offices in Great Britain:

Leaflet	
Benefit Rates	(Leaflet GL23)
Financial Help If You Work Or Are Looking For Work	(WK1)
Sick Or Disabled	(SD1)
Babies and Children	(BC1)
Retirement	(RM1)
For Parents Who Live Apart	(CSA 2001)
New Deal For Parents	(LP15)
Help With Your Rent	(GL16)
You have A Choice	(PAY10)

"You Have A Choice" is a joint leaflet produced with the Post Office to advise customers on the payment of benefits.

In addition posters have been distributed for display. Which posters are displayed depends on whether a Post Office Point Of Sale (POPOS) display board and viewing area are available in the post office. The distributed posters are:

Poster	
Social Security Benefit Rates	(GL23P)
Lone Parents	(LP20P)
Fraud Hotline Poster	(NBFH0300)
Help With Your Rent and Council Tax	(GL16/17P)

Welsh bilingual versions of all leaflets and posters are available in Wales.

Taxes and Benefits

Mr. Willetts: To ask the Secretary of State for Social Security if he will provide illustrative examples of cases where taxes and benefits interact to produce a replacement ratio of *(a)* 70 per cent. and above, *(b)* 80 per cent. and above, *(c)* 90 per cent. and above, and *(d)* 100 per cent. and above on the same basis as figure 36 in the departmental report, Cm 4614, p.80. [120383]

Mr. Rooker: Replacement ratios in Figure 36 of the latest departmental report were calculated by micro-simulation modelling, using a sample of households from the 1996–97 Family Resources Survey. The examples are drawn from the sample underpinning the latest estimates, for 1999–2000. They are shown by 10 per cent. bands. As in Figure 36, the examples are for the head of household only where the head of the household works 30 hours or more a week, and are based on income levels after housing costs.

70 per cent. to 79 per cent. ratio: a single person with no children and an in work income after income tax (£5), National Insurance contributions (£5) and housing costs (£41) of £71 per week, and an income out of work from contributory Jobseeker's Allowance of £51 (replacement ratio 73 per cent.).

80 per cent. to 89 per cent. ratio: a single person with no children and an in work income after income tax (£4), National Insurance contributions (£5) and housing costs (£48) of £64 per week, and an income out of work from contributory Jobseeker's Allowance of £51 (replacement ratio 81 per cent.).

90 per cent. to 99 per cent. ratio: the head of household in a benefit unit with two earners and two children and a combined in work income of £389 per week, after income tax (£33), National Insurance contributions (£23) and housing costs (£45), and including Child Benefit (£24) and Family Credit (£4), and an out of work income of £271 per week, including contributory Jobseeker's Allowance (£51), Child Benefit (£24), Family Credit (£78) and the partner's original earnings (£172). (replacement ratio 94 per cent.).

100 per cent. + ratio: the head of household in a couple benefit unit with one earner and one child and a combined in work income of £4 per week, after income tax (£18),

National Insurance contributions (£13) and housing costs (£217), and including Child Benefit (£14), and an out of work income of £7 per week, including contributory Jobseeker's Allowance (£51), income-based Jobseeker's Allowance (£159), Child Benefit (£14). (replacement ratio 186 per cent.).

Pensions

Mr. Mitchell: To ask the Secretary of State for Social Security what co-operation the European Commission is seeking from the Government in respect of *(a)* its objective of modernising the system of pensions and social protection in member states, and if such modernisation is to extend to applicant member states and *(b)* its intention to establish a legal framework for supplementary pensions. [121635]

Mr. Rooker: Heads of State and Government agreed at the Lisbon Special Summit in March that social protection systems should be adapted as part of an active welfare state to ensure that work pays, and that they should be sustainable in the long-term in the face of an ageing population. It was agreed at the Summit that the High Level Working Party on social protection, of which the Commission is a member along with representatives from all member states, should arrange a study on the future long-term evolution of social protection, with particular attention on pensions. The Commission has indicated it will produce a new Communication on modernising social protection, concentrating on pensions, later this year. The High Level Working Party is due to produce a progress report on social protection by December at the Nice summit; and a more substantial report for the Spring Council 2001.

In December 1999, in the context of modernising social protection, the Council of Ministers concluded that the Community should pay particular attention to a balanced economic and social development in the applicant countries in the process towards an enlargement of the European Union. The High Level Working Party is considering ways of involving applicant countries in their work.

The Commission's Communication "Financial Services: Implementing the Framework for Financial Markets: Action Plan" (COM(1999)232) noted that the Commission would propose a Directive on the prudential supervision of pension funds. The Commission has held informal discussions with member states.

Child Support Agency

Mr. Cox: To ask the Secretary of State for Social Security what has been (1) the highest compensation payment paid to date by the Child Support Agency; [121475]

(2) the total amount of money paid by way of compensation payments by the Child Support Agency. [121476]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. Tom Cox, dated May 2000:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about compensation payments paid by the Child Support Agency.

In common with other DSS Agencies, the CSA operates a discretionary "special payments" scheme to compensate customers for actual financial losses, or any suffering and distress caused in cases of maladministration. For CSA these arrangements cover maintenance lost to a parent with care (PWC), as well as expenses incurred by PWCs or non-resident parents (NRPs) in dealing with the Agency. It is also possible to make consolatory payments in recognition of the less tangible effects of maladministration, such as inconvenience, embarrassment and the worry and distress that can result from delay and errors.

The largest individual amount of compensation paid was £27,393.60. This figure did not include any consolatory element but represented monies due to a parent with care, which would have been paid by the non-resident parent, had it not been for the Agency's maladministration. It also included a payment for loss of use of monies (interest). Each case is considered on its own merits and payments of this magnitude are particularly exceptional. The average payment during 1998/99 was £795.

The largest individual consolatory payment is £1,150, however, on average this type of payment is around £133.

Since its inception, the Agency has made compensation payments to a value of £8.6 million (figure to end February 2000). During 1998/99 the Agency paid out £4.3 million in compensation payments. Evidence this year shows that this amount is falling. From April 1999 to the end of February 2000 the Agency had paid out £2.4 million for the 1999/2000 financial year. The main reason why this figure was so high in recent years is that the Agency has been clearing the backlog of cases that had built up during the early years of its operations. As the Agency is now more up to date with its work, payments of this scale are unlikely to recur.

I hope this is helpful.

Disability Benefits

Mr. Wigley: To ask the Secretary of State for Social Security how many representations he has received from hon. Members with regard to constituents who had been awarded disability benefit for life but have subsequently had it withdrawn or downgraded; and if he will make a statement. [121927]

Mr. Bayley: Prior to 12 January 2000 the legislation that applied to Disability Living Allowance (DLA) allowed awards to be made for life or for a limited period. Although some awards were therefore given "for life", this terminology was misleading because the law has always allowed for awards of DLA to be altered where, for example:

(a) a person's care or mobility needs had increased or reduced;

(b) there had either been a mistake, or ignorance regarding the relevant facts; or

(c) there had been an error of law.

These rules are the same as those that apply to changes of almost all Social Security benefits. However the "life award" terminology in DLA was in this respect anomalous and created uncertainty. As a result, many representations were received from hon. Members on behalf of constituents who had been given life awards which were subsequently withdrawn or downgraded.

To help clarify the nature of these awards, references to awards made for life were removed from the legislation by the Welfare Reform and Pensions Act 1999, and replaced with the words "indefinite award".

This made the language used consistent with that which applies to other benefits. This change was welcomed by the Social Security Select Committee in its third report of the 1998–99 session.

Although the terminology has been changed to help clarify the situation, indefinite awards are made in the same circumstances in which a life award would previously be made. The rules that apply when an indefinite award is altered are the same that applied to life awards.

TREASURY

Tax (People over 65)

Mr. Portillo: To ask the Chancellor of the Exchequer what percentage of tax revenues have been paid by people aged 65 years and above in each year since 1979. [121015]

Dawn Primarolo *[holding answer 5 May 2000]:* It is possible to provide reliable and appropriate estimates only for income tax and capital gains tax, and only for years after 1990–91 following the introduction of independent taxation. The estimates are given in the table.

Liabilities for individual income tax and capital gains tax payers: proportion relating to those aged 65 years and above

Year	*Percentage*
1990–91	9.2
1991–92	9.1
1992–93	8.3
1993–94	7.5
1994–95	8.1
1995–96	7.9
1996–97	7.7
1997–98[1]	8.2
1998–99[1]	8.4
1999–2000[1]	7.6

[1] Provisional

The estimates are based on the Survey of Personal Incomes, the capital gains tax assessments and Self Assessment extracts. The provisional estimates are consistent with the March 2000 Budget.

Mr. Portillo: To ask the Chancellor of the Exchequer if he will estimate the cost of increasing the age-related personal allowance for people aged *(a)* 65 to 74 years and *(b)* 75 years and over by (i) £500, (ii) £1,000, (iii) £1,500 and (iv) £2,000; and how many people would cease to pay income tax in each case. [121017]

Dawn Primarolo *[holding answer 5 May 2000]:* The costs and effects of raising the age-related personal allowances in 2000–01 are shown in the tables:

Revenue effect in 2000–01

£ million

Increasing personal allowance by	*£500*	*£1,000*	*£1,500*	*£2,000*
for 65–74s	–150	–310	–450	–600
for 75s and over	–100	–190	–270	–350

Change in taxpayer numbers in 2000–01

Thousand

Increasing personal allowances by	*£500*	*£1,000*	*£1,500*	*£2,000*
for 65–74s	–170	–310	–450	–600
for 75s and over	–130	–240	–330	–400

The estimates are based on the Survey of Personal Incomes and consistent with the March 2000 Budget.

Carbon Dioxide

Mr. Jack: To ask the Chancellor of the Exchequer what estimate he has made of the carbon dioxide which will be saved by his proposals for *(a)* general vehicle excise duty and *(b)* company car taxation. [120286]

Mr. Timms *[holding answer 2 May 2000]:* As indicated in table 6.2 of the 2000 Economic and Fiscal Strategy Report, the reforms to company car taxation (and general vehicle excise duty) announced by the Chancellor in the recent Budget are expected to result in emission savings of up to 1.0 million tonnes of carbon (MtC) by 2010.

ECOFIN

Mr. Hood: To ask the Chancellor of the Exchequer what was the outcome of the ECOFIN Council held in Brussels on 8 May; and if he will make a statement. [121571]

Miss Melanie Johnson: I attended the meeting of the Economic and Finance Council of Ministers on 8 May.

The Council agreed Exceptional Financial Assistance for Montenegro in the form of a 20 million euro grant. This must come from within the existing category IV ceiling.

The Council broadly welcomed the Commission's report on the implementation of the 1999 Broad Economic Policy Guidelines (BEPGs) and the Commission recommendation for the 2000 BEPGs.

The Commission presented its priorities for the 2001 EC Budget. Most Finance Ministers, myself included, rejected proposals to revise the financial perspectives.

The Council reached a political agreement on the amended proposal for a directive on the reorganisation and winding-up of credit institutions. The directive will be adopted once it is clear of all scrutiny reserves, and the final formalities are completed.

The Council agreed and published an opinion on the update to the Austrian stability programme for 2000–03.

The Council took note of a Commission presentation of its strategy to improve the operation of the VAT system.

Banana Dispute

Mr. Sayeed: To ask the Chancellor of the Exchequer what estimate he has made of the effect on tax revenues to the Exchequer of the banana dispute between the EU and the US. [121710]

Miss Melanie Johnson: No estimate has been made.

Climate Change Levy

Mr. Baldry: To ask the Chancellor of the Exchequer if he will make a statement on the arrangements whereby rebate on the climate change levy will be made available to the horticulture industry. [121773]

Mr. Timms: The administrative arrangements for the repayment of climate change levy to horticultural users will be included in regulations to be published later this year.

Mr. Baldry: To ask the Chancellor of the Exchequer when the Government will announce the kind of financial incentives they propose to make available to those companies that agree to take on binding emission targets. [R] [121772]

Mr. Timms: In the recent Budget, the Government announced that they see merit in the case put forward by the business led Emissions Trading Group (ETG) that some form of financial incentive will be required for companies to take on binding emission targets that generate additional emission reductions.

Since the Budget, the Government have continued to work closely with the ETG on the many complex issues that remain to be resolved, including the form such a financial incentive might take. Further announcements on financial incentives will depend on the progress the ETG and the Government can make in dealing with these outstanding issues.

Mr. Baldry: To ask the Chancellor of the Exchequer how individual companies in the horticulture sector may apply for rebates for the Climate Change Levy; and on what basis such rebate will be made. [121774]

Mr. Timms: The administrative arrangements for the repayment of climate change levy to horticultural users will be included in regulations to be published later this year.

The basis for the rebate is set out in paragraph 41 of Schedule 6 to the Finance Bill.

EU (UK Contribution)

Mr. Gill: To ask the Chancellor of the Exchequer what the authority is for payment of the UK's contribution to the EU; and how the amount is calculated. [121810]

Miss Melanie Johnson: Authority for payment of UK contributions to the EU is contained in the EC (Finance) Act 1995. Contributions are calculated in accordance with the Decision of the Council of the European Communities on the system of the Communities' Own Resources (31 October 1994). Further information on the Own Resources system can be found at Section E: Community Revenue of the White Paper European Community Finances (Cm 4382).

EU Strategy

Mr. Mitchell: To ask the Chancellor of the Exchequer what request for consultation he has received from the Commission of the European Union concerning *(a)* its intention to consider future strategy for changes to (i) pan-community taxation, (ii) the Customs Union and (iii) changes to the current system of value added tax and *(b)* the views of the Government on the need for such changes. [121634]

Dawn Primarolo: The Commission, in considering what legislation to propose, consults member states continuously including through established working groups. The Government consider each proposal on its merits and details are lodged with the scrutiny committees.

Eurocheque System

Mr. Pollard: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the withdrawal of British banks from the Eurocheque system on the cost and ease of transferring small payments within the European Union by *(a)* small businesses and *(b)* private individuals. [121484]

Miss Melanie Johnson: None. There has been an 80 per cent. drop in the use and acceptance of eurocheques in the 1990s. This has been matched by significant growth in the use of alternative methods—automated teller machines, debit cards and credit cards—of making payments and obtaining cash abroad. The Association for Payment Clearing Services, the industry body for the UK's banks and building societies which oversees money transmission systems, have advised that the majority of UK banks are able to offer cost effective alternatives to eurocheques.

Manufacturing Jobs

Mr. Kidney: To ask the Chancellor of the Exchequer how many manufacturing jobs have ceased to exist in the United Kingdom since May 1997. [120869]

Miss Melanie Johnson: Estimates of manufacturing jobs are compiled by the Office for National Statistics. I refer my hon. Friend to tables B12 and B18 of Labour Market Trends.

Working Families Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer (1) how many families are receiving the Working Families Tax Credit; and of these, how many were previously receiving family credit; [121689]

(2) how many Working Families Tax Credit recipients are men in couples where family credit was previously in payment to the female in the couple; and what is the average weekly value of the Working Families Tax Credit in payment in such cases. [121685]

Dawn Primarolo *[holding answer 12 May 2000]:* Up to the end of March 2000, there had been 1,030,200 awards made of the Working Families Tax Credit (WFTC). The families in receipt of 574,300 of these awards had previously been in receipt of Family Credit (FC) awards that ended immediately before the start of the WFTC awards.

It is not possible, without incurring disproportionate cost, to estimate how many such WFTC awards are paid to men in couples where the previous FC award was paid to the female in the couple; or the average weekly value of such awards.

Mrs. Fyfe: To ask the Chancellor of the Exchequer what is the average amount by which the incomes of families with incomes of less than £12,000 per annum have increased as a result of the Working Families Tax Credit. [120971]

Dawn Primarolo: For awards of Working Families Tax Credit made by the end of March, the average award made to families with gross weekly earnings up to £230 was £81.53 per week.

Scanning Equipment

Mr. Corbett: To ask the Chancellor of the Exchequer what evaluation he has *(a)* made and *(b)* commissioned of the potential health risks from the use of (i) high-energy and (ii) low-energy scanning equipment for the detection of smuggled goods and substances at ports of entry. [121794]

Dawn Primarolo: Before any scanning equipment is used by Customs and Excise, a full health and safety evaluation is carried out by an independent consultant to ensure compliance with all UK health and safety legislation.

Child Care Credit

Mr. Flight: To ask the Chancellor of the Exchequer if he will make a statement on the take-up of the child care credit in the Working Families Tax Credit. [120959]

Dawn Primarolo: The child care tax credit component of the Working Families Tax Credit has been particularly successful, with about 103,000 recipients in awards made to the end of March. At its peak, in August 1999, 47,000 families claimed the child care disregard in Family Credit.

Parliamentary Questions

Mrs. Lawrence: To ask the Chancellor of the Exchequer what plans he has to raise the advisory cost limit of £500 for answering written parliamentary questions; and if he will make a statement. [122509]

Mr. Timms: The advisory cost limit was last increased in 1997—21 July 1997, *Official Report*, column 442W—and is to be further increased to £550 from today.

The purpose and application of the advisory cost limit remains unchanged. It is intended to act as a threshold for disproportionate cost parliamentary questions. Any written question where the marginal cost of preparing the answer is considered likely to exceed the threshold may be refused in whole or in part on the grounds of disproportionate cost. Alternatively the Minister may decide that the question is to be answered irrespective of cost. There is no advisory limit for oral questions.

The advisory limit continues to be based on eight times the average marginal cost for written questions, which is now £70, rounded down to the nearest £50 for convenience of application.

Mr. Ben Chapman: To ask the Chancellor of the Exchequer if he will estimate the average cost of answering *(a)* oral and *(b)* written parliamentary questions in the last three months. [122070]

Mr. Timms: As at April 1999, the latest date for which information is available, the average cost of answering an oral and written parliamentary question was £282 and £121 respectively.

State Pension

Mr. Stevenson: To ask the Chancellor of the Exchequer further to his oral statement of 21 March 2000, *Official Report*, column 867, if the increases in the basic state pension forecast will be the minimum applied irrespective of the retail price index for September 2000. [120604]

Mr. Rooker: I have been asked to reply.

As our right hon. Friend the Chancellor of the Exchequer said in his budget statement on 21 March:

> Based on forecast rates of inflation, we can expect the pension rise in 2001 to be more than £2 for single pensioners and over £3 for couples—[*Official Report*, 21 March 2000; Vol. 346, c. 867.]

Our right hon. Friend the Secretary of State is required to review rates of benefit annually, the outcome of that review will be announced in the Autumn as normal.

European Institute of Public Administration

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the *(a)* level of public funding, *(b)* purpose and *(c)* United Kingdom-sponsored activities of the European Institute of Public Administration. [121503]

Mr. Vaz: I have been asked to reply.

The UK subscription to EIPA for the financial year 1999–2000 was 97,000 euros, equivalent to £67,550.

The EIPA is a non-profit making organisation, which serves public administration in member states of the European Union. It supports the practical management of European integration through the provision of training, applied research and consultancy at a European level as a complement to national and subnational programmes. It is also dedicated to supporting the process of the accession of future member states to the European Union. EIPA is currently undertaking a review of its structure and activities which is due to report in June.

There are no specific UK sponsored activities of the EIPA but the UK plays a full part in its activities by sending delegates to courses and seminars and through the Director of Recruitment and People Development in the Cabinet Office sitting in both the EIPA Board of Governors and the Review Committee.

HOME DEPARTMENT

Metropolitan Police Area Crime Rate

Miss Widdecombe: To ask the Secretary of State for the Home Department by how much crime rose in the Metropolitan police area during the year to 31 March; and if he will make a statement. [122093]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the total number of notifiable offences in the Metropolitan police district for the year ending 31 March 2000 was some 12.6 per cent. higher than that in the previous financial year.

Chinese President (State Visit)

Mr. Bercow: To ask the Secretary of State for the Home Department if he will deposit in the Library a copy of the Metropolitan Police Service's report on Policing during the Chinese state visit; what input Government Departments had to the report; and if he will make a statement. [121497]

Mr. Charles Clarke: The Metropolitan Police Service's review into the policing arrangements for the state visit by the President of China was put into the public domain on 17 March 2000, and copies were placed in the Library.

The report was written without reference to any person or body outside the Metropolitan Police Service. Government Departments had sight of the report prior to publication.

Mr. Baker: To ask the Secretary of State for the Home Department (1) if he will make a statement on the admission by the Metropolitan police that some of its officers behaved unlawfully during the Chinese state visit of October 1999; [121801]

(2) for what reasons the Metropolitan police's review of policing of the Chinese state visit during October 1999 did not identify behaviour that it later found to be unlawful. [121800]

Mr. Charles Clarke: I understand that the statement made by the Metropolitan police in the context of court proceedings was based on further legal advice concerning the powers available to them under the byelaws applying in the Royal Parks.

This indicated that flags and banners could not be removed from protesters where such items were being used solely for peaceful protest purposes.

The review by the Metropolitan police concerned the operational policing arrangements for the visit and did not benefit from the additional legal advice.

Illegal Entrants

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 May 2000, *Official Report*, columns 310–11W, on persons served with notice as clandestine illegal entrants, if he will indicate in each case how many of such persons have claimed asylum. [121572]

Mrs. Roche: Precise information on the numbers of those persons issued with notice of illegal entry as clandestine entrants who had also claimed asylum is not contained in the central records and could be obtained only at disproportionate cost.

However, it is possible to deduce from the available data that at least 81 per cent. of those clandestine illegal entrants who were issued with a notice of illegal entry between 1 April 1999 and 31 March 2000 had also applied for asylum. It should be noted that this is a bare minimum and the actual percentage may well be higher than this.

Rape and Sexual Assault

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, pursuant to his answer of 21 December 2000, *Official Report*, column 416W, on rape and sexual assault, when the Sexual Offences Review will report; and when the proposals will be published for consultation. [121694]

Mr. Charles Clarke: The sexual offences review has completed its work and reported to Ministers. I hope that its proposals will be published for consultation shortly.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, pursuant to his answer of 21 December 1999, *Official Report*, column 478W, on rape and sexual assault, what organisations have provided submissions to the Review of Sexual Offences relating to the law and rape including psychological and physical impact of rape on victims. [121695]

Mr. Charles Clarke: The following organisations provided submissions and evidence to the review in relation to the law on rape and sexual assault:

Action Concern Empathy
University of Cambridge—Institute of Criminology
Campaign to End Rape
English Collective of Prostitutes
Europap
Grimsby and Scunthorpe Rape Crisis
Harrogate and District Women's Aid
Hull Women's Centre
Jewish Care
ManKind
National Association for the Treatment of Offenders
University of North London—Child and Women Abuse Studies
Nottingham Rape Crisis Centre
Rape Crisis Federation of England and Wales
Rape Crisis (North Staffordshire)
St. Mary's Sexual Assault Referral Centre
Sheffield Hallam University—School of Law
Soroptimist International
South Essex Rape and Incest Crisis Centre
Committee of the Joint Council of Stipendiary Magistrates
The Suzy Lamplugh Trust
University of Teesside—School of Social Sciences
The Tizard Centre
United Kingdom Men's Movement
Women Against Rape
Women's Education Partnership
Wyre Forest Women's Aid
Young Women's Christian Association of Great Britain

In addition the review received many submissions from individuals on the subject of rape and sexual assault.

Domestic Violence

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, pursuant to his answer of 21 December 1999, *Official Report*, column 484W, on domestic violence, if the improvements in systems which will allow the information on domestic assaults to be collated have been made; and if the Office Court Proceedings Database is available on line or in a format available to the public. [121696]

Mr. Charles Clarke: The improvements referred to in the reply were with respect to police systems for recording domestic assaults. These have not yet been made and will be undertaken as part of the work associated with implementation of the National Strategy for Police Information Systems.

Aggregated data from the Court Proceedings Database are published annually in the command paper "Criminal statistics, England and Wales" together with four supplementary volumes. Copies of these publications are available in the Library. Some aggregated data can be found on the Home Office website and more will appear in the future. Detailed information is available on floppy disk in Excel format, this being known as the Home Office Court Appearances System (HOCAS). Copies of the relevant disks are available in the Library.

Corpus Juris

Mr. Gill: To ask the Secretary of State for the Home Department what his policy is regarding Corpus Juris; and if he will make a statement. [121670]

Mr. Charles Clarke: The House of Lords European Union Committee's inquiry into Corpus Juris concluded in May last year that the Corpus Juris proposals do not offer an acceptable way forward. The Government share that view. Although we fully share the objective of the Corpus Juris paper to provide more effective remedies against fraud affecting the European Community budget, the Government do not agree that this should be done by "unifying" the laws and procedures of all member states. We believe that the aims of Corpus Juris can best be achieved by improvements in judicial co-operation between member states as agreed at the Tampere European Council, including mutual recognition of judicial decisions and the creation of Eurojust.

Mr. Gill: To ask the Secretary of State for the Home Department if he will make a statement on mutual recognition in relation to Corpus Juris. [121666]

Mr. Charles Clarke: On the basis of a United Kingdom initiative, European Union Heads of Government at the Tampere European Council endorsed the concept of mutual recognition of judicial decisions and stated that it

> should become the cornerstone of judicial co-operation in both civil and criminal matters within the Union.

Unlike Corpus Juris, mutual recognition does not involve "unifying" the laws and procedures of the member states of the Union. Decisions taken in other European Union jurisdictions could be recognised and enforced despite the differences in the member states' legal systems.

The Government have made it clear that some agreed safeguards would be necessary in order to protect civil rights; for example for any changes to extradition arrangements between member states. The need for common minimum standards, respecting the fundamental legal principles of member states, was also recognised at Tampere.

Macpherson Report

Ms Kingham: To ask the Secretary of State for the Home Department what action his Department has taken to ensure that policies regarding Roma, gipsies and travellers are included in action plans following the Macpherson report. [121518]

Mr. Straw: In March 1999, I published an Action Plan detailing the Government's response to all 70 recommendations of Sir William Macpherson's Report on the Stephen Lawrence Inquiry. Details of progress on these recommendations can be found in my First Annual Report on Progress on this Action Plan, published in February this year, a copy of which is in the Library. None of the recommendations of the report were specific to particular ethnic or cultural groups, and the action taken has accordingly been targeted equally at all minority ethnic communities.

Roma

Ms Kingham: To ask the Secretary of State for the Home Department what mechanism he has established to collect data concerning human rights abuses documented against Roma, by country; how many Roma *(a)* sought asylum in the United Kingdom, by country of origin and *(b)* had their asylum claims (i) upheld and (ii) denied in the United Kingdom in the last five years. [121519]

Mrs. Roche: The Country Information and Policy Unit in the Immigration and Nationality Directorate obtains from a wide variety of sources information on issues which are raised in the asylum process, including the question of human rights abuses against Roma. Country assessments based on this information are published on the top 35 asylum-producing countries. The assessments are revised and updated every six months.

The majority of Roma asylum seekers in the United Kingdom come from the Czech Republic, Poland and Slovakia. During the period January 1995 to January 1999, there were 2,600 asylum applications from nationals of the Czech Republic. 6,110 asylum applications were received from nationals of Poland and 1,250 received from Slovakia. A visa regime was introduced on 8 October 1998 in respect of Slovakia. During the period January 1995 to May 1999, 490 Czech and 910 Slovak asylum applications were refused. There were no grants of asylum during this period. During the same period 3,355 Polish asylum applications were refused. One or two Polish applicants were granted asylum in each of the years 1996, 1997 and 1998 although our information does not show on what basis asylum was granted. It is not possible to give decisions with a nationality breakdown after May 1999.

Schengen Information System

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 May 2000, *Official Report*, column 209W, on the Schengen Information System, what part that system can play in the fight against crime, fraud and drug trafficking in the European Union; and what constraints exist in the use of this system by member states not within the Schengen arrangements. [121639]

Mrs. Roche: The Schengen Information System exists to support the substantive provisions of the Schengen Implementing Convention, which include police and judicial co-operation between participating member states.

Only those member states which have acceded to the Schengen acquis have access to the Schengen Information System. In accordance with separate arrangements with the European Union member states, Norway and Iceland are also associated with Schengen co-operation, including access to the Schengen Information System.

In line with its application to participate in parts of the Schengen acquis relating to law enforcement and judicial co-operation, the United Kingdom would have access to the corresponding parts of the Schengen Information System database.

Police (Crown Insignia)

Mr. William Ross: To ask the Secretary of State for the Home Department how many police forces in England and Wales have the Crown as part of the *(a)* crest and *(b)* cap badge. [121462]

Mr. Charles Clarke: I understand that 41 forces in England and Wales incorporate a crown in their crest, and that all 43 do so in their cap badge.

Animal Experiments

Mr. Wyatt: To ask the Secretary of State for the Home Department, pursuant to his answer of 3 May 2000, *Official Report*, column 152W, on animal experiments, who funds the programmes looking into the development of treatments for chronic obstructive pulmonary diseases. [121488]

Mr. Mike O'Brien: Section 24 of the Animals (Scientific Procedures) Act 1986 prevents disclosure of detailed information about individual research programmes licensed under the Act that has been given in confidence.

Section 24 is being reviewed in the context of the freedom of information legislation.

Animal Procedures

Mr. Baker: To ask the Secretary of State for the Home Department what his policy is on public accessibility of the Animals (Scientific Procedures) Inspectorate's databases on cost-benefit assessments. [121958]

Mr. Mike O'Brien: To meet section 5(4) of the Animals (Scientific Procedures) Act 1986, any application to use protected animals in research must be subjected to a detailed cost/benefit assessment by Home Office inspectors. The likely adverse effects on the animals concerned must be weighed against the benefit likely to accrue as a result of the proposed programme of work.

Section 24 of the Act currently prohibits the release of an application and the cost/benefit assessment. The status of the inspectors' advice to Ministers, on the basis of the cost/benefit assessment, is being examined as part of our review of section 24 and freedom of information. An electronic database of precedents and key cases is maintained by the Inspectorate for internal reference. This comprises material that has been provided in confidence and its status will also be considered as part of our review.

Regulation of Investigatory Powers Bill

Mr. Heald: To ask the Secretary of State for the Home Department if he intends to propose further amendments to the Regulation of Investigatory Powers Bill. [122287]

Mr. Charles Clarke: As I indicated in the debate on the Regulation of Investigatory Powers Bill on 8 May 2000, *Official Report*, columns 608–10, I do intend to add a new Schedule to the Regulation of Investigatory Powers Bill listing the public authorities which may use directed surveillance and covert sources. There will be other changes related to the use and oversight of these powers in Scotland and Northern Ireland. I also expect a very small number of minor and technical amendments. The Government continue to engage with interested parties, including industry, and look forward to consideration of the Bill by the other place. These discussions may lead to further amendments.

Constabulary Inspectorate

Mr. Heald: To ask the Secretary of State for the Home Department if the manual explaining the new inspection model for HM Inspectorate of Constabulary has been published. [122285]

Mr. Charles Clarke: The manual explaining the new inspection model for Her Majesty's Inspectorate of Constabulary has not been published. However, the manual has been sent to all police forces and police authorities and copies have been placed in the Library.

Public Relations and Marketing

Mr. Heald: To ask the Secretary of State for the Home Department how many officials in his Department were engaged in public relations and marketing work in *(a)* March 1997 and *(b)* March 2000. [122286]

Mr. Straw: The nearest monthly figures I am able to provide are for April 1997 when there were a total of eight information and senior information officers employed in Home Office Publicity.

There was a total of eight information and senior information officers employed in Home Office Publicity in March 2000.

Police College, Hendon

Mr. Heald: To ask the Secretary of State for the Home Department if he will list the residential and non-residential training courses provided by the Police College at Hendon since January and the number of officers attending each course. [122272]

Mr. Charles Clarke: The information requested is given in the tables, provided by the Commissioner of Police of the Metropolis.

Course title	*Number of courses*	*Number attending*
Non-residential training courses provided by the Police College at Hendon since January 2000		
1 Armoured Landrover	4	12
2 CAD Module	12	119
3 Check Tests	7	8
4 CJU Financial Awareness	2	15
5 Control Room Foundation	3	20
6 Control Room Trainer	3	20
7 Controller Module	5	35
8 Covert Blues and Twos	11	51
9 Crime Prevention Design Adviser	2	20
10 CRIMINT	3	22
11 Drivers Assessors Programme	8	34
12 HOLMES (Non-Residential)	26	209
13 Intranet Publisher	6	53
14 Introduction to Management	4	51
15 Introduction to Training Assessment	4	48
16 INUIT	11	101

Course title	Number of courses	Number attending
17 Leadership	1	12
18 Managing Change	1	7
19 Managing Team	1	6
20 MSS Trainer	2	15
21 Officer Safety Instructor Training	2	37
22 Officer Safety Instructor Stage 1 Development	21	265
23 OTIS V4 Trainer	22	180
24 Performance Management	2	12
25 PIMS	2	13
26 PNC Module	12	120
27 PNC on OTIS Trainer	3	18
28 PNC Operator	4	34
29 Presentation Skills	1	6
30 Probationary Standard Response	11	90
31 Problem Solving and Decision Making	1	6
32 PSIS	4	33
33 Radio Telephony	59	279
34 Recruit Foundation Course for Traffic Wardens	2	17
35 Role Players Training for Traffic Wardens	1	7
36 RSIS	5	38
37 Standard Response (Assessed)	19	85
38 Street Duty Tutor for Traffic Wardens	1	12
39 Tough Interviewing	1	6
40 Trainer Development Part 1	5	49
41 Trainer Development Part 2	1	11
42 Trainer Foundation Part 3	3	29
43 Tutoring and Coaching	1	8
Total	299	2,213

Residential Training Courses provided by the Police College at Hendon since January 2000:

1 Advanced Traffic Patrol	2	15
2 Advanced Car	7	61
3 Audocrime	7	60
4 Community Safety Unit	3	83
5 Company Fraud and Financial Investigation	1	10
6 Custody Officer	16	192
7 Detective Foundation	2	153
8 Family Liaison	1	16
9 Financial Intelligence	1	15
10 HOLMES (residential)	4	50
11 Inspectors Foundation	4	36
12 National Autocrime	4	32
13 National Negotiators	1	20
14 National Protection	2	12
15 National Undercover Course	1	20
16 Pre-Surveillance (Fast Car)	2	12
17 PSU Carrier	10	60
18 Response Motorcyle	6	54
19 Scence Management and Examination Course	1	14
20 Senior Investigating Officer	5	65
21 Senior Investigating Officers Development	1	15
22 Sergeants Foundation	11	128
23 Sexual Offences Investigative Techniques	3	45
24 Standard Accident Investigation	4	31
25 Standard Financial Investigation	2	30
26 Standard Traffic Patrol	4	29
27 Surveillance	2	24
28 Test Purchasers	2	53
29 TRAFFAC	3	22
Total	112	1,357

Police recruit intakes (residential) training courses provided by the Police College at Hendon since January 2000

Intake date	Number attending
4 January	108
7 February	62
13 March	65
17 April	98
28 May	[1]125
2 July	[1]125
6 August	[1]125
10 September	[1]125
15 October	[1]125
19 November	[1]125
24 December	[1]125

[1] These numbers are target numbers

Mr. Heald: To ask the Secretary of State for the Home Department what is the monthly recruitment intake target for the Police College at Hendon for 2000–01. [122277]

Mr. Charles Clarke: The information requested is shown in the following table, provided by the Commissioner of Police of the Metropolis.

Month	Target
April	100
May	125
July	125
August	125
September	125
October	125
November	125
December	125
February-2001	130
March-2001	130

Mr. Heald: To ask the Secretary of State for the Home Department how many officers applied to join training at the Police College at Hendon in the April and May intakes. [122274]

Mr. Charles Clarke: The Commissioner of the Police of the Metropolis tells me that 98 applicants began training at Hendon on 17 April 2000. The exact figure for the next intake will not be known until the course begins on 28 May: the intake target is 125.

Warrants

Mr. Heald: To ask the Secretary of State for the Home Department how many *(a)* interception warrants and *(b)* modifications of warrants he authorised in 1999. [122280]

Mr. Charles Clarke: The annual reports of the Commissioner appointed under the Interception of Communications Act 1985 list the number of interception warrants issued by the Home Secretary in the course of each year. The report of the Interception of Communications Commissioner for 1999 has not yet been published. However, as in 1998, the Commissioner Lord Nolan has agreed to release the figures requested in advance of publication. The numbers to be published are:

(a) 1,734

(b) 565

Special Constables

Mr. Heald: To ask the Secretary of State for the Home Department how many special constables were recruited by each police force in England and Wales, and how many left, between 30 September 1999 and 31 December 1999. [122298]

Mr. Charles Clarke: These figures are collected from police forces on a half-yearly basis as at 30 September and 31 March each financial year. The latest period for which figures are available is 1 April 1999 to 30 September 1999. The number of special constables in each police force area in England and Wales who were recruited and who left during that period were:

Force	*Recruited*	*Left*
Avon and Somerset	14	79
Bedfordshire	11	17
Cambridgeshire	29	31
Cheshire	8	29
City of London	8	6
Cleveland	9	18
Cumbria	11	22
Derbyshire	15	29
Devon and Cornwall	75	60
Dorset	15	16
Durham	24	15
Dyfed-Powys	6	19
Essex	38	43
Gloucestershire	6	9
Greater Manchester	53	78
Gwent	6	9
Hampshire	73	113
Hertfordshire	21	21
Humberside	14	15
Kent	54	96
Lancashire	20	38
Leicestershire	18	31
Lincolnshire	14	8
Merseyside	41	3
Metropolitan Police	[1]	39
Norfolk	23	43
Northamptonshire	13	28
Northumbria	27	37
North Wales	10	67
North Yorkshire	[2]	33
Nottinghamshire	13	21
South Wales	12	21
South Yorkshire	20	34
Staffordshire	20	21
Suffolk	53	53
Surrey	8	26
Sussex	19	51
Thames Valley	35	63
Warwickshire	15	38
West Mercia	46	24
West Midlands	55	53
West Yorkshire	93	80
Wiltshire	11	13
Total	1,059	1,555

[1] A number of successful applicants were awaiting a training course towards the end of 1999 and were not counted as recruited until the course commenced.
[2] Due to boundary restructuring applications during the relevant period were not processed until the end of 1999.

The figures have been supplied by the Home Office Research Development and Statistics Directorate.

We are addressing the decline in numbers. In March we funded a two-week national radio and press recruitment campaign at a cost of £700,000. We have commissioned some research into what attracts people to the Special Constabulary to help inform the next phase of recruitment activity. The findings are due shortly. In addition, in the next few months we will be providing better sick pay arrangements for injury on duty and improving expenses and allowances. We will also be introducing a scheme to give special constables access to free legal advice and representation if subject to criminal, civil or disciplinary proceedings.

Mr. Heald: To ask the Secretary of State for the Home Department how many special constables there were in each police force in England and Wales on 31 December 1999. [122301]

Mr. Charles Clarke: The latest date for which figures are available is 30 September 1999. The number of special constables in post in each police force area in England and Wales on that date was:

Special constables in post on 30 September 1999

Force	*Number*
Avon and Somerset	482
Bedfordshire	148
Cambridgeshire	293
Cheshire	358
City of London	66
Cleveland	108
Cumbria	193
Derbyshire	303
Devon and Cornwall	908
Dorset	287
Durham	169
Dyfed-Powys	237
Essex	528
Gloucestershire	221
Greater Manchester	498
Gwent	110
Hampshire	720
Hertfordshire	232
Humberside	263
Kent	484
Lancashire	397
Leicestershire	303
Lincolnshire	218
Merseyside	467
Metropolitan Police	1,173
Norfolk	317
Northamptonshire	210
Northumbria	356
North Wales	262
North Yorkshire	245
Nottinghamshire	405
South Wales	331
South Yorkshire	236
Staffordshire	460
Suffolk	420
Surrey	205
Sussex	377
Thames Valley	514
Warwickshire	260
West Mercia	512
West Midlands	697
West Yorkshire	572
Wiltshire	182
Total	15,727

The figures have been supplied by the Home Office Research Development and Statistics Directorate.

Metropolitan Police Officers

Mr. Heald: To ask the Secretary of State for the Home Department how many constables have had less than two years police service in the Metropolitan police in each month since January. [122271]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of Police of the Metropolis:

Constables with less than two years police service since January 2000

Month	*Total*
January	2,221
February	2,205
March	2,242
April	2,326

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers in the Metropolitan police have *(a)* resigned, *(b)* applied to retire on ill health grounds or have retired and *(c)* transferred to another force since 1 January. [122273]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that since 1 January 2000, 130 of his officers have resigned, 89 have retired on ill-health grounds and 107 have transferred to other forces.

Metropolitan Police Stations

Mr. Heald: To ask the Secretary of State for the Home Department if he will list the police stations in the Metropolitan police area which *(a)* closed and *(b)* reduced hours in 1999. [122288]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that six police stations closed during 1999: Biggin Hill, Chislehurst, Westcombe Park, Collier Row, Lee Road and Barnes. A further six reduced opening hours: Muswell Hill, Highgate, St. Ann's, Brockley, Banstead (now part of Surrey Constabulary) and Tooting.

Mr. Heald: To ask the Secretary of State for the Home Department if he will list the police stations in the Metropolitan police area which are planned *(a)* to close and *(b)* to reduce hours in 2000. [122289]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that Putney police station closed in January of this year. No further closures are planned for 2000. Opening hours will be reduced at Shepherd's Bush and Stratford.

Police Numbers (Wastage)

Mr. Heald: To ask the Secretary of State for the Home Department what wastage in police numbers has taken place since September 1999 in each police force; and if he will make a statement. [122279]

Mr. Charles Clarke: Information about wastage and other changes in police numbers, between 30 September 1999 and 31 March 2000, is not yet complete as a number of forces are still to submit returns. We plan to publish data on police numbers as soon as they are complete and have been verified. Our current plans are to publish these data by 30 June.

Metropolitan Police (Civilian Staff)

Mr. Heald: To ask the Secretary of State for the Home Department how many civilian staff there have been in the Metropolitan Police Service in each month since January. [122276]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of Police of the Metropolis.

Month	*Civil staff (full-time equivalent)*
January	10,791
February	10,782
March	10,759
April	10,666

Press Officers

Mr. Heald: To ask the Secretary of State for the Home Department how many press officers were employed by his Department in *(a)* March 1997 and *(b)* March 2000. [122299]

Mr. Straw: The nearest monthly figures I am able to provide are for April 1997 when there were 14 press officers employed in the Home Office press office. This figure includes one trainee, a Higher Executive Officer and a Chief Immigration Officer on secondment.

As at March 2000 there were 17. This figure includes three trainees, a Chief Immigration Officer and a Higher Executive Officer on secondment to the Home Office Press Office.

Traffic Wardens

Mr. Heald: To ask the Secretary of State for the Home Department how many traffic wardens there have been in the Metropolitan Police Service area in each month since January. [122275]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of Police of the Metropolis.

Month	*Metropolitan Polic Service traffic wardens*
January	845
February	837
March	826
April	809

Bramshill National Police Training

Mr. Heald: To ask the Secretary of State for the Home Department when the equal opportunities audit of the Extended Interview Process to attend Bramshill National Police Training will be completed; and if he intends to publish the report. [122282]

Mr. Charles Clarke: The report should be circulated to interested stakeholders in July after validation of the research data.

There are no plans for the report to be published more widely but I will arrange for the hon. Member to receive a copy when it is circulated.

Police (DNA Samples)

Mr. Heald: To ask the Secretary of State for the Home Department which police forces in England and Wales *(a)* invites and *(b)* requires their officers to give DNA samples; and if he will make a statement. [122270]

Mr. Charles Clarke: At the Police Advisory Board meeting on 2 February 2000, agreement was reached on the terms of a protocol governing the establishment of a voluntary Police Personnel DNA Elimination Database to aid the elimination of innocent contamination at crime scenes by front line police staff.

The Association of Chief Police Officers (ACPO) has written to forces to request the sampling of nominated front line staff by 31 May. All sampling for the Elimination Database is voluntary.

Crime Reduction Partnerships

Mr. Heald: To ask the Secretary of State for the Home Department if he will take steps to improve the attendance of *(a)* social services departments and *(b)* health authorities at meetings of crime reduction partnerships; and if he will make a statement. [122283]

Mr. Charles Clarke: We have put in place a support programme for local crime and disorder reduction partnerships, part of which is aimed at maximising the involvement of all the statutory partners. As an example, we have recently launched a series of conferences organised jointly by the Home Office and the National Health Service Executive, for health service managers to increase awareness of the mutual advantages of partnerships working under the Crime and Disorder Act 1998.

Crime Fighting Fund

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers are planned to be recruited in each police force area under the Crime Fighting Fund in the first two years of the scheme. [122281]

Mr. Straw: I refer the hon. Member to the reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), on 6 April 2000, *Official Report*, columns 595–96W. I hope to make the promised announcement shortly.

Police Helicopters

Ms Julie Morgan: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 May 2000, *Official Report*, column 314W, on police use of helicopters, how many of the 200 arrests led to successful prosecutions. [122237]

Mr. Charles Clarke: The information is not readily available and could be obtained only at disproportionate cost.

Overseas Visitors (Financial Bonds)

Mr. Mudie: To ask the Secretary of State for the Home Department when he will announce *(a)* the implementation date and *(b)* the level of financial bonds for overseas visitors. [121714]

Mrs. Roche: The proposed pilot study for financial bonds for visitors will begin in October. I hope to make an announcement on the design of the pilot study, including the level of the financial bond, very soon.

Election Turnouts

Mr. Nigel Jones: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of experiments aimed at increasing voter turnout in elections. [122008]

Mr. Mike O'Brien: Under the terms of the Representation of the People Act 2000, responsibility for evaluating the recent electoral pilot schemes rests with the local authorities concerned and we do not wish to prejudge that process.

Early indications are that the all-postal ballot schemes had the most significant impact on voter turnout. However, this is not, of course, the only measure of success: the evaluation reports will also be concerned with such issues as ease of voting and increased administrative efficiency.

London Mayoral Election

Mr. Lidington: To ask the Secretary of State for the Home Department (1) what *(a)* written and *(b)* oral instructions were given to voters on how to vote using the supplementary vote system at the election for Mayor of London; whether voters were explicitly informed at any stage that they were not obliged to indicate more than one preference; and if he will make a statement; [121815]

(2) if he, his Ministers or his officials *(a)* approved and *(b)* were informed of the wording of the instructions to voters on the supplementary vote system used in the election for Mayor of London that were (i) printed on ballot papers, (ii) displayed in polling stations and (iii) to be given orally to voters; [121959]

(3) what discussions he, his Ministers or his officials have had with, and what representations he has received from *(a)* the Greater London Returning Officer, *(b)* Ministers and officials in the Department of the Environment, Transport and the Regions and *(c)* other persons regarding the wording of the instructions used at the election for Mayor of London; and if he will make a statement; [121832]

(4) what assessment he has made of the compatibility of the instruction to voters on the ballot paper and in polling booths to indicate two preferences in the election for Mayor of London with the provisions of the European Convention on Human Rights; for what reason voters were not informed *(a)* on the ballot paper, *(b)* in the

polling booth and *(c)* by staff at polling stations that they were not obliged to indicate two preferences; and if he will make a statement. [121818]

Mr. Mike O'Brien: The wording to be printed on the Mayoral ballot papers and to be displayed in polling stations was set out in the Greater London Authority Elections (No. 2) Rules 2000 (SI 2000/427) which were approved by both Houses of Parliament. We have no reason to believe they were not compatible with the European Convention on Human Rights.

It has never been the practice to issue central instructions to polling station staff on what they should say to voters and none were issued on this occasion.

Proportional Representation

Miss Widdecombe: To ask the Secretary of State for the Home Department what research his Department has conducted into the number of spoilt ballot papers under systems of proportional representation; and if he will make a statement. [122035]

Mr. Mike O'Brien *[holding answer 12 May 2000]:* Approximately 0.3 per cent. of the ballot papers that were issued at the European Parliamentary elections and the Scottish Parliamentary elections last year were spoilt, broadly the same percentage as at the 1997 general election. I am advised that the figure for the elections to the Greater London Authority were significantly higher largely because a large number of ballot papers were left blank.

St. George's Day

Mr. Maude: To ask the Secretary of State for the Home Department what preparations, at what cost, Government Departments made for celebrating St. George's Day this year. [120867]

Mr. Mike O'Brien *[holding answer 8 May 2000]:* Although Government Departments did not officially celebrate St. George's Day this year, I understand that some embassies and missions overseas and some English Heritage properties took the opportunity to give a St. George's Day theme to events taking place at that time. I further understand that the Coldstream Guards and possibly some other English regiments normally celebrate the Day, at the expense of regimental funds rather than the defence budget.

Drug Treatment and Testing Orders

Mr. Gardiner: To ask the Secretary of State for the Home Department what progress he has made on drug treatment and testing orders; and if he will make a statement. [122508]

Mr. Straw: The order was piloted in three areas: Croydon, Liverpool and Gloucestershire. The pilots ended on 31 March 2000. The final evaluation is being undertaken by the South Bank University and is expected to be available in early July. I intend to publish that evaluation.

The Government have made available £20 million in 2000–01 and £40 million 2001–02 under the Comprehensive Spending Review to fund Drug Treatment and Testing Orders (DTTOs). Most of this money is being channelled through probation services, ring-fenced for the purpose, and each area has been advised of its allocation. Services have been instructed to prepare for roll out of the order subject to the final evaluation, and their preparations are well under way.

We have indicated to probation services that, subject to satisfactory evaluation, the roll out should commence in October 2000. Although the final evaluation is not yet to hand, it is clear that the overall impact of DTTOs in the pilot areas has been very positive: both offending and expenditure on illegal drugs by those subject to the order has reduced markedly. In order to allow both probation services and their partner treatment agencies the maximum time to prepare with certainty, we have decided that, as we are confident as to the outcome of the final evaluation, we should make an early decision on national roll out. The Government have, therefore, decided that the order will be rolled out to all areas in England and Wales with effect from 1 October 2000.

On Track Crime Reduction

Mr. Burgon: To ask the Secretary of State for the Home Department if he will announce the areas that have been selected to participate in the On Track Crime Reduction Programme. [122441]

Mr. Boateng: I am pleased to announce today that 24 areas have been selected to participate in the On Track programme.

The On Track programme is a long-term crime reduction programme aimed at children between four and 12 years who are at risk of offending. It is a central element of the Government's Crime Reduction Programme's agenda on tackling the causes of crime. Eighty local authorities were invited last December to participate in the programme. The 24 areas have been selected from 76.

The objective will be to establish in each pilot area an enhanced range of evidenced-based preventive services. These will include family support training, home visiting, pre-school education, parent-school partnerships, family therapy and specialist interventions. There will be intensive inter-agency co-operation so that children at risk of offending are identified early and they and their families provided with consistent services through the child's development.

The following areas have been selected to participate in the programme:

Bradford
Brent
Bristol
Brighton and Hove
Bury St. Edmunds (Suffolk)
Easington (Durham)
Greenwich
Haringey
Kerrier (Cornwall)
Luton
Manchester

Northampton (Northamptonshire)
Oldham
Portsmouth
Rochdale
Sandwell
Scarborough (North Yorkshire)
Sheffield
Solihull
Southwark
Sunderland
Wirral

Wales:

Bridgend
Rhondda Cynon Taff

I have written to the Members for these areas in whose constituencies the pilot areas fall.

The On Track programme will establish an effective and cohesive programme of early prevention in these communities. It will have a real impact on youth crime in the areas concerned and provide valuable information on what works best in terms of early prevention.

Written Answers to Questions

Tuesday 16 May 2000

PRIME MINISTER

Ministerial Meetings

Mrs. Browning: To ask the Prime Minister if he will make a statement on his April meeting with the management of Ford, Dagenham. [121070]

The Prime Minister *[holding answer 5 May 2000]:* My right hon. Friend the Secretary of State for Trade and Industry and I met with representatives of the Ford Motor Company at the end of March, and representatives of the car industry including Ford at a meeting with the motor industry in April. However, I have had no meetings with the management of Ford, Dagenham during April.

Serbia

Mr. Dalyell: To ask the Prime Minister if he will make it his policy to offer to assist the authorities in Serbia to establish a Truth and Reconciliation Commission similar to that in South Africa; and if he will make a statement. [122336]

The Prime Minister: There is no prospect of the present Serbian authorities establishing a credible Truth and Reconciliation Commission. However, the UK Government have always stressed the importance of bringing to justice those responsible for serious violations of international humanitarian law in former Yugoslavia. To this end, we support the work of the International Criminal Tribunal for Yugoslavia (ICTY) by providing information and resources. In 1999 our contribution to the ICTY was assessed at £3.1 million.

In Serbia, our active support for Serbian civil society and independent media includes support for projects in this field, including one media project which aims to draw on the experiences of South Africa. The issue of "Reconciliation with the Past" will be the subject of one of the UK funded New Serbia Forum series, which brings together Serbian experts from the democratic opposition to discuss the policies necessary for the post-Milosevic era.

HOUSE OF COMMONS

Finance Bill

Mr. Rammell: To ask the Chairman of the Information Committee on which date the amendments to the Finance Bill, due to be debated on 2 May, were posted on the parliamentary intranet; and if he will make a statement. [122120]

Mr. Allan: This is a matter for the Deliverer of the Vote, but I am advised that the Notice of Amendments given up to and including Thursday 27 April 2000 for the Committee of the whole House on the Finance Bill was posted on the parliamentary intranet at 8.13 am on Friday 28 April. The Amendment Paper for the business of the Committee of the whole House for Tuesday 2 May, which was substantially the same as the previous paper, was posted on the parliamentary intranet at 9.34 am on Tuesday 2 May. If the hon. Member has any further queries on this matter, I would advise him to contact the Deliverer of the Vote.

HEALTH

Death Certificates, Royal Free

Mr. Dismore: To ask the Secretary of State for Health what arrangements are in place at the Royal Free Hospital to provide death certificates at weekends in respect of members of groups and communities who require them to arrange early burial or cremation because of their beliefs or culture; and if he will make a statement. [117840]

Mr. Denham: At the Royal Free Hospital, a doctor who knew the patient in life must sign a cause of death certificate. This is usually a junior doctor, if the death occurs out of normal hours. Once it has been completed, the body can be released to the funeral director who will obtain the death certificate from the Registrar of Births, Marriages and Deaths. The Registrar's office opens from 9am-12:20pm every Saturday and they have an on-call system for Sunday registrations.

In response to concerns that have been expressed by some religious groups, such as Muslims, that removal and burial can be unreasonably delayed where the death occurs at the weekend, I understand that the Home Office, which has a general responsibility for coroner arrangements, has asked coroners to ensure that they always take account of the religious feelings of the bereaved and deal with their concerns with understanding and sensitivity. Many coroners have discussed these issues with their local ethnic and religious communities.

Thyroid Disease

Mr. Wigley: To ask the Secretary of State for Health (1) what research his Department has sponsored as to whether the estrogenic dose from soy baby foods is in the range known to cause thyroid abnormalities; and if he will make a statement; [118340]

(2) if he will estimate by age the number of people in the UK, and the proportion of the population which this represents of their age group, who are thought to be at risk of thyroid disease; and what correlation these figures have with the consumption levels of these age groups of soy baby food products. [118342]

Ms Stuart: Thyroid dysfunction is common and it is thought that up to 5 per cent. of the population are affected by hyper- or hypo-thyroidism. There is no central statistical information to answer the question with regard to incidence or risk of thyroid disease.

Following the 1996 advice of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT), a large programme of research was sponsored to specifically determine if soy infant formula carries any risk for infants. The Food Standards Agency is now responsible for this research.

The COT has set up a working group to review the available scientific evidence, including data on thyroid abnormalities, to determine if there are health implications associated with soy infant formula. The group will publish a report early next year. On the basis of this report, the FSA will consider whether any action needs to be taken.

Slimming Drugs

Mr. Gale: To ask the Secretary of State for Health how many slimming clinics have closed as a result of the implementation by the Medicines Control Agency of the ban on the use of products containing amfepramone and phentermine; and how many jobs have been lost through such closures. [121109]

Ms Stuart *[holding answer 8 May 2000]:* We do not have evidence that slimming clinics are closing, other than the one claim brought to our attention by the right hon. Member, following the withdrawal of amfepramone and phentermine from the market.

The European Commission's decision to withdraw amfepramone and phentermine products became effective from 9 April 2000. Following a legal challenge, the European Court has suspended the European Commission decision to withdraw amfepramone products. As a consequence the licences for amfepramone products were reinstated on 18 April 2000 and amfepramone has again been available on the United Kingdom market since that date. The European Court has not currently made any decision to suspend the Commission's decision regarding phentermine, which remains withdrawn.

Food-related Illness

Mr. Tyler: To ask the Secretary of State for Health what assessment he has made of the impact of conventional farming methods on levels of food-related illness and the cost of treating food-related illness in the NHS. [118572]

Ms Stuart: There has not been any assessment carried out of the impact of conventional farming methods on the levels of food-related illness. Indeed, it is usually not possible to trace the source of sporadic cases of food poisoning (which constitute the majority of cases) to a specific food, let alone to a specific food producer.

Although we have a good estimate of the total number of cases of infectious intestinal disease, and their cost to the National Health Service, it is not possible to say what proportion of this is foodborne. On the basis of a large study carried out in 1994–95, the cost to the NHS in England of treating illness due to the major food poisoning bacteria, *Salmonella* and *Campylobacter*, alone was between £26 million and £30 million per year from 1997 to 1999.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Health when the right hon. Member for North-West Cambridgeshire will receive a substantive answer to his letter of 28 March on behalf of his constituent Mrs. Drickett. [122332]

Ms Stuart: My right hon. Friend replied to the right hon. Member on 15 May.

Myalgic Encephalomyelitis

Mr. Robertson: To ask the Secretary of State for Health what steps he is taking to promote research into and public awareness of causes and symptoms of myalgic encephalomyelitis; and if he will make a statement. [122395]

Yvette Cooper: The chronic fatigue syndrome/myalgic encephalomyelitis working group convened by the Chief Medical Officer to produce good practice guidance for the care and treatment of people with CFS/ME—will make recommendations about the need to identify and commission further research.

The CFS/ME working group is also producing briefing notes. These are being distributed widely. The aim of the briefing notes is to inform people about the working group and the condition itself.

Priorities for departmental research and development support for the development of policy are determined through discussions with policy colleagues, the Departmental research Committee and Ministers. In the National Health Service research and development programme, priorities take account of widespread consultation with those using, delivering and managing services, within a framework overseen by the central research and development committee for the NHS. In all cases, priorities for our budgets reflect analysis of the burden of disease, potential benefits and our priorities and take account of the responsibilities and work of other funders.

Honey (GM Pollen)

Joan Ruddock: To ask the Secretary of State for Health when, and on what terms, EU marketing consent was given for honey containing genetically modified pollen. [121699]

Ms Stuart: The European Commission, in response to questions from the European Parliament, has advised that honey containing trace amounts of pollen from genetically modified crops is not classified as a novel food, and may therefore be lawfully sold throughout the Community. Work carried out by the Laboratory of the Government Chemist, a report of which is available in the Library, indicates that the amount of genetically modified material in honey is likely to be extremely small, at most no more than 0.00000000003g to 0.000000005g in a 500g jar.

All GM crops intended for deliberate release in this country, and in the rest of the European Community, have to be thoroughly assessed for human and environmental safety before they are allowed to be planted. This assessment includes safety implications of any exposure to pollen through ingestion or inhalation from the air, or as a result of it landing on other crops.

HOME DEPARTMENT

Hunting with Hounds

Mr. Flynn: To ask the Secretary of State for the Home Department when he expects the Burns Committee to report. [121529]

Mr. Mike O'Brien: I understand Lord Burns hopes to submit his report to my right hon. Friend the Home Secretary by late spring.

Jay Abatan

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if there will be a coroner's inquest, with a jury, into the death of Jay Abatan. [122481]

Mr. Boateng: I understand that the coroner will decide shortly whether to resume the inquest into the death. A jury would not be mandatory, but the coroner could summon one if she were satisfied that there was reason to do so.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department if he will call for a report from the Chief Constable on the circumstances of the death and investigations following the attack on Jay Abatan in Brighton in January 1999. [122480]

Mr. Charles Clarke: I have received a report from Sussex Police and will write to the hon. Member as soon as possible. A copy of this letter will be placed in the Library.

Animal Trainers

Mr. Baker: To ask the Secretary of State for the Home Department how many animal trainers are licensed under the Performing Animals Regulations 1925; and if he will make a statement. [122303]

Mr. Mike O'Brien: The Home Office has so far this year received notification of 61 trainers and exhibitors of performing animals currently registered with local authorities under the Performing Animals (Regulation) Act 1925. Local authorities were reminded last January of their obligation under the Act to copy related certificates of registration to the Secretary of State.

Sentencing

Mr. Hope: To ask the Secretary of State for the Home Department what plans he has to introduce new sentencing arrangements. [122565]

Mr. Straw: As part of our objectives of reducing crime and dispensing justice fairly, we have already put in place a comprehensive programme of work to reduce the rate of re-offending. This includes ensuring that the Prison Service and the probation service work more effectively together; improving the enforcement of community penalties; developing programmes, in custody and in the community, which are known to reduce re-offending (based on the "what works" strategy) and building on the opportunities which new technology opens up.

Together these developments present an opportunity to consider possible new forms of sentences which better protect the public and reduce re-offending. In particular, they open up the possibility of a more flexible sentencing structure, in which the boundaries between custodial and community penalties are less rigid. However, the current legal framework established in the Criminal Justice Act 1991 may not be best suited to an approach of this sort. I have therefore decided to review that framework. The review will complement that of the criminal courts being conducted by Lord Justice Auld.

Its terms of reference will be:

In the light of the Government's objectives to protect the public by reducing crime and re-offending, and to dispense justice fairly and consistently, to consider:

what principles should guide sentencing decisions;

what types of disposal should be made available to the courts in order to meet the overarching objectives;

the costs of different disposals and their relative effectiveness in reducing re-offending;

what changes therefore need to be made to the current sentencing framework, as established by the Criminal Justice Act 1991, so as more effectively to reduce re-offending, including any transitional and consequential arrangements; and

the likely impact of any recommendations in terms of costs and the effects on the prison population.

In particular, the review should bear in mind the desirability of promoting flexibility in the use of custodial and community based approaches.

The review will be led by a senior official from the Home Office. I want it to be a rigorous, evidence-based exercise. It will operate in an open way, involving and seeking views from as wide a range of interests as possible. I expect it to take about 12 months from now to produce recommendations, which will then be the subject of formal consultation.

1999 European Parliamentary Elections

Mr. Olner: To ask the Secretary of State for the Home Department when he expects to complete the review of the 1999 European parliamentary elections. [122568]

Mr. Straw: The review has been completed and copies have today been placed in the Library.

Lowdham Grange Prison

Jackie Ballard: To ask the Secretary of State for the Home Department how many of the recommendations for improvements made by the Chief Inspector of Prisons in his unpublished report on Lowdham Grange are to be implemented before the publication of the report. [121466]

Mr. Boateng: The report was published on 27 April. In accordance with the protocol for handling inspection reports, the Prison Service will produce an action plan within 30 working days of publication of the report, addressing all the recommendations made by Her Majesty's Chief Inspector of Prisons. It is not possible to say how many of the 127 recommendations were fully implemented before publication, but once the action plan has been completed and reviewed at Prison Service Headquarters, I will write to the hon. Member with a progress report on implementation.

Jackie Ballard: To ask the Secretary of State for the Home Department what financial penalties have been incurred at HMP Lowdham Grange since the prison opened; and what were the reasons for each penalty. [121465]

Mr. Boateng: The information in respect of performance measures is shown in the table. There was a reduction in fee of £702.00 in respect of an unavailable prisoner place in June 1998. There have been no reductions in fees since February 1999.

Nature of performance measure	Incident of failure: June 1998 to August 1998	September 1998 to November 1998	December 1998 to February 1999
Keeping Prisoners in Custody			
Failure of security procedures	1	0	0
Key/lock compromises	2	1	0
Maintaining Order and Control			
Assault on staff and others	9	5	6
Assault on prisoners	1	0	0
Incident of concerted indiscipline	3	3	0
Incident of self harm	8	1	9
Incident of Class A drugs	22	25	11
Contingency planning exercise	0	1	0
Comply with agreed reporting procedure	1	0	0
Tool/implement loss (found)	2	0	1
Tool/implement loss (not found)	0	1	0
Providing Decent Conditions			
Failure to provide meals	2	0	0
Response to prisoner complaints	30	12	4
Substantiated complaints	5	2	2
Repair failure	3	1	0
Providing Positive Regimes			
Deliver work hours	0	14	13
Reduction	£45,080	£31,231	£6,334

Private Prisons

Jackie Ballard: To ask the Secretary of State for the Home Department if he will review his decision not to make contracts between his Department and private prison operators public; and if he will make a statement. [121464]

Mr. Boateng: Unpriced copies of contracts between the Prison Service and companies operating prisons are available in the Library and can be obtained from the Prison Service for a small fee to cover administrative and printing costs. This policy is consistent with the Cabinet Office guidance on interpreting the Code of Practice on Access to Official Information and with the requirements of the European Union Procurement Directives.

Altcourse Prison

Jackie Ballard: To ask the Secretary of State for the Home Department what financial penalties have been incurred at HMP Altcourse since the prison opened; if he will list the reasons for each penalty; how many of the recommendations for improvements made by the Chief Inspector of Prisons in his report were implemented before the publication of the report; what conclusions were drawn from the recent security audit; by what date recommendations for improvement were implemented; and what penalties were incurred by Group 4 as a result of that audit. [121468]

Mr. Boateng: Financial penalties totalling £212,728.23 were withheld for the period 1 December 1997 to 30 August 1998 for Altcourse prison. Of these, £195,000 have been calculated by converting the penalty points accrued during the period to a financial value in accordance with the performance mechanism contained in the contract. The amount also includes the sum of £17,728.23 which has been deducted from the contractor for 'doubling', in excess of permitted levels. There have been no financial penalties since 1 September 1998.

The incidents leading to the deductions are listed in the table and are failures to comply with performance standards.

The inspection report on Altcourse prison was published on 19 April. In accordance with the protocol for handling inspection reports, the Prison Service will produce an action plan within 30 working days of publication of the report, addressing all the recommendations made by Her Majesty's Chief Inspector of Prisons. It is not possible to say how many of the 106 recommendations were fully implemented before publication, but once the action plan has been completed and reviewed at Prison Service Headquarters, I will write to the hon. Member with a progress report on implementation.

The overall compliance rating of the security audit of Altcourse prison was acceptable. Of the modules audited, four were rated as good, two as acceptable and three as deficient. Only one of these was rated as a significant finding and this has been fully addressed.

An action plan has been produced addressing the recommendations for improvements, and some non-compliant baselines were resolved during the course of the audit. Ninety per cent. of the action plan has already been implemented with full implementation to be completed by the end of June. No financial penalties were incurred as a result of the audit.

Altcourse prison: Failures to comply with performance standards

Nature of performance	Number of incidents
Keep prisoners in custody	
Escape from Prison	1
Release in error	1
Items smuggled in	66
Key lock Compromises	

Altcourse prison: Failures to comply with performance standards

Nature of performance	*Number of incidents*
Maintain order, control discipline and safe environment	
Assaults on Staff and others	34
Assaults on Prisoners	29
Incident of concerted indiscipline	128
Incidents of roof climbing	2
Incidents of self harm	70
Contingency Planning Exercise	1
Fire Evacuation Exercise	1
Failure to comply with agreed reporting procedures	7
Tool/Implement loss (found)	1
Providing decent conditions for Prisoners and meet their needs, including healthcare	
Failure to provide medical response	155
Response to Prisoner Complaints	16
Repair failure	63
Provision of sentence plans	80
Providing Positive Regimes	
Main Programmes Sentenced (Core Week)	4
Regime Activities Sentenced (Non-Core Week)	4
Out of cell hours	36
Helping Prisoners prepare for their return to the Community	
Visits starting within 30 minutes of appointment	61
Release without discharge report	13
Pre-release course attendance	13

EU Asylum Policy

Mr. Mitchell: To ask the Secretary of State for the Home Department what proposals he has received from the European Commission in respect of powers exercised by virtue of any convention or treaty article concerning the standardisation of tests for accepting asylum applications to Governments of member states. [121631]

Mrs. Roche: I am aware of no proposals from the European Commission concerning the standardisation of the criteria for the recognition of refugees, or for determining the member state responsible for determining an asylum claim made within the European Union. Such proposals would be consistent with the requirements of article 63 of the Amsterdam Treaty. However, the European Commission has to date produced only a discussion document on "Towards Common Standards on Asylum Procedures" and a working paper entitled "Revisiting the Dublin Convention". The latter seeks to initiate debate on the Dublin Convention as the first step towards developing Community legislation for determining which member state is responsible for considering an application for asylum submitted in one of the member states. The Government's view of this document can be found in the Home Office Explanatory Memorandum dated 10 May, deposited in the Library. The Government's view on the discussion paper "Towards common Standards on Asylum Procedures" can be found in the Home Office Explanatory Memorandum dated 26 March 2000 deposited in the Library.

Human Rights Act 1998

Miss Widdecombe: To ask the Secretary of State for the Home Department what plans he has to amend the Human Rights Act 1998 following the judgment of the Court of Appeal in the case of R *v.* Perry; what steps he is taking to prevent abuse of the type referred to in the judgment; and if he will make a statement. [121986]

Mr. Straw *[holding answer 12 May 2000]:* The Human Rights Act 1998 gives further effect in United Kingdom law to most of the rights guaranteed by the European Convention on Human Rights, which successive governments and Parliament have abided by for the last 50 years. The Court of Appeal takes a robust approach to those who waste its time and the position should be no different when the Human Rights Act comes fully into force. All judges, lay magistrates and their legal advisers are being trained to deal with Convention points effectively.

Wrongfully Convicted Prisoners

Mrs. Ellman: To ask the Secretary of State for the Home Department what financial and other assistance is available at the time of release for prisoners freed by the Court of Appeal on grounds of wrongful conviction; and if he will make a statement. [121937]

Mr. Straw: Most prisoners when released from prison are given a discharge grant to help them meet their immediate needs. The position of prisoners discharged from court after a sentence has been quashed or reduced on appeal is that they would normally be entitled to a grant provided they have been in custody for at least nine days of their sentence.

In cases of wrongful conviction where it has been decided that an individual qualifies for payment of compensation, he or she may then apply for an interim payment to help alleviate any immediate financial difficulties.

Funding has been made available this year to enable a voluntary body, familiar with prisoner resettlement issues, to develop, on a national basis, an advice and counselling service specifically geared to the needs of successful appellants. We hope to be entering into discussions soon with possible providers of such a service. The Probation Service may also provide assistance on a voluntary basis.

Asylum and Immigration

Mr. Lidington: To ask the Secretary of State for the Home Department in what circumstances *(a)* asylum seekers, *(b)* persons granted asylum, *(c)* persons granted exceptional leave to remain and *(d)* other persons subject to immigration control may lawfully work in the United Kingdom; and if he will make a statement. [121812]

Mrs. Roche: The circumstances vary according to the category.

Asylum seekers who have not received a first decision on their asylum application within six months may apply to the Home Office for permission to work. Where written permission is granted, they will be able to take employment lawfully.

Persons granted asylum are given indefinite leave to remain in the United Kingdom and as such have no restriction attached to their stay. They may seek whatever employment they wish and they do not need to seek permission from the Immigration Authorities to take employment.

Persons granted exceptional leave to remain are free to seek employment within the limit of their leave to remain. They do not need to seek permission from the Immigration Authorities in order to do so.

There are a considerable number of categories under which persons subject to immigration control may lawfully engage in employment. Details of the various categories which permit employment and self-employment within the Immigration Rules, and the conditions attached to leave granted under those categories, are set out in the Statement of Changes in Immigration Rules, HC 395. In addition, there are a number of concessions that operate outside the Rules, under which those who meet the requisite criteria may lawfully take employment. Details of the various concessions are contained in the Immigration Directorate's Instructions. Copies of the Rules and the Instructions are available in the Library on the Home Office website: www.homeoffice.gov.uk/ind/hpg.htm.

Gardening Leave

Mr. Lidington: To ask the Secretary of State for the Home Department how many officials in *(a)* his Department and *(b)* its non-departmental public bodies and Executive agencies are currently on gardening leave. [121813]

Mr. Straw: Six officials in the Home Office (and none in our non departmental public bodies and Executive agencies) are currently on special leave with pay while awaiting a posting.

Corpus Juris

Mr. Illsley: To ask the Secretary of State for the Home Department if he will make a statement on Corpus Juris and the EU InterGovernmental Conference. [120888]

Mr. Charles Clarke: I refer my hon. Friend to the reply I gave to the hon. Member for Ludlow (Mr. Gill) on 15 May 2000, *Official Report*, column 51W.

The Intergovernmental Conference should focus on the institutional reforms necessary to prepare the European Union for enlargement.

CULTURE, MEDIA AND SPORT

Television (Wales)

Mr. Llew Smith: To ask the Secretary of State for Culture, Media and Sport (1) what proportion of television viewers in Wales have access to Channel 4 television; and what plans he has to increase the availability of Channel 4 in Wales; [121930]

(2) what proposals he has to increase the availability of Channel 5 in Wales, other than via pay-for-access satellite; [121928]

(3) if he will make a statement on the availability of Channel 4 in Wales following the implementation of digital television. [121929]

Janet Anderson: The priority for the use of scarce frequency channels is to develop digital terrestrial television across the UK, rather than to extend analogue Channel 5 services.

The Welsh transmitters broadcast analogue S4C, instead of Channel 4, so only the 40 per cent. or so of Welsh viewers who can receive signals from English terrestrial transmitters can obtain terrestrial analogue Channel 4. The introduction of digital television has improved the availability of Channel 4 in Wales, since it can be broadcast alongside S4C from Welsh transmitters.

The Government will ensure that all consumers in Wales who presently receive analogue television will be able to receive the main free-to-air channels digitally, before the analogue transmissions are fully switched to digital.

Channel 3

Mr. Doran: To ask the Secretary of State for Culture, Media and Sport what proposals he has to improve regional management and control of Channel 3. [122459]

Janet Anderson: These are matters for the Independent Television Commission. The Broadcasting Act 1996 empowers the Commission to vary a Channel 3 licence on a change of control if they consider it may be prejudicial to the regional character of the service. The Commission can take into account the extent to which managerial and editorial decisions are taken by persons employed in the licence area.

TRADE AND INDUSTRY

Business Costs

Mrs. Browning: To ask the Secretary of State for Trade and Industry what are the *(a)* start-up and *(b)* annual running costs to business of (i) the working families tax credit, (ii) the recoupment of the student loan and (iii) stakeholder pensions. [121071]

Mr. Byers: Details of costs arising from these measures are set out in the Regulatory Impact Assessments prepared by the relevant departments, copies of which are available in the Library of the House.

Gas Market

Ms Coffey: To ask the Secretary of State for Trade and Industry what plans he has to implement the Gas Directive (98/30/EC). [122714]

Mrs. Liddell: I have today issued a consultation document outlining proposals for implementation of the 'downstream' aspects of the Gas Directive. This follows a parallel consultation document outlining proposals to implement those aspects of the Gas Directive which apply to upstream pipeline networks, which I issued on 30 March 2000, *Official Report*, columns 242–43W.

The regime for the gas market in Great Britain, which has been fully open to competition since 1998, with regulated third party access to pipelines and requirements for non-discrimination, is generally well ahead of the requirements of the Directive. However, there are a number of areas where relatively limited technical amendments will be needed to ensure full compliance.

The consultation document identifies requirements for amendment to the regulatory framework in the following areas:

improvements in the transparency of the procedures for licence applications;

a duty of non-discrimination to be imposed on certain undertakings (in addition to those already subject to such a duty);

separate internal management accounts to be kept by certain undertakings;

statutory provisions for third party access to be applied to certain undertakings;

competent authorities for dispute settlement purposes to be designated.

It also identifies a need for certain administrative actions.

The parallel 'upstream' consultation document proposed that the interconnecting pipeline between the United Kingdom and Belgium should be regarded as an upstream pipeline for the purposes of the Directive. However, the responses to that document may make a good case for treating it as a downstream pipe-line. The present consultation document therefore seeks views on how this interconnector might be treated as a 'downstream' pipeline, subject to statutory third party access with appeal to the Secretary of State.

The regulatory impact costs on business, on which comments are invited, are expected to be negligible.

Comments on the consultation document have been requested by 16 June 2000.

A copy of the document has been placed in the Library of the House. The document will also be available on the Department's website (www.dti.uk).

Insolvency Service

Ms Coffey: To ask the Secretary of State for Trade and Industry when the Quinquennial Review of the Insolvency Service will take place; and what the terms of reference for the review will be. [122715]

Mr. Byers: I am launching the Quinquennial Review of the Insolvency Service today.

The Government are committed to achieving better public services that are of higher quality and are more responsive to the needs of the people who use them. The services and functions provided by the Executive Agencies and non-departmental public bodies (NDPBs) are at the heart of this programme of continuous improvement and their effective delivery is a key element in the success of Modernising Government. Regular Agency and NDPB reviews are an important element in ensuring that we have in place the right structures to deliver the Government's agenda effectively and to provide a strong focus on improving their future performance.

The terms of reference for the review of the Insolvency Service are:

To consider and to make recommendations regarding:

First, the organisational status which would be most appropriate for the policy, work and operation of the Insolvency Service in the future, taking into account its contribution to the objectives of the Department and of the Government as a whole, including the Modernising Government agenda, developments in the national and international legislative, regulatory and commercial environment, and the views of customers, staff, consumers and other interested parties; and

Second, whether any changes should be made to the way in which the Insolvency Service operates, including its aims and objectives, targets and financial controls; the scope of the activities undertaken; and whether its activities could be done more effectively.

The review is to be undertaken in accordance with the latest Cabinet Office guidance, published in January 2000.

The review will be led by Pamela Denham, a former official in the Department of Trade and Industry, with support from officials and specialist advice as appropriate. The Review Team will report to a Steering Group which will include two independent members (Gill Hankey and Geoffrey Drage) and be chaired by Dr. Catherine Bell, the Director General of Corporate and Consumer Affairs. The aim will be to complete each stage of the review within three months, as recommended in the Cabinet Office guidance.

As indicated in the terms of reference, the Review Team is seeking the views of interested parties. A consultation paper is available from:

The Insolvency Service Review Team
Room 876
Esso House
96 Victoria Street
London
SW1E 5JL

tel: 010 7215 2255
fax: 020 7215 2987
e-mail: cca.commens@lond02.dti.gov.uk

Comments should be sent to the same address by 6 June 2000.

Rover

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what contingency plans the Government have in the event that the conditional offer to Phoenix by Burdale Financial, the subsidiary of First Union, of £200 million to finance the acquisition of Rover is withdrawn following due diligence; and if he will make a statement. [122244]

Mr. Alan Johnson: The financial backing which it has received for its bid is a commercial matter for the Phoenix Consortium. The Consortium has not sought Government finance for its proposals.

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what plans he has to meet representatives of *(a)* Burdale Financial and *(b)* First Union to discuss the financing of the acquisition of Rover by Phoenix. [122242]

Mr. Alan Johnson: None. This is a commercial matter for the Phoenix Consortium.

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what assessment he has made of the status of the offer to Phoenix by First Union of £200 million to finance the acquisition of Rover in respect of *(a)* due diligence and *(b)* an examination of the business plan of Phoenix; and if he will make a statement. [122241]

Mr. Alan Johnson: These are commercial matters for the Phoenix Consortium. It would not be appropriate to comment.

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what assessment he has made of the prospects for Honda's involvement in the future of the Rover plant. [122243]

Mr. Alan Johnson: None. This is commercial matter between Honda and the Phoenix Consortium.

Ilisu Dam

Ms Kingham: To ask the Secretary of State for Trade and Industry what recent discussions the Foreign and Commonwealth Office has had with the Turkish Government regarding the Ilisu Dam Project. [120897]

Mr. Caborn: My right hon. Friend the Secretary of State for Trade and Industry has not had any discussions with the Turkish government regarding the Ilisu Dam project. As part of its normal procedures, the Export Credits Guarantee Department has had discussions with the General Directorate of State Hydraulic Works (DSI), the Turkish authority responsible for the project; the most recent meeting took place in London in February.

Defence Manufacturers Association

Dr. Tonge: To ask the Secretary of State for Trade and Industry how many times his Department has met representatives of the Defence Manufacturers Association since 1997. [122245]

Mr. Alan Johnson: My Department maintains a regular dialogue with the Defence Manufacturers Association (DMA) on sectoral and export issues. Many of the meetings between officials in my Department and the DMA are informal or during the course of other events and no central record is kept. In 1997, the then Under-Secretary of State with responsibility for Small Firms addressed the DMA's Annual General Meeting.

WALES

Youth Service

Mrs. Lawrence: To ask the Secretary of State for Wales if he will make a statement on the development of the Youth Service in Wales and the Learning and Skills Bill [*Lords*]. [121238]

Mr. Hanson: The Government have introduced amendments to the Learning and Skills Bill to enable the National Assembly to develop, together with local authorities and others, an enhanced youth support service for young people in Wales.

SOLICITOR-GENERAL

Jay Abatan

Mr. Peter Bottomley: To ask the Solicitor-General if he will call for a report from the Crown Prosecution Service on its actions following the attack on Jay Abatan in Brighton in January 1999. [122482]

The Solicitor-General: I have received an initial report about this case from the Crown Prosecution Service. I am now making further inquiries and will provide as substantive answer as soon as I am able.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Asylum Seekers (Housing)

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what assumptions he made about the number of asylum seekers living in south east England when he prepared his response to the Crow report. [120255]

Ms Beverley Hughes: The Department's household projections are only one of several factors which informed the Proposed Changes to draft Regional Planning Guidance for the south east. I refer the hon. Member to my answer below—which clarifies the relationship between population projections in which assumptions about asylum seekers are made and the Department's household projections.

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what assumptions he has made in his Department's projections of future population and household formation trends about the number of asylum seekers in England. [120276]

Ms Beverley Hughes *[holding answer 2 May 2000]:* National population projections are prepared by the Government Actuary's Department and published jointly with the Office for National Statistics. A description of the assumptions in the 1996-based national population projections can be found in "National Population Projections: 1996-based" (ONS series PPG2 No. 21, published by TSO). These included a long-term asylum seeker assumption of 5,000 a year to the UK, virtually all of whom were assumed to settle in England. This assumption has subsequently been revised.

The 1996-based national population projections were an input into the Department's household projections, the latest of which is published in "Projections of Households in England to 2021", a copy of which is in the Library. No other information about asylum seekers in England was used in producing the household projections.

A6 (Dove Holes)

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, in respect of the A6 trunk road through Dove Holes, Derbyshire, for each of the last 10 years, *(a)* the number of (i) fatalities and (ii) injuries recorded in road accidents and *(b)* the number of speeding offences detected in the 30 mph zone; and what assessment he has made of the efficacy of the recently implemented traffic calming measures there. [121053]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to my hon. Friend.

Letter from Peter Nutt to Mr. Tom Levitt, dated 16 May 2000:

The Parliamentary Under Secretary of State, Keith Hill, has asked me to reply to your recent question requesting (a) the number of (i) fatalities and (ii) injuries recorded in road accidents and (b) the number of speeding offences detected in the 30mph zone, both over the last ten years, on the A6 Trunk Road through Dove Holes, Derbyshire. You also asked what assessment had been made of the efficacy of the recently implemented traffic calming measures there.

Unfortunately, we do not have personal injury figures for a full ten-year period for this length of A6. The figures between April 1994 and December 1999, the latest period for which information is available, are as follows:

Fatal - Nil;

Serious - 7;

Slight - 28

As enforcement of speed limits is a matter for the police, the Highways Agency does not record the number of speeding offences on trunk roads. This information should be available from the Chief Constable of Derbyshire Constabulary.

The "traffic calming measures" to which you refer take the form of variable speed limits (30mph in the built-up area, 40mph in the more rural area) rather than physical constraints on the speed of traffic more normally associated with traffic calming schemes. At present, it is too early to say how effective the measures at Dove Holes have been; monitoring began in April and a report will be produced later this year. I will ensure that you receive a copy.

In the meantime, if you wish to discuss any aspect further, the Highways Agency Route Manager for this length of A6 is Steve Forgham. He can be contacted at our office at Broadway, Broad Street, Birmingham, B15 1BL, or by telephone on 0121 678 8506.

Correspondence

Sir Peter Lloyd: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the letter of 28 February from the right hon. Member for Fareham about *(a)* the effect of the 1994 Land Tribunal Judgment in the case of Batchelor *v.* Kent County Council and *(b)* the action he intends to take following that judgment. [120983]

Ms Beverley Hughes: I replied to the right hon. Member's letter of 28 February on 15 May. My reply sets out the current position on the area of the compensation code that featured in the Batchelor case and of the compulsory purchase policy review which has been considering the whole question of compensation for compulsory purchase. I apologise for the delay, which was caused by problems with our ministerial correspondence tracking system.

Air Traffic Control

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what communications he has received from *(a)* the European Commission and *(b)* other sources concerning the compatibility with the public ownership and funding of those agencies now operating in the United Kingdom of European Commission proposals to create a single European Airspace and European Air Safety Agency. [121638]

Mr. Mullin: DETR received in January 2000 a copy of the Communication from the Commission to the Council and the European Parliament entitled "The creation of a single European sky"—EM No. 13735/99 COM(99) 614 final.

This Communication examined in detail the European air traffic management system. It provides the Commission's views on where it believes there are shortcomings, and makes proposals for areas which need further study in order to achieve the Commission's objective of "European airspace as a seamless continuum". In general, the Commission's ideas, such as the need to separate service provision from regulation, seem compatible with UK air traffic control policy. This is also the broad consensus view of the respondents to DETR's recent consultation exercise on this Communication.

In June 1998, the Council mandated the Commission to develop, on behalf of the European Community and the member states, a Treaty for a new international organisation to be known as the European Aviation Safety Authority, involving both EU and non-EU member states, as well as the Community itself. The mandate required the Commission first to submit a draft outline text of the founding Treaty to a Special Committee of member states representatives. The draft Treaty agreed by the Special Committee envisages that national aviation authorities, such as the United Kingdom Civil Aviation Authority, will continue as nationally constituted.

The Commission has recently suggested an alternative option, based on the creation of a Community Agency. In this connection, DETR received in April 2000 a copy of the Communication from the Commission to the Council and the European Parliament entitled, "Commission Working Document with a view to discussions within the Council on the creation of the European Aviation Safety authority in the Community framework"—COM(2000) 144 final. This document also envisages the continuation of national aviation authorities.

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions which Treaty Articles, Regulations and Directives relating to the control of air traffic within the European Union will *(a)* permit and *(b)* prohibit, a continuation of the current ownership of and mode of control in the airspace of the United Kingdom. [121630]

Mr. Mullin: By virtue of Article 295 of the Treaty of Rome, provisions made by the European Union under the Common Transport Policy must not prejudice the rules in member states governing the system of property ownership.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of total aircraft movements in the United Kingdom were handled by National Air Traffic Services on the most recent date for which figures are available. [121751]

Mr. Mullin: In 1999, NATS handled 46 per cent. of all aircraft movements in or out of the 60 UK airports for which data are available. In addition, NATS handles all flights between UK airports and aircraft over-flying the UK.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions how many passengers used licensed airports in the United Kingdom during 1999; in how many of those airports National Air Traffic Services was provider of air traffic control; and where such airports were. [121750]

Mr. Mullin: In 1999 there were almost 170 million terminal passengers at the 60 UK airports for which data are available. NATS provided ATC services at 10 of these airports:

Aberdeen
Belfast International
Cardiff
Edinburgh
Glasgow
London Heathrow
London Gatwick
London City
London Stansted
Manchester.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the providers of flight information air traffic control services to the aircraft in the open flight information regions. [121752]

Mr. Mullin: All Air Traffic Control (ATC) Units, both civil and military, are required to provide flight information services (FIS). This service is provided at the London and Scottish Air Traffic Control Centres by dedicated FIS controllers. At other ATC units, the provision of FIS is one of the primary responsibilities of all air traffic controllers.

Local Council Cabinets

Sir Teddy Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the operation of the procedures and the timescale for the introduction of the Cabinet system of Government in local councils. [121485]

Ms Beverley Hughes: The Local Government Bill [*Lords*], now before the House, provides for councils to adopt a new constitution with a separate executive. If the Bill is enacted, we expect that, under normal circumstances, all councils will have adopted a new constitution by May or June 2002 at the latest. We have now published for consultation revised drafts of the proposed guidance and regulations on new constitutions for councils; copies are available from the Vote Office and have been placed in the Library.

Driving Test Centres (South London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the driving test centres in South London. [121974]

Mr. Hill: There are 14 driving test centres in the Greater London constituencies south of the Thames at:

South Norwood; Wallington (Mint House); Wallington (Old Town House); Morden; Southfields; Sutton; Belvedere; Bexley Heath; Hither Green; Sidcup; West Wickham and Surbiton.

There are two test centres in Croydon, one conducting tests for learner lorry and bus drivers, the other for learner car drivers.

The test centres at Southfields and Surbiton are to be relocated to a new site at Tolworth-Surbiton from 8 June and Southfields from early September.

Through Traffic (Cheltenham)

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with Gloucestershire County Council regarding proposals to remove through traffic on the A40 through Cheltenham. [122007]

Mr. Hill: The Secretary of State has held no such discussions. This is a matter for the County Council to consider within the context of its Local Transport Plan.

Mayoral Election

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions if he [his Ministers or his officials] *(a)* approved and *(b)* were informed of the wording of the instructions to voters on the supplementary vote system used in the election for Mayor of London that were (i) printed on ballot papers, (ii) displayed in polling stations and (iii) to be given orally to voters; what discussions he [his Ministers or his officials] have had with, and what representations he has received from (1) the Greater London Returning Officer, (2) Ministers and officials in the Home Department and (3) other persons regarding the wording of the instructions used at the election for Mayor of London; and if he will make a statement. [121814]

Mr. Hill: In March, a Greater London Returning Officer (GLRO) was appointed to oversee the running of the first GLA election. In addition 14 constituency Returning Officers (CROs) were appointed to take the poll in their areas.

The wording of the instructions to voters printed on the mayoral ballot paper and displayed in polling station were prescribed in the Greater London Authority Elections (No. 2) Rules (SI 2000/427), which were approved by Parliament. No representations have been made to Ministers about the wording of the instructions; I understand that a small number of representations have been made to the GLRO.

The GLRO will be discussing experience of the election arrangements (which included a number of innovations) with the CROs, and will let me have his conclusions in due course.

Hazardous Loads

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received regarding the transportation of hazardous loads by road in tunnels. [121724]

Mr. Hill: None.

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions if he will restrict the transportation of dangerous and hazardous goods to rail; and if he will make a statement. [121723]

Mr. Hill: Consignors of dangerous goods may choose the mode of transport most appropriate for their needs, provided that they comply with the relevant safety requirements. As demonstrated in the 1992 Health and Safety Commission Advisory Committee on Dangerous Substances report on the major hazard aspects of the transport of dangerous substances, a copy of which is in

the Library of the House, there is no evidence that one mode of transport is generally more dangerous than another.

Police Authorities (Council Tax)

Shona McIsaac: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the police authorities of England in order of their Band D council tax precept for the financial year 2000–01. [122009]

Ms Beverley Hughes: Band D council tax precepts issued by English police authorities for 2000–01, listed in order of the amounts set, are given in the table:

£

Police authority	*Council tax (Band D)*
GLA—police	91
Lincolnshire Police	86
Dorset Police	84
Cumbria Police	84
Staffordshire Police	83
Merseyside Police	81
Northamptonshire Police	80
Surrey Police	79
Gloucestershire Police	78
Warwickshire Police	78
Wiltshire Police	76
West Mercia Police	74
Norfolk Police	72
Derbyshire Police	71
Hertfordshire Police	68
Essex Police	68
Leicestershire Police	68
Avon and Somerset Police	68
Bedfordshire Police	67
Cleveland Police	66
Nottinghamshire Police	65
Greater Manchester Police	63
Lancashire Police	63
Cambridgeshire Police	62
Suffolk Police	61
Cheshire Police	61
Thames Valley Police	60
Humberside Police	60
South Yorkshire Police	59
Devon and Cornwall Police	59
West Yorkshire Police	59
North Yorkshire Police	57
Kent Police	56
Sussex Police	56
Hampshire Police	55
West Midlands Police	55
Durham Police	53
Northumbria Police	52

Housing (West Oxfordshire)

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of growth in housing in West Oxfordshire over the next 20 years. [121816]

Ms Beverley Hughes: The level of house building in Oxfordshire is set through Regional Planning Guidance for the South-East (RPG9). The next round of this guidance is currently being prepared by my Department, taking into account the first draft prepared by the local authorities in the region, and also responses made to this draft. We have now published the latest set of proposed changes and are currently inviting comments.

Draft RPG9 allocates an annual average of 43,000 new dwellings per year in the South-East. Local authorities in the region have been asked to consider how this figure can best be divided between the counties, working from an illustrative distribution included with the draft. This suggests that 2,680 new dwellings could be built per year in Oxfordshire.

Following final publication of RPG9 later this year it will be the responsibility of Oxfordshire County Council and the district councils in the area to decide on the allocation of the Oxfordshire housing figure between the districts, including West Oxfordshire. This figure will be then adopted in the next Oxfordshire County Structure Plan.

Until this time the building rates set out in the current Oxfordshire Structure Plan will apply. This allocates 6,750 new dwellings to West Oxfordshire District between 1996 and 2011.

Ivory Trade

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement regarding Government policy towards the ivory trade and elephant poaching, following the recent agreement of countries attending the Convention on International Trade in Endangered Species meeting. [122141]

Mr. Meacher *[holding answer 15 May 2000]:* The Government support the co-operative arrangements for elephant conservation between the African range states which have developed at a series of special dialogue meetings over the last five years, sponsored by the International Union for the Conservation of Nature (IUCN) and the UN CITES Secretariat. The latest dialogue meeting took place in Nairobi immediately before the CITES Conference and was, like the previous meetings, partly funded by my Department. Senior UK officials attended the meeting. The Nairobi dialogue agreed arrangements for each African region to participate in two systems which underpin future elephant management and trade: the Monitoring of Illegal Killing of Elephants (MIKE) and the Elephant Trade Information System (ETIS). The dialogue paved the way for the compromise reached at the CITES Conference itself.

The main features of the compromise are that the elephant populations of Botswana, Namibia, South Africa and Zimbabwe, estimated at a total of 192,000 animals, are now listed on Appendix II of the Convention. This means that managed trade in elephant products of these four populations is agreed to be scientifically sustainable according to the criteria laid down under CITES. However there are still concerns among a number of African states—which we share—about resuming further commercial trade in raw ivory at present, particularly as we cannot yet assess the full impact of last year's experimental ivory auctions on elephant poaching levels, both in Africa and Asia. We therefore welcome the decision reached as part of the compromise which sets zero quotas for the export of ivory from southern Africa.

MIKE and ETIS are expected to provide comprehensive information to enable the next CITES Conference in 2002 to decide whether controlled ivory trade can safely be resumed, and whether the conservation benefits of such trade outweigh any remaining risks. The

European Union, with the support of the UK, is considering a grant of 4 million Euro to MIKE. The UK has already provided £60,000 towards the cost of ETIS.

The Government appreciate the role played by responsible non-Government organisations, particularly the World Wide Fund for Nature and Fauna and Flora International, in obtaining such a successful outcome in Nairobi.

Standard Spending Assessments

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the standard spending assessment per head of population for each English county for *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–2001, ranked from highest to lowest; and if he will make a statement. [122238]

Ms Armstrong: Three tables have been placed in the Library giving the standard spending assessment per head of population for each English county for 1998–99, 1999–2000 and 2000–01 respectively.

Railtrack Safety Company

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 9 May 2000, *Official Report*, column 360W, on Railtrack, under what statutory provisions Railtrack is required to consult before creating a safety company; with whom it will consult; and what are the terms and timetable for the consultation. [122457]

Mr. Hill: Arrangements for consultation by Railtrack before the proposed safety company assumes any safety responsibilities and in respect of other requirements for the company's operation are expected to be specified in modifications to its Network Licence. The Rail Regulator will consult shortly on his proposals for these modifications before the nature of the obligations are finalised. These would be imposed under the Railways Act 1993.

Water Sources (Drug Residues)

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what evidence he has assessed which indicates that potentially damaging residues from medicinal drugs are contaminating waterways and drinking water sources. [121528]

Mr. Mullin: Last year the Environment Agency commissioned a review of human pharmaceuticals in the environment for completion by the end of May. This will report on the information available on such substances in the environment, their occurence, fate and ecological effects and will provide a basis for further work. The Department has also funded extensive monitoring for drug residues in drinking water sources since the 1970s. Although certain common drugs have been detected at very low concentrations in some drinking water sources, current drinking water treatment processes are effective in removing them.

Ten Year Transport Plan

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he has decided to publish his 10-year transport plan before the end of July. [122485]

Mr. Hill: As with all such departmental reports, we will publish the plan when it is ready.

Rail Access Charges Review

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when the Rail Regulator will conclude his review of access charges. [122486]

Mr. Hill: It is the Rail Regulator's present intention to publish his final review notice on access charges in early September 2000, subject to the outcome of the consultation announced on 14 April, the deadline for responses for which is 26 May.

Urban Task Force

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many of the recommendations made by the Urban Task Force in the report, "Towards an Urban Renaissance", have been implemented; and if he will make a statement. [122167]

Ms Beverley Hughes: The Urban Task Force report, "Towards an Urban Renaissance", made more than 100 recommendations about how to revitalise our towns and cities. It formed an excellent contribution to the debate on how to reverse the social, physical and economic decline that many of our urban areas have faced in recent decades.

The Government are looking at the report's conclusions in detail as we prepare for the forthcoming White Paper on urban policy. But we, and others, have already addressed around a quarter of the recommendations including:

Setting up three pilot Urban Regeneration Companies in Liverpool, East Manchester and Sheffield. These will co-ordinate the regeneration of run-down urban neighbourhoods within a wider local strategy developed by the local authority and its partners, listening to local people's needs and ensuring local priorities are met.

Setting up nine pilot home zones—traffic schemes in residential areas which will give residents more control over traffic movements and ensure that the needs of people, rather than traffic, come first.

Publishing revised planning policy guidance on development plans (PPG12) which advocates simpler and more effective development plans. This helps to fulfil the Urban Task Force's recommendation to streamline the planning process.

Piloting eight Private Finance Initiatives for Housing Revenue Account pathfinders, helping fulfil the need to attract private investment in local communities.

Taking steps to put Local Transport Plans (LTPs) on a statutory footing, ensuring that local authorities take an integrated and strategic approach to planning transport provision in their area.

Publishing draft revised planning policy guidance on transport (PPG13) to promote civilised towns and cities where the needs of people are given priority.

Setting up a new Government unit for neighbourhood warden schemes to provide pump-priming funding to test out these schemes.

Publishing revised planning policy guidance on Housing (PPG3) which introduces a new sustainable approach to planning for housing. This addresses many of Lord Rogers' recommendations through its main provisions which include:

Targets to put 60 per cent. of new homes on brownfield sites—set at all levels of the planning hierarchy, from regional to local level, and contributing to the achievement of the national 60 per cent. target.

A sequential approach—to ensure that brownfield land is used for development before greenfield land whenever possible.

New policies on land take—to avoid inefficient development and encourage higher intensity development in urban areas around good transport nodes.

Looking again at greenfield land in the system—to ensure that land already allocated for housing meets the new approach.

New car parking standards—removing minimum car parking standards, and substituting a maximum of, on average, 1.5 car parking spaces per dwelling.

A new emphasis on quality development—to stress the need for imaginative design, taking account of what people want and ensuring better links with public transport.

Improved housing choice and affordability—encouraging mixed communities with mixed tenures and strengthening the preference for affordable housing to be provided on-site.

Tackling unpopular housing—by getting local planning authorities to look at how to recycle existing buildings as well as recycle land.

Many other recommendations will be addressed in part or in full by the new power which the Government are giving to local authorities to promote and improve the economic, social and environmental well-being of their area. Other recommendations are also being taken forward in the context of the Government's Housing Green Paper.

Building Control

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made with the setting up of an advisory body on performance standards in building control. [122679]

Ms Beverley Hughes: My Department and the National Assembly for Wales have joined the Association of Corporate Approved Inspectors, the Construction Industry Council, the District Surveyors Association and the Local Government Association in signing a Memorandum of Understanding that establishes a new Building Control Performance Standards Advisory Group.

The Advisory Group's terms of reference are:

to keep under review the effectiveness of the standards and guidance published in "Building Control Performance Standards" (July 1999) and to make recommendations for revisions of the standards and guidance

to advise on, and draw up recommendations on, performance indicators for the effective delivery of building control and procedures for the monitoring of building control bodies

to consider complaints from building control bodies, other statutory bodies and other parties with an interest in relevant building work, that building control bodies have not acted in accordance with the Building Control Performance Standards; where appropriate, to refer such complaints to relevant other bodies; and/or to make recommendations to the building control bodies concerned on prevention of future non-compliant action.

I welcome the formation of the Advisory Group, which met for the first time on 10 May 2000. I look forward to working with the Group and its member bodies to promote continuous improvement in standards of service in both the public and private sectors of the building control profession.

In addition to representatives of the signatory bodies, there will be a representative of the Building Regulations Advisory Committee and two members representing building users and construction clients.

The Audit Commission has accepted an invitation from the Group to participate in its work as observers.

The first chair of the Group is Michael Finn FRICS who chaired the steering group which drew up the performance standards for building control published in July last year. The Construction Industry Council will provide the secretariat for the Group for an initial period of three years.

Millennium Dome

Ms Ryan: To ask the Secretary of State for the Environment, Transport and the Regions when the final shortlist for the proposed uses for the Millennium Dome after the millennium celebration will be announced. [122718]

Ms Armstrong: The Government have announced today that two proposals have been selected to advance to the final stage of the competition. Detailed proposals and indicative financial offers were invited from bids shortlisted in January. These two bids were chosen from a strong field of five bids remaining in the competition.

The bids in the final shortlist are:

Dome Europe, an advanced leisure, business and retail attraction, proposed by the Principal Finance Group of Nomura International plc.

Legacy plc, a high technology industrial campus of workspace, leisure and retail uses, proposed by Robert Bourne.

In reaching this decision the Government have evaluated the bids against the published criteria, and have taken into account the views of umbrella organisations in the area and the public responses to a national consultation exercise held in April. Details of the public consultation results have been placed in the Libraries of the House.

We will now work with the bidders to develop these proposals further, and will proceed to a decision in the summer on the winning proposal.

Raptors

Mr. Russell Brown: To ask the Secretary of State for the Environment, Transport and the Regions what was *(a)* the cost of producing the Langholm report into raptors and *(b)* the cost of compensation that had to be paid to landowners. [120378]

Dr. Reid: I have been asked to reply.

The subject matter is now devolved. However, the Game Conservancy Trust and the Institute of Terrestrial Ecology carried out a study between 1992 and 1996 of grouse populations on Langholm and other moorland estates in response to concerns about the impact of birds of prey on the number of grouse available during the annual shooting season. The results, published in 1997 as "Birds of Prey and Red Grouse", cost £400,000; the study

was funded and guided by a consortium of those with an interest in the subject, which included Scottish Natural Heritage, Buccleuch Estates, RSPB and the Joint Nature Conservation Committee.

The study was undertaken for research purposes: no compensation was paid to landowners.

AGRICULTURE, FISHERIES AND FOOD

Bovine Tuberculosis

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food when he will publish the report of the independent Husbandry Panel on Cattle TB. [122717]

Ms Quin: The Panel's report is published today. Copies are being placed in the Parliamentary Libraries and will be made widely available. We would like to thank Dr. Clive Philips, the Panel Chairman, and his colleagues for their work. The Government will now consider the Panel's recommendations in consultation with the Independent Scientific Group on Cattle TB and other interested parties before deciding how best to take them forward.

IACS Fraud

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food how many prosecutions for Integrated Administration and Control System fraud his Department has initiated since 1997; and how many of them have resulted in a guilty verdict. [122394]

Ms Quin: Since 1997 there have been 15 prosecutions for fraud against CAP schemes falling under the IACS umbrella. Of these 14 were found guilty, one not guilty.

DEFENCE

Defence Transport and Movements Agency

Mr. Hoyle: To ask the Secretary of State for Defence what key targets have been set for the Defence Transport and Movements Agency for the financial year 2000–01. [122567]

Mr. Spellar: The Chief Executive of the Defence Transport and Movements Agency has been set the following Key Targets for 2000–01:

Key Target 1:

To meet the Customers' requirements as specified in Customer Supplier Agreements (CSAs):

94 per cent. or more of Agency transactions within agreed criteria.

94 per cent. or more of the services provided under call-off contracts at a satisfactory level.

Customer Satisfaction rating for all Agency services, including call-off contracts, of 85 per cent. or more.

Key Target 2:

To achieve an average 3 per cent. reduction in administrative unit costs.

Key Target 3:

To demonstrate improved net added value.

Key Target 4:

To achieve at least a satisfactory rating in the provision of operational transport and movements support.

Defence Storage and Distribution Agency

Mr. Borrow: To ask the Secretary of State for Defence what key targets have been set for the Defence Storage and Distribution Agency for the financial year 2000–01. [122569]

Mr. Spellar: The Chief Executive of the Defence Storage and Distribution Agency has been set the following Key Targets for 2000–01:

Key Target 1:

To meet the Customers' requirements as specified in Customer Supplier Agreements (CSAs):

85 per cent. or more of issues to consumers to be within specified supply chain processing times.

95 per cent. or more of receipts to be processed within agreed time limits.

No more than 0.1 per cent. of issues to be subject to an accepted discrepancy report.

The aggregated level and value of stock written off as a result of DSDA actions to be less than the levels agreed in CSAs.

Key Target 2:

To achieve an average 5 per cent. reduction in the unit cost of output.

Key Target 3:

To achieve an average 5 per cent. reduction in receipts processing times.

Key Target 4:

To achieve a 5 per cent. reduction in the cost of quality failures.

British Forces Post Office Agency

Mr. Dismore: To ask the Secretary of State for Defence what key targets have been set for the British Forces Post Office agency for the financial year 2000–01. [122570]

Mr. Spellar: The Chief Executive of the British Forces Post Office agency has been set the following Key Targets for 2000–01:

Key Target 1:

To meet the Customers' requirements as specified in Customer Supplier Agreements (CSAs):

96.6 per cent. or more of deliveries of Official Mail and BFPO Private Mail to be within CSA specified times.

The Quality of Service Standard for all classes of mail to be greater than or equal to 94 per cent. of deliveries within CSA specified times.

98.5 per cent. or more of aggregated deliveries of Courier Mail to be within CSA specified times.

Key Target 2:

To achieve an average 3 per cent. reduction in the unit cost of output.

Civilian Personnel Costs

Ms Squire: To ask the Secretary of State for Defence if he will estimate the average annual cost of employing 10,000 MOD civilians. [121805]

Dr. Moonie: £169 million. In calculating this figure, it has been possible to take account of Pay, Employer's Related National Insurance Contributions and Pensions

contributions only. Any calculation of overheads such as rents, rates, utilities costs, food, office equipment and services could be provided only at disproportionate cost.

Nuclear Test Veterans

Mr. Welsh: To ask the Secretary of State for Defence what plans he has to extend the remit of the National Radiological Protection Board's study of the incidence of multiple myeloma among veterans of the UK's atmospheric nuclear test programme in the 1950s. [121980]

Dr. Moonie: I refer the hon. Member to the answer I gave to my hon. Friend the Member for South Derbyshire (Mr. Todd) on 28 February 2000, *Official Report*, column 34W.

Dartmoor (Live Firing)

Mr. Steen: To ask the Secretary of State for Defence if he will list the *(a)* advertised and *(b)* actual number of days on which army live firing took place within each of the three ranges in the Dartmoor National Park for the year ended 31 December 1999. [121515]

Dr. Moonie: The advertised and actual number of days on which the Armed Services fired on each of the three firing ranges in the Dartmoor National Park for the year ended 31 December 1999 is as follows:

	Advertised	*Actual*
Okehampton	78	40
Willsworthy	205	131
Merrivale	137	83

Ships (Lynx Helicopters)

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will list the number of frigates and destroyers that are operating without the Lynx helicopter. [121603]

Mr. Spellar *[holding answer 11 May 2000]:* At present, there are no frigates and destroyers on current operations without their dedicated Lynx flight. However, 10 other frigates and destroyers are presently at sea on other tasks, such as exercises and training, without their Lynx helicopters.

Typhoon Aircraft

Mr. Wilkinson: To ask the Secretary of State for Defence what air interception capability will exist for Royal Air Force Typhoon aircraft upon the exhaustion of the aircraft's air to air missile armament. [121676]

Dr. Moonie *[holding answer 11 May 2000]:* None. However, it is unlikely that a cannon would be of use in such a scenario as the risk would remain that aircraft could be engaged by missiles from well outside the gun's range.

Property Procurement

Mr. Duncan Smith: To ask the Secretary of State for Defence (1) how much was spent by each service and Ministry of Defence agency on new buildings and land in each of the past three years; [121597]

(2) pursuant to his answer of 27 March 2000, *Official Report*, column 27W, on property procurement, if he will list the new buildings, with a value greater than £100,000, procured by his Department in *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99, indicating their cost and location. [121610]

Dr. Moonie *[holding answer 11 May 2000]:* This information is not held centrally and could be provided only at disproportionate cost.

Eurofighter

Mr. Wilkinson: To ask the Secretary of State for Defence (1) if the Mauser 27mm cannon specified for the Eurofighter Typhoon aircraft will be installed in aircraft of Tranche 1 of the production programme for the Royal Air Force; [121683]

(2) if the Royal Air Force will procure Mauser 27mm cannon to fit to its Eurofighter Typhoon aircraft with a corresponding stock of spares and ammunition. [121677]

Dr. Moonie *[holding answer 11 May 2000]:* The Mauser 27mm cannon will be installed in Tranche 1 Eurofighter aircraft for the royal Air Force. However, we are not planning to procure stocks of spares or ammunition following our decision not to use the gun, or to fit it to subsequent tranches of aircraft.

Mr. Wilkinson: To ask the Secretary of State for Defence what instruction he gave to the Defence Sales organisation of his Department on the inclusion of Mauser 27mm cannon in Eurofighter Typhoon aircraft for sale to the Greek Air Force. [121679]

Dr. Moonie *[holding answer 11 May 2000]:* My right hon. Friend the Secretary of State of Defence has given no instructions to officials concerning the weapons configuration for Eurofighter sales to the Greek Air Force. This is a matter for the Greek Government and Eurofighter GmbH with which they are negotiating the sale.

I welcome the benefits to the UK Defence Industry that the proposed sale will bring and my Department will continue to support that sale through the Defence Export Services Organisation, providing advice and assistance where we are able.

Mr. Wilkinson: To ask the Secretary of State for Defence what assessment was made of the cost effectiveness of Mauser 27mm cannon armament for the Eurofighter Typhoon aircraft of the Royal Air Force in *(a)* airspace policing in peacetime and *(b)* ground attack missions. [121678]

Dr. Moonie *[holding answer 11 May 2000]:* We have assessed that the minimal operational utility of the Mauser cannon on Eurofighter in any role is outweighed by its support, fatigue and training cost implications, particularly given the capability of the advanced short-range air-to-air missiles with which the aircraft will be armed.

Mr. Wilkinson: To ask the Secretary of State for Defence what assessment he has made of the benefits of commonality of armament and interoperability for the Eurofighter Typhoon aircraft in the four nation production programme. [121682]

Dr. Moonie *[holding answer 11 May 2000]:* Potential benefits in commonality and interoperability between the four partner nations are a fundamental consideration when taking decisions on the Eurofighter programme.

Mr. Wilkinson: To ask the Secretary of State for Defence what combat advantages will be derived for Royal Air Force Typhoon aircraft from the elimination of the Mauser 27mm cannon not possessed by the equivalent gun equipped aircraft in service with the Italian, German and Spanish air forces. [121684]

Dr. Moonie *[holding answer 11 May 2000]:* The advantages in deleting the Mauser cannon from our Eurofighter aircraft derive from avoiding the support, fatigue and cost implications which we would otherwise have to bear. These implications more than outweigh the minimal combat value in retaining the gun, particularly given the advanced short-range air-to-air missiles with which Eurofighter will be armed.

Iraq

Mr. Alan Simpson: To ask the Secretary of State for Defence if RAF aircraft have used cluster bombs against targets in the *(a)* southern and *(b)* northern Iraq no-fly zones. [122230]

Mr. Hoon: No.

INTERNATIONAL DEVELOPMENT

Millennium Summit

Ms Kingham: To ask the Secretary of State for International Development what preparations her Department is making for the UN Millennium Summit in September. [121517]

Clare Short: The Millennium Summit will be an important opportunity for the world's leaders to put the International Development Targets for poverty elimination at the top of the international agenda. The emphasis on poverty elimination in the Secretary General's Millennium Report provides a good starting-point for discussion of this issue at the Summit. My officials will discuss with the UN Information Centre (UNIC) in London whether there are opportunities around the Millennium Report and Summit to raise awareness in the UK of the poverty elimination agenda and the UN's role. My Department, with the FCO, is providing funding for representatives from the least developed countries to attend the Millennium Forum, which will bring together the views of civil society world-wide as a contribution to the Summit.

Zambia

Ms Oona King: To ask the Secretary of State for International Development when she estimates Zambia will reach its *(a)* decision point and *(b)* completion point in the Heavily Indebted Poor Countries Initiative. [121779]

Clare Short: I hope that Zambia will reach its Decision Point under the revised Heavily Indebted Poor Countries (HIPC) Initiative within the next nine months. We are disappointed that only five countries have, so far, come forward under the revised Initiative, and are pleased that, as we advocated, the World bank and IMF have agreed to set up a joint committee to oversee the implementation of HIPC. In order to reach its Decision Point and begin to receive debt relief, there are also actions that Zambia has to undertake. The Government have already begun work on developing their interim poverty reduction strategy, which I welcome. They also need to agree quickly and implement a programme of economic reform with the IMF.

In revising the HIPC Initiative last year, it was agreed that Completion Points would be "floating", that is, the requirement would be for countries to fulfil agreed conditions, rather than reaching Completion after three years. It is too early to say, at this stage, when Zambia will reach its Completion Point. I continue to emphasise that, in our view, the main condition for a country to complete the HIPC process should be the production of a high quality poverty strategy, based on sound analysis and extensive consultation.

Anti-drugs Measures

Mr. Dalyell: To ask the Secretary of State for International Development if she will have discussions with mycologists at the Royal Botanic Gardens in Edinburgh before endorsing a programme submitted by the UN International Drug Control Programme for field trials of fusarium oxysporum as a weapon against coca growing in Columbia and Peru. [121080]

Clare Short: My Department has not been asked either to endorse or fund the UNDCP's research into the use of fusarium oxysporum as a control agent against coca crops in Colombia. My officials have, however, discussed the planned research with mycologists widely in the UK, including at the Royal Botanic Garden, Edinburgh. I understand that UNDCP are working closely with the UN Environmental Programme to ensure that all precautions are taken and that risks are eliminated.

SCOTLAND

Police Forces

Mr. William Ross: To ask the Secretary of State for Scotland how many police forces in Scotland have the Crown as part of their *(a)* crest and *(b)* cap badge. [121463]

Dr. Reid: The crest of the Scottish police service incorporates the Crown. The eight Scottish police forces have a common cap badge incorporating a representation of the Scottish police service crest. Two of the eight forces (Lothian and Borders Police and Fife Constabulary) have individual crests in the form of a coat of arms granted by the Lord Lyon. Both of these also incorporate the Crown.

EDUCATION AND EMPLOYMENT

Regeneration

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the number and value of *(a)* bids and *(b)* grants made in each of the last three financial years for which figures are available, for each (i) area-based and (ii) other regeneration-related initiative for which his Department is responsible. [119801]

Mr. Wills *[holding answer 20 April 2000]:* The information is not available in the format requested for all potentially relevant initiatives. The Department has adopted a range of approaches to provide support for those individuals most affected by deprivation, because we recognise that competitive bidding is not always the most effective method. The following examples demonstrate that range:

in the bidding process for *Education Action Zones* we received 60 bids for the 25 available places in the first round of Education Action Zones and 123 bids for the 50 available places in the second round for which 48 places were actually awarded. First round zones receive £750,000 in Government grant per year with the zone expected to raise a further £250,000 sponsorship from the private sector. Second round zones receive grant of £500,000 with a further £250,000 available on a pound for pound matched funding basis for every pound sponsorship raised from the private sector;

the *Neighbourhood Support Fund* (NSF) will annually help at least 15,000 of the most disaffected and disengaged 13 to 19-year-olds to re-connect with education, training and employment opportunities. Between 1999–2000 and 2001–02 £60 million will be made available to support some 700 NSF projects that will test the effectiveness of a variety of approaches to re-engaging the disaffected young. Some of these do not involve competitive bidding. The individual members of the Learning Alliance (CSV, NACRO, Rathbone CI, and the YMCA), will be funding NSF projects directly via their local affiliates in the 40 target areas, at a total annual cost for projects of £2 million. The National Youth Agency (NYA), working closely with local authority youth services, will identify potential NSF projects and then select the most promising to fund. The NYA is currently processing applications for NSF support from more than 150 community/voluntary organisations, with a total value of approximately £5 million. The NYA aims to fund 80 projects per annum at a combined yearly cost of £3 million. The Community Development Foundation (CDF) has invited competitive bids from community and voluntary groups and has received more than 1,300 applications for NSF funding, with a total value of around £26 million. Some 400 projects have been approved to date. The CDF will eventually support about 600 projects, at an annual cost of £12 million;

Excellence in Cities (EiC) is not a traditional bidding programme. Forty-seven local authorities, responsible for city schools, have been invited to become part of the programme and are guaranteed funding provided they meet quality assessment thresholds;

the approach for establishing *Employment Zones* involved an open and competitive bidding process to run a commercial operation where bids were assessed, against published criteria, by independent consultants;

to support *early years education*, we are making specific grants available to Local Education Authorities (from September 1999-March 2002) to almost double the number of three year olds in early education places. While this new money is not geared towards any regeneration initiatives it is being targeted on those children with greatest social need. This money does not form part of any bidding process.

Barristers (Disability)

Mr. Andrew George: To ask the Secretary of State for Education and Employment (1) what recent representations he has received regarding the exclusion of barristers from the provisions of the Disability Discrimination Act 1995; [120782]

(2) what plans he has to amend the Disability Discrimination Act 1995 to include barristers; and if he will make a statement. [120781]

Ms Hodge *[holding answer 8 May 2000]:* My right hon. Friend the Secretary of State received a report on 13 December 1999 from the Disability Rights Task Force, set up by the Government to consult and advise on how to implement comprehensive and enforceable civil rights for disabled people. In its final report, the Task Force made over 150 recommendations. On 13 December, my right hon. Friend announced that the Government would be bringing forward legislation to give effect to the education recommendations of the Task Force. On 30 March, the Government issued an interim response to the report's recommendations in the areas of local government, health and social services, housing, the environment and participation in public life.

Also on 30 March, I informed the House in a written reply that the Government are still considering a number of the recommendations that would require legislative changes to the DDA. One such recommendation is that the employment provisions of civil rights legislation should cover barristers. The Government's final response to the report will be made in due course.

Employment and Social Affairs Council

Mr. Hood: To ask the Secretary of State for Education and Employment what was the outcome of the Social Affairs Council held in Brussels on 8 May; and if he will make a statement. [121570]

Ms Jowell: I represented the UK at the Employment and Social Affairs Council held in Brussels on 8 May. There were two items on the agenda: the Broad Economic Guidelines 2000 (BEGs), prepared by Economic and Finance Ministers (ECOFIN) in accordance with Article 99 of the Treaties establishing the European Community; and Article 13 (non-discrimination).

In the discussion on the Broad Economic Guidelines, the UK supported the emphasis on structural reform, but argued that more attention should be given to tackling social exclusion. The Presidency undertook to write to ECOFIN summarising the views of the Employment and Social Affairs Council and said that he had received an assurance that ECOFIN would not be invited to finalise its draft of the BEGs until it had received the views of the Council.

The Presidency reported on the negotiations on the two proposed Directives and the action programme brought forward under Article 13(non-discrimination). The Presidency noted that a number of issues remained to be resolved but hoped to register progress at the SAC on 6 June.

Supply Teachers (Jury Service Cover)

Mr. Llwyd: To ask the Secretary of State for Education and Employment what proposals he has to reimburse schools who have to engage supply teachers temporarily to replace teachers who are absent on jury service; and if he will make a statement. [121729]

Ms Estelle Morris: The Department has no plans to reimburse schools for any costs incurred in covering teachers who serve on juries. The arrangements for paid and unpaid leave for jury service are determined under teachers local contracts of employment.

Homophobia Video

Mr. Maclean: To ask the Secretary of State for Education and Employment in how many schools the video, "Beyond a Phase: A Practical Guide to Challenging Homophobia in Schools", is available. [121968]

Jacqui Smith: The Department does not hold this information. I refer the right hon. Member to the reply I gave on 14 April 2000, *Official Report*, column 297W.

Civil Servants (Relocation)

Mr. Hunter: To ask the Secretary of State for Education and Employment which relocation companies his Department has used when relocating civil servants since May 1997. [122294]

Mr. Wills: During the period in question, the Department has used only one relocation company, Cendant Relocation (UK) Ltd.

New Deal

Mr. Mudie: To ask the Secretary of State for Education and Employment how many New Deal places have been *(a)* offered, *(b)* taken up and *(c)* completed in his Department since the start of the New Deal. [122231]

Mr. Wills: I can confirm that in response to *(a)* a total of 54 individuals have been offered New Deal placements in my Department, of whom *(b)* 44 have taken up the offer and in response to *(c)* a total of 8 placements have been completed.

Mr. Mudie: To ask the Secretary of State for Education and Employment how many New Deal places have been *(a)* offered, *(b)* taken up and *(c)* completed within Leeds City Council since the start of the New Deal. [122228]

Ms Jowell: From April 1998 to May 2000 no New Deal clients have been directly employed by Leeds City Council on the Employment Option.

Groundwork manages the New Deal ESF option in Leeds. Leeds City Council run the ETF programme for Groundwork. Since April 1998, 127 New Deal clients have started the Council's ETF option. Some of these will subsequently have started work for LCC—but the Employment Service does not have details of those engaged or specific numbers.

Universities (ICT Funding)

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what assessment he has made of the costs of upgrading the existing IT structure within the universities to allow individual academics access to JANET 4, broken down by research council. [122136]

Mr. Wicks: We have allocated approximately £150 million to the Higher Education Funding Council for England (HEFCE) for capital investment in information and communications technology over the period 1999–2000 to 2001–02. The improvement in the backbone to the JANET network, SuperJANET4, is being met from top-sliced funding from all the HE Funding Councils, of which HEFCE's contribution is £40 million. Individual higher education institutions and research councils wanting to enhance their local area networks to exploit the extra bandwidth available will need to fund this from within their annual grant allocation.

Press Officers

Mrs. May: To ask the Secretary of State for Education and Employment how many Press Officers were in post in his Department in *(a)* May 1997 and *(b)* May 2000. [121954]

Mr. Wills *[holding answer 12 May 2000]:* At the beginning of May 1997 there were 20 Press Officers in post at the Department for Education and Employment, serving six Ministers. There are currently 27 Press Officers in post, serving eight Ministers.

School Inspections

Helen Jones: To ask the Secretary of State for Education and Employment (1) what assessment was made of the ability of Salter Baker Associates (Education) Ltd. to meet Ofsted's quality assurance standards following an audit of the company in summer 1999; and what was the date of the assessment; [121791]

(2) if he will list the documents received by Ofsted from Salter Baker Associates (Education) Ltd. in August 1999; [121792]

(3) on what grounds and on what date Ofsted decided to terminate 14 inspection contracts with Salter Baker Associates (Education) Ltd., in 1999; [121795]

(4) what steps were taken by Ofsted to ensure that matters of concern raised during its quality assurance audit of Salter Baker Associates (Education) Ltd. were addressed prior to the awarding of inspection contracts for autumn 1999; [121796]

(5) what concerns were recorded by the Ofsted Contracts Division during their quality assurance audit of Salter Baker Associates (Education) Ltd., in summer 1999; [121797]

(6) what steps are being taken by the Contracts Division of Ofsted to ensure that companies undertaking inspections facilitate checks on their financial viability; [121798]

(7) what discussions he has had with Ofsted on measures needed to monitor the financial viability of companies undertaking school inspections; and if he will make a statement. [121799]

Ms Estelle Morris *[holding answer 15 May 2000]:* These are matters for Her Majesty's Chief Inspector of Schools, Chris Woodhead. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Connexions Service

Ms Ward: To ask the Secretary of State for Education and Employment if he will list the locations of the pilot projects for the Connexions Service; and if he will make a statement. [120848]

Mr. Wicks: I am pleased to announce the extension of the Connexions Service pilots. New pilots are to be established in Durham, Hertfordshire, Central London, Oldham, Merseyside, South Yorkshire, and at the

Huntercombe Young Offenders Institution in Oxfordshire. These are additional to the pilots announced by the Secretary of State on 3 February.

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his answer of 19 April 2000, *Official Report*, column 563W, on Connexions, how many persons are employed in the National Unit of the Connexions Service in *(a)* London, *(b)* Sheffield and *(c)* elsewhere; how many of them are from (i) Government Departments, (ii) youth and voluntary work and (iii) the private sector; and what is the timetable for employing more persons in the National Unit. [122473]

Mr. Wicks: The structure of the Connexions National Unit will be for the new Chief Executive to determine. We expect a new Chief Executive to take up post and make decisions on the staffing complement of the National Unit by late summer.

Youth Services (Wandsworth)

Mr. Cox: To ask the Secretary of State for Education and Employment how much money was spent by his Department on youth services in the London Borough of Wandsworth in the last year for which figures are available. [122388]

Mr. Wicks: My Department does not fund Wandsworth's youth service. Youth service funding is provided centrally from the Department of the Environment, Transport and the Regions to each local authority. In 1997–98, the latest confirmed figures taken from the local authority returns (RO1), Wandsworth spent £2,958,000 on its youth service.

Learning Gateway

Mr. Clappison: To ask the Secretary of State for Education and Employment how many of the 16 and 17-year-olds in the Learning Gateway have entered learning and training. [122349]

Mr. Wicks: The Learning Gateway provides a client-centred approach, based on one-to-one support from a Personal Adviser, for 16 and 17-year-olds who have drifted away from learning and need additional help to enter mainstream learning opportunities. The Learning Gateway was introduced in September 1999. At the end of March 2000, some 17,500 young people had joined and over 11,000 were still on it. Around 3,500 (60 per cent. of leavers) were known to have progressed to a mainstream education or training opportunity or found a job—an encouraging start for a new initiative dealing with a particularly disadvantaged client group. The Learning Gateway has a key role to play in the development of the Connexions Service—the new youth support service for 13 to 19-year-olds, which will be phased in from April 2001.

TREASURY

Tobacco Taxation

Mr. Field: To ask the Chancellor of the Exchequer how much money he expects the increased tobacco taxation to raise for expenditure on the NHS in the next three financial years; and if his expenditure projections for the NHS will be sustained irrespective of the yield from tobacco taxation. [120609]

Mr. Andrew Smith *[holding answer 2 May 2000]:* Table A.13 in the Financial Statement and Budget Report gives the projected Exchequer yields from the 5 per cent. real increase in tobacco duty announced in Budget 2000. The Budget 2000 expenditure projections for the NHS are from plans which the Government will deliver.

Funding (Wales)

Mr. Llwyd: To ask the Chancellor of the Exchequer (1) what representations he has received from the National Assembly for Wales in relation to Objective 1 match funding and the Comprehensive Spending Review; [121736]

(2) what representations he has received from the *(a)* First Secretary of the National Assembly for Wales and *(b)* Secretary of State for Wales with relation to (i) the Comprehensive Spending Review and (ii) this year's Comprehensive Spending Review and Objective 1 match funding. [121737]

Mr. Andrew Smith: There have been a number of representations on the 2000 spending review and Objective 1 funding. The implications for the Welsh block arising from Objective 1 funding are currently being considered as part of the Government's Spending Review which is now under way.

Mr. Llwyd: To ask the Chancellor of the Exchequer what representations he received from the National Assembly for Wales in relation to this year's Comprehensive Spending Review. [121735]

Mr. Andrew Smith: A number of representations have been received in relation to the 2000 spending review. The outcome of the review will be announced in due course.

Mr. Wigley: To ask the Chancellor of the Exchequer if he will make available to the National Assembly for Wales, for capital expenditure projects in the industrial and social infrastructure, a population-based share of the sum the Treasury receives as a result of the sale of mobile telephone franchises. [121924]

Mr. Andrew Smith: The receipts from the sale of mobile phone licenses are a UK resource which will be used to reduce net debt. The resulting reduction in the burden of public debt will benefit all parts of the UK for many years to come.

Debt Relief

Miss McIntosh: To ask the Chancellor of the Exchequer what steps the Government are taking to ensure that the cancellation of third world debt is on the agenda at the G8 Summit in Okinawa. [121766]

Miss Melanie Johnson: The Prime Minister and Chancellor of the Exchequer have informed the Japanese Presidency of the G7/8 that we would like to use the opportunity of the Okinawa summit, and the meetings of G7 Finance Ministers running up to the summit, to review and encourage progress on the debt relief initiatives.

Penalty Clauses

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122018]

Miss Melanie Johnson: Since May 1997, the Treasury has not had a contract that has triggered liquidated damages/penalty clauses.

Climate Change Levy

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer how he intends to ensure that the climate change levy is revenue neutral in the long term for those industries and individual companies to which it is to be applied; and if he will make a statement. [122126]

Mr. Timms: As the Chancellor stated when the climate change levy was first proposed, the levy package is designed to be revenue neutral for the private sector. Moreover, the levy package is expected to be broadly neutral between services and manufacturing, in that the Government expect manufacturing and services each to pay broadly as much in the levy as they get back via the 0.3 per cent. NICs reduction and the additional support for energy efficiency measures. The Government do not intend to make the levy revenue neutral for each firm or sector, however. As Lord Marshall stated in his report "Economic Instruments and the Business Use of Energy", the design of the levy should ensure

> some incentive for all users to save energy at the margin.

As with excise duties, the Government expect that the rates of the levy will keep pace with inflation over time. The value of the NIC reductions to business is also expected to increase over time.

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer what plans he has to make an early announcement of financial incentives for the emissions trading scheme for firms taking on binding emissions targets as part of the climate change levy; and if he will make a statement. [122125]

Mr. Timms: Emissions trading will provide a flexible way in which sectors involved in negotiated agreements as part of the climate change levy can meet their individual energy efficiency targets.

In addition, the Government are working closely with the business-led UK Emissions Trading Group (ETG) on the development of a wider emissions trading scheme, and have said that they see merit in the case put forward by the ETG that some form of financial incentive will be required for companies to take on binding emission targets that generate additional emission reductions. Issues being addressed include the links between the wider trading scheme and the negotiated agreements; and the form a financial incentive might take. Further announcements will depend on the progress the ETG and the Government can make in dealing with these outstanding issues.

Pensions

Mr. Flynn: To ask the Chancellor of the Exchequer if he will hypothecate the proceeds from privatisations, semi-privatisations and outsourcing of services for the purpose of increasing the level of the basic pension. [122105]

Mr. Andrew Smith *[holding answer 15 May 2000]:* No. The Government will be spending an additional £6.5 billion on pensioners over the course of this Parliament, £2.5 billion more than if the basic state pension had been increased in line with earnings. We are helping all pensioners, but targeting help on those who have lost out over the last 20 years. Over half of these additional resources are going to 3 million of Britain's poorest pensioners. As a result of all our measures, including the introduction and uprating of the minimum income guarantee in line with earnings, raising the winter fuel payment to £150 and the introduction of free TV licences for pensioners aged over 75, the poorest pensioners over 75 will be up to £950 better off in cash terms than in 1997.

The Government make their spending decisions based on what is affordable within the prudent control of the public finances. In general, the Government believe that how money is raised should not determine how it is spent, and spending priorities are best determined in the round. The Chancellor's recent Budget continued to build a platform of economic stability from which to deliver high and stable levels of growth and employment, while releasing substantial new resources for its key priorities, including extra support for pensioners.

Insurance Brokers Registration Act 1977

Mr. Greenway: To ask the Chancellor of the Exchequer when he plans to take steps to repeal the Insurance Brokers Registration Act 1977. [R] [122168]

Miss Melanie Johnson: In response to a request from the Insurance Brokers Registration Council, the Government have decided that the repeal of this Act will take effect on 30 April 2001.

Institutional Investment

Mrs. Lawrence: To ask the Chancellor of the Exchequer what progress has been made on the review of institutional investment by Mr. Paul Myners. [122716]

Mr. Timms: A consultation document is being launched by Paul Myners today, and will be available on the Treasury website (hm-treasury.gov.uk). Printed copies will be available tomorrow, and will be placed in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

European Commission (Nice Proposals)

17. **Mr. Swayne:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the President of the European Commission to discuss proposals to be agreed at Nice. [120886]

Mr. Robin Cook: I meet the President of the Commission regularly, including at the monthly meetings of the General Affairs Council.

We expect two main issues for agreement at the Nice European Council. First, the agreement to reform of the European Union to prepare it for enlargement, on which we share with France the key objective of securing a reweighting of votes in favour of larger members. Secondly, conclusion of the arrangements for the European Security Initiative, on which France has been our partner since we launched it jointly at St. Malo. The French Presidency is also mandated to take forward the conclusions of the Lisbon European Summit, at which Britain secured Europe's commitment to our agenda of economic reform and full employment.

Chechnya

18. **Mr. Gordon Marsden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had recently with Governments in the north Caucasus regarding the situation in Chechnya. [120887]

Mr. Vaz: My right hon. Friends the Prime Minister and the Foreign Secretary have regular discussions with the Russian Government on Chechnya, most recently when Mr. Putin visited London on 17 April, during a telephone conversation on 27 March, and during my right hon. Friend the Prime Minister's visit to St. Petersburg on 11 March. My right hon. Friend the Foreign Secretary raised Chechnya during his visit to Moscow on 22/23 February and expects to discuss it again tomorrow when he returns to Moscow for official talks.

Zimbabwe

19. **Mr. Gerald Howarth:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the proposed gift of public money to fund the acquisition of white-owned farms in Zimbabwe. [120889]

23. **Mr. Davidson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking to assist the holding of free and fair elections in Zimbabwe; and if he will make a statement. [120893]

26. **Mr. Win Griffiths:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his latest contacts with the Government of Zimbabwe. [120898]

Mr. Hain: I refer the hon. Member and my hon. Friends to the oral answer my right hon. Friend the Foreign Secretary gave earlier in the House today to the hon. Member for Cotswold (Mr. Clifton-Brown), *Official Report*, column 131.

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the prospects for free and fair elections in Zimbabwe. [122003]

Mr. Hain: We note the recent statement by the Zimbabwe Electoral Supervisory Commission that free and fair elections could not be held under conditions of mounting political violence which has killed at least 19 people in the past three months. We have called all along for a fair election, free from political intimidation. It is not too late for President Mugabe to restore an environment conducive to free and fair elections.

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had regarding independent monitoring of elections in Zimbabwe with *(a)* the Commonwealth, *(b)* the European Union, *(c)* the United Nations and *(d)* other organisations. [122002]

Mr. Hain: We are working closely with the Commonwealth, EU, UN and other partners to ensure that international election observers are deployed to Zimbabwe as soon as possible, and in sufficient numbers to allow them to observe the pre-election preparations and to speak authoritatively on the conduct of the poll.

Mr. Peter Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the action being taken to agree the presence in Zimbabwe of election, human rights and democracy observers including those from the Organisation of African Unity and the EU. [122268]

Mr. Hain: The Commonwealth Secretary-General and a team of experts and a team from the European Commission are visiting Zimbabwe to prepare for the deployment of Commonwealth and EU observers. We are in touch with the OAU but do not yet have details of its plans.

Indonesia

20. **Mr. David Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what support the Government are giving to the Government of Indonesia to help them combat the problems of ethnic conflict. [120890]

Mr. Robin Cook: I raised the issue of ethnic tension when I met President Wahid in February. We fully support his efforts to secure stability in the areas of conflict and we welcome signature in Geneva at the weekend of a ceasefire in Aceh. Britain has already funded initiatives to promote reconciliation in Maluku and we are fully supporting the efforts of the United Nations Development Programme in the region. We are ready to help in any realistic and sensible way in reducing ethnic tensions and violence.

Middle East

21. **Mr. Wyatt:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of when the peace accords between *(a)* the Palestinian Authority and Israel, *(b)* Lebanon and Israel and *(c)* Syria and Israel will be signed; and if he will make a statement. [120891]

Mr. Hain: I have just returned from Syria and the Lebanon and we continue to work hard to achieve success in the Middle East Peace Process which is at an important stage.

33. **Mr. Drew:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his current assessment is of the middle east peace process. [120905]

Mr. Hain: I refer the hon. Gentleman to the oral answer I gave today to my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey), *Official Report*, column 146.

Anglo-Swiss Relations

22. **Dr. Palmer:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Swiss relations. [120892]

Mr. Vaz: UK/Swiss relations are excellent and Switzerland is an important trading partner for the UK.

Cyprus

24. **Mr. Love:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the application of Cyprus to join the European Union. [120894]

Mr. Vaz: Cyprus's accession negotiations with the European Union have covered 25 of the 31 chapters of the acquis communautaire, comprising the rights and obligations of EU membership. The remainder will be opened this year. Fifteen chapters do not need further negotiation at this stage—the greatest number for any candidate.

The EU's objective is accession, following a political settlement, of a united Cyprus to the EU. It would clearly be easier for the united island to accede to the EU. But the Helsinki European Council in December 1999 agreed that a settlement is not a precondition for accession. We fully support the UN proximity talks preparing for a comprehensive settlement, which are due to resume shortly in New York.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Turkish Prime Minister on his recent statement about Cyprus; and if he will make a statement on that statement. [121932]

Mr. Vaz: The Foreign Secretary has had no recent discussions with the Turkish Prime Minister on the subject of Cyprus. However, we maintain regular contact with the Turkish Government in the context of the current UN settlement process and continue to urge all parties involved to cooperate with the UN Secretary-General constructively and flexibly.

Central America (Street Children)

25. **Mr. Sawford:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received relating to street children in central America. [120896]

Mr. Hain: Most of the reports relate to Guatemala and Honduras. The latest were about the murders of two 17-year-old Honduran boys.

We follow this issue with interest and concern, and regularly make representations to Central American authorities. We maintain regular contact with NGOs active on street children issues.

We are active in helping to alleviate the suffering of street children. The FCO is today hosting the Americas Open Day as part of the String of Pearls Millennium Festival. This will include a live world-wide internet broadcast on Street Children in Central America alongside "Toybox" a UK charity we support in Guatemala: A first for the FCO.

Franco-British Co-operation

27. **Mr. Casale:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Franco-British co-operation in international affairs. [120899]

Mr. Vaz: The UK and France have achieved a great deal since the UK/French Summits at St. Malo in December 1998 and in London in November 1999, which committed both Governments to strengthening their foreign policy cooperation. In addition to our joint work on the European defence initiative, we have worked together closely on Africa, the Middle East, the Western Balkans and on UN issues.

Non-proliferation Treaty

28. **Charlotte Atkins:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the outcome of the non-proliferation treaty review conference in New York. [120900]

37. **Mr. Chaytor:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the non-proliferation treaty review conference. [120909]

Mr. Hain: The Review Conference runs until 19 May. The UK delegation will continue to work for a positive outcome to the Conference which will advance the goal of nuclear disarmament.

UN Security Council

29. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is in relation to increasing the number of permanent members of the UN Security Council. [120901]

Mr. Hain: We believe early enlargement of the UN Security Council is essential to make it more representative of today's world.

We support expansion of the Council from 15 members to 24 including five additional permanent seats: two for Germany and Japan plus three for developing countries in Africa, Asia and Latin America.

New Zealand Prime Minister (State Visit)

30. **Mr. Neil Turner:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit to the UK of the Prime Minister of New Zealand. [120902]

35. **Mr. Laxton:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit to the UK of the Prime Minister of New Zealand. [120907]

Mr. Battle: Helen Clark visited the UK on 18 and 19 April. She had very productive discussions with my right hon. Friend the Prime Minister, and with other senior colleagues. I also had the opportunity to meet her briefly. We attach great importance to maintaining our excellent and close relationship with the government of New Zealand, and were delighted to see Ms Clark here so soon in to her term of office.

Italy

31. **Mr. Plaskitt:** To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts he has had with the new Government of Italy. [120903]

Mr. Vaz: The new Italian Government were approved by the Italian Parliament on 28 April. My right hon. Friend the Foreign Secretary met Italian Foreign Minister Lamberto Dini at the gathering of EU foreign ministers held under the Portuguese presidency in the Azores 5–6 May.

St. George's and Europe Days

32. **Mr. Loughton:** To ask the Secretary of State for Foreign and Commonwealth Affairs how his Department's establishments *(a)* in the United Kingdom and *(b)* overseas marked (i) St. George's day and (ii) Europe day. [120904]

Mr. Vaz: The FCO does not officially mark St. George's day (or St. David's or St. Andrew's Day). Nor do we issue guidance to our missions overseas, which represent the interests of all the United Kingdom.

On Europe Day, the FCO and missions overseas fly the EU flag alongside the Union Jack. This year, for the first time, the FCO also hosted a Europe Open Day on 9 May to coincide with the London String of Pearls Millennium Festival. Some of our missions overseas also contributed to Europe Day events organised by their host Governments and the local offices of the European Commission.

International Drugs Trade

34. **Dr. Ladyman:** To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by Her Majesty's Government on tackling the international drugs trade. [120906]

Mr. Battle: UK counter-drugs activity overseas aims to reduce the availability of Class A drugs in the UK. Progress, achieved through co-ordinated inter-Departmental activity on agreed priorities, is being seen in increased seizures of heroin and cocaine en route to the UK/EU, and increased disruption of the criminal groups involved in trafficking. The UK is also active in international forums aimed at strengthening the global framework for tackling the illicit drugs trade, including in the UN and G8. In the financial year 1999–2000 my Department spent £6.7 million on anti-drugs projects overseas.

Peru

36. **Mr. McFall:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent Peruvian presidential elections. [120908]

Mr. Battle: The UK has played a leading role in calling for higher standards in the Peruvian electoral process, commissioning election campaign reports and providing and financing electoral observers. We welcomed the announcement of the second round on 28 May, and continue to press for opposition access to the media, proper use of state resources and avoidance of the irregularities of the first round.

Stability Pact

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on implementation of the Stability Pact for south-east Europe. [120879]

Mr. Vaz: The Government are pleased with the progress of the Stability Pact for south-east Europe. I represented Britain at the regional funding conference on 29 March, at which 1.8 billion euro was sought to fund quick start projects in the region. In the event, 2.4 billion euro was pledged. The UK has played a leading role in the Pact, reflecting our position as a key contributor to stability in the Balkans.

Intergovernmental Conference

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs in respect of "IGC: Reform for Enlargement", Cm 4595, how many copies were printed; what the cost per copy was to the Government; what the sale price was; how many were distributed free and to whom; if he will estimate the cost per copy to the Government and the sale price if it had been in black and white only; and for what reasons he did not print it in that form. [121038]

Mr. Vaz: 1,500 copies were printed. The cost per the copy to Government was £7.40 and the sale price £11.10. Numerous copies were distributed free of charge to opinion formers and members of the public. The cost per copy of a black and white version would have been £4.47, with a sale price of £6.70.

We decided to publish the White Paper in colour in order to make the material clearer and more accessible to the public.

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to "IGC: Reform for Enlargement, Cm 4595", which proposals under discussion in respect of the Enlargement Treaty planned for consideration at Nice in December would require amendment of Acts of Parliament; and when the proposed treaty will be published. [121078]

Mr. Vaz: We hope that the intergovernmental conference negotiations currently underway will be concluded by the end of the year. It is too early to say what the result of those negotiations will be, but the outcome will require ratification by Parliament.

Danube

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received from the Bulgarian and Romanian Governments on *(a)* removal of obstacles on the Danube and *(b)* the rehabilitation of ports on the Danube. [121757]

Mr. Vaz: The Bulgarian and Romanian Prime Ministers wrote to their EU and NATO counterparts on 5 April setting out their concerns at the slow progress of the Danube Commission's proposal to the European Commission for clearance of the River Danube. The Danube Commission's proposal does, however, have a number of technical issues on which the EU requires detailed clarification.

Neither government have raised the question of rehabilitation of ports on the Danube, though both have expressed concern at mounting unemployment along the Danube as a result of the halt in river traffic through Serbia.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the cost of *(a)* clearance of the Danube and *(b)* building a new bridge on the Danube in Novi Sad. [121771]

Mr. Vaz: The estimated cost of clearing the Danube, as set out in the Danube Commission's proposal to the European Commission of 25 January 2000, is 24.1 million euro.

We have made no estimate of the cost of rebuilding a new bridge over the Danube at Novi Sad. We understand that both the Serbian government and the Novi Sad local municipal authorities have announced separate plans to build a replacement bridge at Novi Sad.

Japanese Emperor (State Visit)

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department met the Metropolitan police to discuss the security arrangements for the State Visit of Emperor Akihito of Japan in May 1998. [121718]

Mr. Battle: Meetings involving Foreign and Commonwealth Office officials and the police in advance of the State Visit by the Emperor of Japan were held on the following dates: 15, 26 and 29 January and 6 and 8 February 1998. The purpose of these meetings was not to take operational decisions, but to go through successive drafts of the programme and discuss new programme proposals.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will release the minutes of discussions his Department held about the security arrangements which were taken for the State Visit of Emperor Akihito of Japan in May 1998. [121719]

Mr. Battle: Minutes were not taken because the purpose of these meetings was not to take operational decisions, but to go through successive drafts of the programme and discuss new programme proposals. Any outcome of the discussions was subsequently reflected in revised programmes.

EU and NATO

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs when and at what level the EU consultation and co-operation mechanism with NATO will be set up. [121753]

Mr. Vaz: The United Kingdom is fully involved in the continuing discussions to ensure the best means of providing full mutual consultation, co-operation and transparency between the EU and NATO. The Presidency will report on progress to the European Council at Feira on 19–20 June.

European Security

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how and at what stage non-EU members will be involved with the shaping and implementation of EU decisions concerning European Security and Defence Identity and ESDP. [121754]

Mr. Vaz: The Portuguese EU Presidency will report on progress to the European Council at Feira between 19–20 June on the mechanisms for involving non-EU European countries in military crisis management.

Nuclear Weapons

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence has been provided since May 1994 to Governments of states against which British nuclear weapons were hitherto targeted that they are no longer so targeted. [121931]

Mr. Vaz: We have given a number of key public assurances that our nuclear weapons are not targeted at any state, most recently as part of the common statement made by the nuclear weapons states on 1 May 2000 in New York at the Nuclear Non-Proliferation Treaty Review Conference.

China

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning the persecution of House Church leaders in China. [122234]

Mr. Battle: We follow the situation concerning the House Church Christian leaders in China closely. The treatment of Li Dexian, who has been detained on a number of occasions, most recently on 11 April, is a particular concern. We raised his case during the fourth round of the UK/China Human Rights Dialogue in Beijing in February, and I have also raised this case more recently with the Chinese Ambassador. We also pressed the Chinese authorities to facilitate the freedom of religious practice in line with the provisions of the International Covenant on Civil and Political Rights which China signed in October 1998. We will continue to press our concerns with the Chinese authorities at every appropriate opportunity including future rounds of the UK and EU Human Rights Dialogues.

Handcuff Exports

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the serial numbers of those Big Brutus handcuffs exported from the United Kingdom by Hyatt & Co., of Birmingham, since 1 May 1997; when he expects legislation further restricting the sale of oversize handcuffs to be brought forward; and if he will make a statement. [121803]

Mr. Hain: Neither FCO nor DTI has the information requested. Serial numbers are not routinely requested from, or supplied by, companies as part of the export licensing process.

I refer the hon. member to the answer I gave him on 10 March 2000, *Official Report*, column 873W. We are not aware of any illegal conduct on the part of UK individuals or companies. Should any evidence be produced, we would of course pass it on to the appropriate investigative authorities.

The Government are still considering amending legislation to extend controls to cover large individual cuffs.

Strategic Arms Exports

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government's response to the Joint Select Committee report on Strategic Arms Exports will be completed. [122290]

Mr. Hain: We regret the delay in responding to the Report of the joint inquiry conducted by the Foreign Affairs, Defence, Trade and Industry and International Development Committees into the 1997 and 1998 Annual Reports on strategic export controls and aims to do so as soon as possible.

The Report contained a large number of complex recommendations for specific action, which were of interest to several Departments. It has taken longer to formulate a response than would normally be the case.

LORD CHANCELLOR'S DEPARTMENT

Public Records

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what response the Secretary to the Advisory Council on Public Records has made to those hon. Members who have asked the Council whether Public Records Act Instrument 12, 1996, permits the Keeper of Public Records to allow constituents to inspect and copy the 1911 decennial census returns for England and Wales; and on which dates since January 1998 the full Council has met under the Chairmanship of the Master of the Rolls to consider similar requests from hon. Members; [121836]

(2) how many hon. Members have written since January to the Chairman of the Advisory Council on Public Records, requesting the Council to consider whether Public Records Act Instrument 12, 1996, permits the Keeper of Public Records to allow their constituents to inspect and copy the 1911 decennial census returns for England and Wales; and what advice the Chairman has given to those hon. Members on the legal issues involved. [121835]

Mr. Lock: The full Advisory Council considered the subject of access to the 1911 census returns on one occasion since January 1998 namely, on 22 October 1998.

The Master of the Rolls, as Chairman of the Advisory Council on Public Records, has received 15 letters from hon. Members since January 1998 concerning access to the 1911 census returns.

The answer sent to hon. Members by the Secretary to the Advisory Council on Public Records, at the request of the Master of the Rolls, is annexed.

On 3 April 2000 the Secretary consulted all members of the Council by post, asking them whether they wished the subject to be put on the agenda for the next meeting of the Council in June. Members approved the line taken in the responses to hon. Members and none requested that the subject be considered again by the full Council.

Access to Census Records from 1901 and 1911

The Master of the Rolls has asked me to thank you for your letter of ****, and to reply on his behalf. He has seen and approved the contents of this letter.

I think that your constituent has been briefed by Mr. Denis McCready, who has for some years been campaigning about access to the census records. Mr. McCready himself appealed to the Council on this issue, and the Council considered his appeal on 22 October 1998. I shall set out below the background, then explain the Council's position.

The Public Records Act 1958, as amended by the Public Records Act 1967, specifies the normal term for the closure of public records, and the procedure for changing that period, as follows:

> Public records in the Public Record Office ... shall not be available for public inspection until the expiration of the period of thirty years beginning with the first day of January in the year next after that in which they were created, or of such other period, either longer or shorter, as the Lord Chancellor may, with the approval, or at the request, of the Minister or other person, if any, who appears to him to be primarily concerned, for the time being prescribe as respects any particular class of public records. (c5(1))

It is thus the responsibility of the Lord Chancellor and (in the case of the Office for National Statistics, for census records) the Economic Secretary to the Treasury to decide whether and for what period the normal thirty year term will be varied. The Lord Chancellor always seeks the advice of the Council before making such a decision. Neither the Master of the Rolls (as the Council's chairman) nor the Keeper of the Public Records has any authority in the matter, so neither has the power unilaterally to release closed records.

In a Schedule to an Instrument signed by Lord Gardiner, the Lord Chancellor, on 20 June 1966 all decennial census returns were closed for 100 years. I enclose a copy of the Schedule. Mr. McCready has suggested that this schedule is invalid because it does not specify the "class" of records, as required by s5(1) of the Act. Mr. McCready is using the term "class" in its technical sense in the Public Record Office where it has until recently meant a particular series of records identified by letters and a number (such as AIR 21 on the same schedule). However, as you know, the interpretation of an Act of Parliament depends on definitions contained within the Act (there is none for "class" in the Public Records Act), the Interpretation Act, or normal dictionaries. The word "class" in the Act should thus be understood to have its normal meaning of a category, such as (in this instance) "Decennial Census Returns".

Mr. McCready has also pointed out that no undertaking of closure for 100 years was given to individuals when the 1901 and 1911 censuses were taken, and suggested that this means that there could be no breach of confidence by releasing them after a shorter period. The Home Secretary on 26 October 1998 in a Written Answer to a Parliamentary Question gave the terms of the undertakings of confidentiality stated on the 1901, 1911 and later census schedules (*Hansard* cols 55–6). That on the 1901 schedule reads:

> The Return is required for carrying out the provisions of the Census Act. The contents of the Schedules will be treated as confidential; they will be published in General Abstract only, and strict care will be taken that the Returns are not used for the gratification of curiosity, or for other purposes than those of the Census.

Those for 1911 read, on the front and on the back of the schedule:

> The contents of the Schedule will be treated as strictly confidential.

> The contents of the Schedule will be treated as confidential. Strict care will be taken that no information is disclosed with regard to individual persons. The returns are not to be used ... for any other purpose than the preparation of Statistical Tables.

In 1981, the Government for the first time spelt out on the census schedules the period that it considered would need to pass before the duty of confidence owed as a result of such undertakings would be discharged:

> Your replies will be treated in strict confidence. After the census, the forms will be locked away for 100 years before they are passed to the Public Record Office.

In answer to Parliamentary Questions the Government has reiterated that it considers that 100 years is the period which should pass before the duty of confidence is discharged. In a written answer to Lord Teviot in the House of Lords on 14 October 1997, the Lord Chancellor said that:

> the maintenance of public confidence in the census is paramount. It would be unwise to amend retrospectively the period of closure as the credibility of assurances about recent and future censuses would be affected if the Government is seen to be departing from previous assurances.

The present Government therefore adheres to the guidelines, set out in the previous Government's White Paper *Open Government* of 1993 (Cm 2290), for determining the extended closure of records (annex C, p 90). These specify that records of the decennial census of population are to be closed for 100 years.

The Council concluded in October 1998 that the Government's grounds for the closure of the census records were valid, but that it might be possible to overcome the problem for future generations by giving a lesser commitment in forthcoming censuses. It therefore decided not to ask the Lord Chancellor to initiate any reconsideration of the matter, and informed Mr. McCready of its views. As you will appreciate, in the absence of any change in policy by ministers there was nothing that the Council could ask the Master of the Rolls or Keeper to do. There has been no change since 1998 that would justify asking the Council to reconsider, and so far as the 1901 census is concerned the records will become open at the beginning of 2002 in any case, in a searchable digital format that has been widely welcomed by genealogical bodies.

Schedule

Number of class	*Description*	*Person whose approval has been given*	*Prescribed period Years*
War Office			
W.O. 71	Judge Advocate General's Office—Courts Martial: Proceedings	Secretary of State for Defence	100
W.O. 160	War of 1914–18: Special Series	Secretary of State for Defence	100
Air Ministry			
Air 18	Judge Advocate General's Office—Courts Martial: Proceedings	Secretary of State for Defence	100
Air 21	Judge Advocate General's Office—Courts Martial: Registers	Secretary of State for Defence	100
Registrar General			
R.G.	Decennial Census Returns	Registrar General	100

Penalty Clauses

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122020]

Mr. Lock: Of the contracts entered into by the Lord Chancellor's Department since May 1997, only that with CSL Group Ltd. has triggered penalty payments.

Family Law

Mr. Llwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department when the whole of the Family Law Act 1996 will be operational; and what additional costs the Government will incur as a result. [121721]

Jane Kennedy: Parts I, III and IV of the Family Law Act 1996, with the exception of section 60, are already in force. In relation to Part II of the Act, I refer the hon. Member to the written parliamentary answer to my hon. Friend the Member for Dartford (Dr. Stoate) on 17 June 1999, *Official Report*, column 213W. The position remains the same.

Section 60 of the Act permits the making of Rules of Court to allow third parties to apply for orders under Part IV on behalf of victims of domestic violence. The Government are currently considering whether it is appropriate to implement the provisions of section 60. The cost implications of implementation will be considered as part of this process.

Judgments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions since May 1997 he has had cause *(a)* to reprimand or *(b)* take other action about the length of time taken by a judge to deliver judgment following the end of the trial. [121716]

Jane Kennedy: The Lord Chancellor, as Head of the Judiciary, deals with allegations of judicial misconduct. There have been two occasions where retrials have been necessary because of judicial delay. The Lord Chancellor decided in both to make ex gratia awards of compensation in respect of costs incurred. On both occasions the Judge had resigned or retired.

On a third occasion the Lord Chancellor agreed with the Lord Chief Justice that a Judge should be released from sitting to enable him to complete a number of outstanding judgments. On a fourth occasion the Vice Chancellor issued a rebuke and warning following a delay which was severely criticised by the Court of Appeal. The Lord Chancellor wrote to the Judge, supporting the Vice Chancellor's action.

The Lord Chancellor and the senior judiciary are working to put systems in place to ensure that if there is any possibility of undue delay in the delivery of a judgment, that it is identified early and remedial action taken.

Michael Abatan

Mr. Peter Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will call for a report on the recent trial in Hove relating to the

assault on Michael Abatan in Brighton in January 1999, in particular the evidence directed to be withheld from the jury. [122479]

Jane Kennedy: The conduct of trials rests entirely in the hands of the judiciary, and the directions they give are based on representations made by the prosecution and defence counsel. It would be inappropriate to call for a report as the judiciary are independent of the Government and administration.

SOCIAL SECURITY

Pensioner Savings

Mr. Alexander: To ask the Secretary of State for Social Security if he will estimate the percentage of pensioner households with savings of *(a)* up to £1,000, *(b)* between £1,000 and £3,000, *(c)* between £3,000 and £6,000, *(d)* between £6,000 and £12,000 and *(e)* over £12,000. [122235]

Mr. Rooker: The information is in the table.

Savings	*Percentage of pensioner benefit units*
Up to £1,000	38
Between £1,000 and £3,000	11
Between £3,000 and £6,000	10
Between £6,000 and £12,000	11
Over £12,000	29

Notes:
1. Components may not sum to 100 per cent. owing to rounding.
2. Pensioner benefit units are defined as those benefit units where either the head or spouse is aged 60 or over.
3. Questions on assets are a sensitive part of the FRS questionnaire and have relatively low levels of response, hence higher levels of imputation, compared to other parts of the survey. Responses are imputed in around one in 10 cases. Evidence also suggests some under-reporting of capital by respondents.

Source:
Family Resources Survey 1998–99.

Retirement Pension

Mr. Cox: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women were in receipt of a state retirement pension and were over 100 years old on 1 May. [122076]

Mr. Rooker: The information is not available in the format requested. Such information as is available is in the table.

The latest population projections for those over 100 years at mid-2000

	Number
Male	1,000
Female	7,000

Notes:
1. Figures are rounded to the nearest thousand.
2. National Population Projections supplied by the Government Actuary's Department for mid-year 2000.

Expatriates (Pensioners)

Mr. Cox: To ask the Secretary of State for Social Security what is the estimated number of British citizens who have emigrated overseas and are in receipt of a State Retirement Pension which has been frozen because they are living in countries without a reciprocal pension upgrading agreement with the UK; and if he will make a statement. [121981]

Mr. Rooker: Some 470,000 people overseas are in receipt of a UK State Retirement Pension which has been frozen. The Department's records are unable to differentiate between a British citizen and a pensioner from another country who, through having worked and paid National Insurance in this country, is entitled to a UK State Retirement Pension. Therefore the Department can provide only the total figure.

The total annual cost of uprating all frozen UK pensions paid overseas to the rate paid to pensioners resident in the UK would be some £300 million a year.

Our priority is to concentrate any resources that may become available on pensioners resident in the UK. We have done much already for them but, as my right hon. Friend the Chancellor of the Exchequer announced in the Budget, we plan to do more. That is why we have no plans to unfreeze.

Winter Fuel Payment

Mr. Davidson: To ask the Secretary of State for Social Security if pensioners qualify for winter heating allowance if living abroad for all or part of the year; and if he will make a statement. [121808]

Angela Eagle: The Winter Fuel Payment scheme relates only to people aged 60 and over who are ordinarily resident in Great Britain. Eligible people living in Northern Ireland get similar payments through mirroring legislation.

If someone lives only part of the year abroad and their normal home is in Great Britain they are eligible for a payment; but someone whose normal place of residence is outside Great Britain is not eligible.

The payments are aimed at mitigating harmful climatological effects that are particular to the British winter. Great Britain has a variable winter climate, which means that there are short spells of very cold weather rather than long ones. Weather conditions can also change rapidly over a few days, and winter mortality rates are higher in Great Britain than in most other European countries. The payments are therefore aimed at older households in Great Britain to ensure they are able to turn up their heating when it is cold.

National Insurance Numbers

Mr. Lidington: To ask the Secretary of State for Social Security how many newly-issued national insurance numbers have gone missing and how many missing national insurance numbers have been traced to *(a)* asylum seekers and *(b)* other persons subject to immigration control in each of the last three years for which figures are available; what estimate he has made of the extent to which national insurance numbers are misappropriated (i) generally, (ii) by asylum seekers and (iii) by other persons subject to immigration control; what action he is taking to investigate this; and if he will make a statement. [121829]

Mr. Rooker: There are no missing National Insurance numbers; all numbers issued are recorded on the Departmental Central Index (DCI). There are some numbers, however, that will have been created, typically when someone invents a fictitious identity. We know of 716 such cases.

I announced on 27 March plans to ensure that our defences against identity fraud are strengthened. We have found from a pilot in Balham, South London, that a combination of dedicated resources, better training, specialist equipment and effective liaison between Government Departments, particularly with the Immigration and Nationality Department, leads to improved performance in this area. Staff in Balham, using these techniques, have detected 225 cases where fraudulent identity documents were used, all of which resulted in an arrest.

While data are collected on the number of false identities detected, they are not available in the required format to supply details specific to asylum seekers and those subject to immigration control. The Home Office and my Department work closely to monitor cases involving immigration offenders, 9,256 such cases have been referred. These are checked against DCI, any found to be claiming benefit are referred for investigation by both the Benefits Agency and the Home Office. Data are not available on the outcome of those investigations.

Benefit Claim Packs

Dr. David Clark: To ask the Secretary of State for Social Security when *(a)* Attendance Allowance and *(b)* Disability Living Allowance claim packs will be available in the South Shields constituency. [122398]

Mr. Bayley: The Supply Operations Group Print Contract Management Team has liaised with Newcastle Disability Benefit Centre (DBC) and established their requirement. As a result, Tactica Solutions are issuing 500 copies of each claim pack to the DBC today.

Dr. David Clark: To ask the Secretary of State for Social Security if he will launch an inquiry into the failure of the Group 4 contractor to supply Disability Living Allowance and Attendance Allowance claim packs to disability benefits centres in the north-east of England. [122397]

Mr. Bayley: Based on the existing annual usage information, Tactica Solutions, one of the contractors who supply print items (ie: claim packs, forms and leaflets) to the Benefits Agency, printed adequate stocks of the Disability Living Allowance and Attendance Allowance claim packs to meet demand into May 2000.

However, an increase in demand in March and April exhausted stock more quickly than anticipated. This was made worse by the fact that stocks were being run down in anticipation of revised versions of these claim packs becoming available. As it takes an average of six weeks to produce a claim pack, the sudden upsurge in demand created a gap in supply.

New usage figures have now been negotiated with the supplier to take account of the most up to date demand information. This will lead to an increase in stock held that should more accurately reflect customer requirements.

The current shortage has now been rectified and Tactica Solutions have the products in stock.

Written Answers to Questions

Wednesday 17 May 2000

INTERNATIONAL DEVELOPMENT

Sexual and Reproductive Health Policy

Ms McCafferty: To ask the Secretary of State for International Development what plans she has to discuss sexual and reproductive health policy with her European counterparts at the forthcoming European Council meeting. [122489]

Clare Short: I will be discussing a range of development issues with my European colleagues at the forthcoming Development Council meeting, including EC policy on HIV/AIDS.

Debt Decision Day

Mr. Bob Russell: To ask the Secretary of State for International Development what plans she has to mark Debt Decision Day on 23 July; and if she will make a statement. [122099]

Clare Short: The Prime Minister and the Chancellor have informed the Japanese Presidency of the G7/8 that we would like to use the opportunity of the Okinawa Summit (21–23 July), and the meeting of the G7 Finance Ministers running up to the Summit, to review and encourage progress on the debt relief initiative.

The Government are committed to keeping up the momentum in the run up to, and beyond, Okinawa, and will make every effort to see that resources are released for the eradication of poverty in HIPC countries.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for International Development if she will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if she will make a statement. [122012]

Clare Short: My Department's standard contracts do not contain penalty clauses. In cases of poor performance we can withhold payment. We do not keep a central record of where poor performance has resulted in payment being withheld and this information could only be obtained at disproportionate cost.

Defence Systems Ltd.

Ann Clwyd: To ask the Secretary of State for International Development what checks her Department carried out on the suitability of Defence Systems Ltd. prior to awarding the company a contract to clear mines and unexploded munitions in Kosovo. [122129]

Clare Short: When NATO troops entered Kosovo in June 1999, we invited a number of mine/unexploded ordnance (UXO) clearance organisations to submit capability statements so that self-contained rapid response teams could be immediately provided to deal with the mine threat in Kosovo. Five organisations, including DSL, were selected for an initial period of two months, on the basis of experience in stated capabilities, quality of key personnel, experience in humanitarian mine action, ability to deploy quickly the requisite skills, equipment and back-up, value for money and knowledge of the region.

The United Nations Mine Action Co-ordination Centre (UNMACC) in Pristina later requested the services of these organisations, including DSL, for two further phases: another three months of emergency work; a phase for the year 2000 to address the mine/UXO threat in a more structured way. For the present phase, DSL and the other organisations were invited to submit detailed proposals which were assessed as above, in the light of their earlier performance in Kosovo and their ability to meet UNMACC's future needs. Before entering into a long-term contract with DSL, we consulted a range of Government departments, as is our normal practice in such cases.

DSL has been accredited by UNMACC for work in Kosovo and has been commended both as a field operator and as a co-ordinator of mine action activities in southern Kosovo.

Sierra Leone

Mr. Nigel Jones: To ask the Secretary of State for International Development what assessment she has made of the supply of *(a)* food and *(b)* medical supplies to the Kambia region of Sierra Leone. [122026]

Clare Short: Kambia District, situated in the Northern Province, remained volatile after the signing of the peace agreement last July. Although access was, and is difficult, food security assessments were carried out in January and February 2000 by Caritas Makeni and Community Action through Progress (CAP) who are local implementing partners of Children's Aid Direct (CAD). CAD are supported by the Department for International Development.

The CAD programme began in Kambia in March. So far it has been limited to assessments and targeting and registration of beneficiaries. The distribution of inputs will commence as soon as the security situation allows.

Halabja

Ann Clwyd: To ask the Secretary of State for International Development what assistance her Department is giving to people of Halabja in the current year. [122130]

Clare Short: We are supporting the work of Professor Christine Gosden of Liverpool University to develop a prioritised programme, in conjunction with the universities in northern Iraq and the recently established post-graduate school at Halabja. This will benefit the victims of chemical and biological weapon attacks on the Kurds, principally at Halabja in northern Iraq. The programme will include developing proposals for palliative care, curative treatment,

and neutralising environmental contamination. We shall consider providing more substantive assistance on the basis of these proposals. Other donors such as Switzerland, Sweden, Finland, Norway, Italy and the Vatican have shown an interest in providing humanitarian and other support.

CULTURE, MEDIA AND SPORT

Analogue TV Switch-off

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what assessment has been made of the viability of his Department's timetable for the switching off of analogue television transmitters. [121486]

Janet Anderson: We will be making regular assessments of the estimated timescale for the switch-over from analogue to digital transmission in the formal two-yearly reviews which I announced last autumn. The first of these reviews will be in autumn 2001. They will measure progress against the key tests of availability of digital services; affordability; and take-up of digital equipment. The Viewers' Panel, which we are setting up, will provide advice at each review on the extent of progress towards digital television from the viewers' point of view.

BBC News 24

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what criteria will be used to assess the performance of BBC News 24 in the Government's review; and if he will make a statement. [121487]

Janet Anderson: We aim to announce our proposals for the reviews of the BBC's digital services in due course.

Seaside Resort Regeneration

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport what measures he will take to encourage take up of Lottery funds to regenerate seaside resorts. [122364]

Kate Hoey: As a result of the National Lottery Act 1998 and Policy Directions issued by my right hon. Friend the Secretary of State, distributors are already doing much to ensure Lottery money is distributed more equitably. Research into the impact of the National Lottery on the coalfields and other areas, soon to be published, should help to identify what more can be done to ensure that those in every area, including seaside resorts, have access to grants from the National Lottery.

Television Licence

Mr. MacShane: To ask the Secretary of State for Culture, Media and Sport what the total cost was of administering the television licence system *(a)* in cash terms and *(b)* as a percentage of BBC licence fee revenue in each of the last 10 years. [122451]

Janet Anderson: The cost administering the television licensing system in the 10 years to 1998–99, the latest year for which figures are available, was as follows:

Cost of administering the television licensing system

Year	*£ million*	*As a percentage of licence fee revenue*
1989–90	81.0	6.6
1990–91	84.3	6.2
1991–92	91.5	6.2
1992–93	92.5	5.8
1993–94	89.2	5.3
1994–95	91.0	5.2
1995–96	95.0	5.2
1996–97	96.9	5.1
1997–98	109.5	5.5
1998–99	133.1	6.1

Concessionary Television Licences (Rotherham)

Mr. MacShane: To ask the Secretary of State for Culture, Media and Sport how many concessionary television licences have been withdrawn in Rotherham in *(a)* 1997, *(b)* 1998 and *(c)* 1999 in (i) council-run old peoples' homes and (ii) privately-run old peoples' homes. [122450]

Janet Anderson: Since 1991, the BBC has had statutory responsibility for the administration of the television licensing system, including the Accommodation for Residential Care concessionary licence scheme. The day-to-day management of the scheme is carried out by TV Licensing as agent for the BBC. I understand from the BBC that information on the concessionary scheme is not held in the form requested.

Communications White Paper

Ms Keeble: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on consultation on the Communications White Paper. [123002]

Mr. Chris Smith: My right hon. Friend the Secretary of State for Trade and Industry and I have already announced an invitation for any comments on the Communications White Paper to be submitted to us by 23 June. As a further contribution to the debate and discussion on the issues at the heart of the White Paper, we have also asked a number of external experts individually to prepare policy papers on a variety of related subjects, which will form the basis for discussion at a seminar in July and which will be published on the internet.

The experts are:

Quentin Thomas (Chair)

David Cleevely

Elizabeth Forgan

Andrew Graham

Janice Hughes

Mark Oliver

Damian Tambini

George Yarrow.

HEALTH

Motor Neurone Disease

Mr. Edward Davey: To ask the Secretary of State for Health what support the Government provide to research into motor neurone disease; what involvement the Motor Neurone Disease Association has had in the channelling of Government resources into this research; what support the Government provide to the Motor Neurone Disease Association; what the level of Government funding will be for research into motor neurone disease in the next three years; and if he will make a statement. [120735]

Mr. Denham: The Government support research into motor neurone disease through the Medical Research Council (MRC) and the Department of Health.

The MRC is the main Government agency through which we support research on the causes and treatment of disease and receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry. In 1999–2000, the MRC spent approximately £1.6 million on motor neurone disease and on basic work on the function of motor neurones. They are also funding relevant underpinning research, for example on nerve function and damage. The MRC involve the Motor Neurone Disease Association (MNDA) whenever they consider an application for clinical trials in motor neurone disease.

The Department funds research to support policy development in health and social care, and to support effective practice in the National Health Service. The Department also provides NHS support funding for research sponsored by charities, such as MNDA, and by the MRC that takes place in the NHS. The current commitment of centrally commissioned research projects relating to motor neurone disease is approximately £241,000. Information about expenditure on NHS service support and devolved Departmental research in the NHS are not held centrally. The total level of Department of Health support for motor neurone disease may therefore be higher than the expenditure for centrally commissioned research.

Project details of Department funded research can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD Rom, and on the Internet: http://www.doh.gov.uk/nrr.htm.

It is not possible to predict what the future level of Government expenditure will be on specific areas of research as new research proposals are regularly being considered and commissioned.

The Government do not provide financial support directly to the MNDA.

Beef (Cattle over 30 Months)

Mr. Yeo: To ask the Secretary of State for Health (1) if there is a ban on the import of meat and meat products from cattle of over 30 months into this country; [121434]

(2) if the ban on the sale of meat products from cattle over 30 months old includes gelatine and other edible by-products; [121433]

(3) what checks are carried out on imports of meat and meat products to the United Kingdom to ensure that they are not from cattle over 30 months old. [121435]

Ms Stuart *[holding answer 9 May 2000]:* I am advised by the Food Standards Agency that there is no restriction on the import of meat and meat products from cattle over 30 months, but the ban on sale of beef for human consumption from cattle aged over 30 months at slaughter applies to both home produced and imported supplies. The only exceptions to this ban are for meat from specialist grass-reared United Kingdom herds under the Beef Assurance Scheme (BAS) and meat from 14 non-EU countries that traditionally supplied the UK and have no history of BSE. As far as home supplies and meat imported into licensed premises are concerned, the ban is enforced by the Meat Hygiene Service. The carcase or part of a carcase of any bovine animal that is found to be more than 30 months old at slaughter (or over 42 months for BAS animals) is sterilised or stained immediately as an animal by-product. Local authorities are responsible for enforcement at other points in the supply chain.

Imported gelatine and other edible by-products are not subject to the over 30 months rule. However, they are subject to controls on the use of specified risk materials in their production. The UK introduced these national SRM controls from 1 January 1998, pending the implementation of Community measures. Imports of gelatine and other edible by-products must be accompanied by a certificate confirming that they are SRM-free or that they are from animals born, reared and slaughtered in Australia or New Zealand.

Specified Risk Material

Mr. Yeo: To ask the Secretary of State for Health if he will make a statement on the recommendations of the Scientific Steering Committee about extending the Specified Risk Material regulations in force in Britain to all EU member states. [121439]

Ms Stuart *[holding answer 9 May 2000]:* The Scientific Steering Committee advises the European Commission on matters relating to the risks from BSE. It is for the Commission to decide, in the light of that advice, whether any proposals for measures to manage those risks at European Union level need to be made.

Harefield Hospital

Mr. Green: To ask the Secretary of State for Health what his plans are for the future of Harefield Hospital; and if he will make a statement. [121708]

Mr. Denham: Kensington and Chelsea and Westminster Health Authority has undertaken formal public consultation over proposals to move inpatient paediatric services from Harefield Hospital to the Royal Brompton Hospital. A decision to pursue these proposals has been contested by Hillingdon Community Health Council and it will, therefore, be referred to Ministers for a final decision. Any decision on the future location of Harefield Hospital's paediatric transplantation services would require the consideration of the National Specialist Commissioning Advisory Group.

These proposals must be set in the context of longer term plans. Following detailed planning and assessment by National Health Service organisations in West London

and the Imperial College of Science, Technology and Medicine, a preferred option has been identified for the future of specialist inpatient services in West London, including cardiothoracic services. This would see services that are currently provided at Harefield Hospital located in a new building on the Paddington Basin site, alongside other West London specialist cardiothoracic services currently provided at the Royal Brompton and St Mary's Hospitals.

An Outline Business Case is due to be submitted to the London Regional Office of the NHS Executive assessing a number of options, including that for the Paddington Basin. Full public consultation will be held in the summer of 2000 before any decisions are made.

NHS Dentistry (Cheltenham)

Mr. Nigel Jones: To ask the Secretary of State for Health what percentage of the adult population in Cheltenham are registered with an NHS dentist. [122006]

Mr. Hutton: Information on dental registrations in individual constituencies is not collected by the Department. In the Gloucestershire Health Authority area 31 per cent. of the adult population was registered with a National Health Service dentist at 31 March 2000.

In Cheltenham patients who are not registered with a NHS dentist can receive treatment under the personal dental service scheme. On Monday to Friday emergency patients can access treatment via the health authority's dental helpline. Gloucestershire Health Authority has submitted proposals for a dental access centre in Cheltenham. A decision about this scheme will be made shortly.

Violence against NHS Staff (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Health what steps each health trust in Shropshire is taking to reduce the incidence of violence against NHS staff; and if he will make a statement. [121761]

Mr. Denham: We are determined to ensure that National Health Service staff are never faced with intimidation and violence, which is unacceptable and will not be tolerated. In addition to the national 'NHS Zero Tolerance Zone' campaign, each of the three local trusts in Shropshire are taking independent action to protect staff from violent and aggressive behaviour.

The Royal Shrewsbury Hospitals NHS Trust have introduced the People Management Standards Document, which states that all staff in high risk areas will receive prevention of violence training by an approved organisation.

The Princess Royal Hospital NHS Trust have recently updated their Dealing with Violence and Aggression Policy. Measures include logging abusive incidents, and the use of a 'Safe Haven' room for patients showing extreme aggression.

Shropshire Community and Mental Health Services NHS Trust have carried out risk assessments in all work areas, to identify potential areas of weakness. Areas of activity resulting from this include additional staff training, and issuing mobile phones, pagers and personal alarms where appropriate.

Hospital Care Beds

Mr. Cox: To ask the Secretary of State for Health how many acute hospital care beds there are in NHS hospitals in the Greater London area. [122077]

Mr. Denham: The average daily number of available acute hospital care beds in the London region in the financial year 1998–99 was 17,022.

Bed data are not collected by general geographical area. The area covered by London Regional Office has been used as the closest approximation of Greater London.

General Social Care Council

Mrs. Ellman: To ask the Secretary of State for Health when he intends to establish the General Social Care Council; and if he will make a statement. [122766]

Mr. Hutton: We propose to establish the General Social Care Council on 1 October 2001.

Originally we had intended to establish the new Council on 1 April 2001. However, the GSCC Advisory Group, set up to consider the requirements for a well functioning Council, has recommended October 2001 as a more appropriate start date. This will allow sufficient time to complete the many tasks that have to be undertaken for the Council to begin its important work. The Care Standards Bill, which is currently before this House, proposes vital functions for the GSCC that will increase the level of safety offered to the public. We see it as being in the best interests of the public and the GSCC itself that sufficient time is allowed in order to deliver a Council that is ready and able to take forward these vital functions.

The GSCC Advisory Group will be continuing its role until the Council is established in shadow form.

Female Circumcision

Ms McCafferty: To ask the Secretary of State for Health what guidance his Department issues to chairs of local authority social services committees concerning the operation of the Prohibition of Female Circumcision Act 1985. [122492]

Mr. Hutton: As well as being illegal, female circumcision is an extremely unpleasant practice with lasting mental and physical effects on those girls on whom it is carried out. We have issued no specific guidance on this matter to chairs of social services committees but our wider advice, set out in "Working Together to Safeguard Children" on child protection procedures is clear. The Prohibition of Female Circumcision Act 1985 makes female circumcision, excision or infibulation (female genital mutilation (FGM)) an offence, except on specific physical and mental health grounds. A local authority may exercise its powers under section 47 of the Children's Act 1989 if it has reason to believe that a child is likely to be or has been the subject of FGM.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Health how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122258]

Ms Stuart: This information is not held centrally and could be provided only at disproportionate cost.

Dystonia

Mr. Hancock: To ask the Secretary of State for Health how many people have been diagnosed as having dystonia in each of the last five years; and if he will make a statement. [119914]

Mr. Denham: The table shows a count of finished consultant episodes (FCEs) in National Health Service hospitals in England where the primary (main) diagnosis was dystonia, for the years 1994–95 to 1998–99.

FCEs where the primary diagnosis was dystonia—NHS hospitals England 1994–95 to 1998–99

Data year	*FCEs*
1994–95	1,414
1995–96	1,953
1996–97	1,967
1997–98	2,477
1998–99	2,709

TRADE AND INDUSTRY

Minimum Wage

Mr. Alexander: To ask the Secretary of State for Trade and Industry how many employers, broken down by size of firm, have been fined for paying less than the minimum wage. [122534]

Mr. Alan Johnson: The National Minimum Wage (NMW) Act provides for officers to issue a financial penalty against an employer who does not comply with an enforcement notice. So far, 141 enforcement notices have been issued. Only one of these has required follow up action with a penalty notice fining the employer for each day of non-compliance with the enforcement notice. The company concerned employs between 0–10 people.

It is also a criminal offence to refuse or wilfully neglect to pay the NMW. So far it has not been necessary to use these criminal powers, though we will do so in appropriate circumstances.

Cosmetic Surgery

Mr. Baker: To ask the Secretary of State for Trade and Industry what assessment he has made of the operation of regulations pertaining to advertising of cosmetic surgery. [122307]

Dr. Howells *[holding answer 16 May 2000]:* I am satisfied that the powers given to the Director General of Fair Trading by the Control of Misleading Advertisements Regulations 1988, together with the self-regulatory system operated by the Advertising Standards authority, are effective in controlling advertising in the United Kingdom. However, the Government recognise that advertising controls alone may not be sufficient in the field of cosmetic surgery to ensure that the information patients receive is of an acceptable standard and my colleagues in the Department of Health are therefore considering how best to take this matter forward.

Chief Scientific Adviser

Mr. Fabricant: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 11 May 2000, *Official Report*, column 445W, what engineering skills and qualifications will be required of the Government Chief Scientific Adviser. [122496]

Ms Hewitt: The Government's Chief Scientific Adviser will need to have a first class international reputation in science or engineering. Candidates for the post are likely to be Fellows of the Royal Academy of Engineering or of the Royal Society. In addition to being excellent in their own disciplines candidates will need to have an understanding of a wide range of science and engineering issues.

Post Office

Mr. Miller: To ask the Secretary of State for Trade and Industry if he has set the financial target for the Post Office for 2000–01; and if he will make a statement. [122924]

Mr. Alan Johnson: The Government are setting the Post Office a return on capital employed target of 13 per cent. in 2000–01 and this translates into an operational pre-tax profit target of £392 million in 2000–01. This target excludes the network of post offices, where the PIU report is awaited, and the non-operational interest arising from past surpluses held on the Post Office's balance sheet. This target will be subsumed within the overall post-tax profit target for the Post Office as a whole, as described in the White Paper.

As already announced, the 'dividend' that the Government effectively take out of the Post Office is set at 40 per cent. of the post-tax profits of the business as a whole. This is subject to a dividend floor payment which this year will be raised from 80 per cent. to 90 per cent. of the dividend that would be paid if the Post Office meets its overall profit target.

In order to help the Post Office to plan for the medium term, the Government are also setting an indicative financial target for 2002–03 of 13 per cent. return on capital employed (ROCE) in the Post Office's operational business, excluding the network of post offices and any non-operational interest arising from past surpluses. Return on capital employed is defined as profit before interest payable and tax, but after operating interest receivable, divided by operating capital employed.

I have set the Post Office's financial target and dividend floor for 2000–01, and the indicative financial target for 2002–03 in the light of external benchmarking, the likely regulatory environment, market expectations, the Post Office's approved Strategic Plan for 1999–2004, and other projections from the Post Office.

Communications White Paper

Mr. Todd: To ask the Secretary of State for Trade and Industry if he will make a statement on consultation on the Communications White Paper. [123003]

Mr. Byers: My right hon. Friend the Secretary of State for Culture, Media and Sport and I have already announced an invitation for any comments on the Communications White Paper to be submitted to us by 23 June. As a further contribution to the debate and

discussion on the issues at the heart of the White Paper, we have also asked a number of external experts individually to prepare policy papers on a variety of related subjects, which will form the basis for discussion at a seminar in July and which will be published on the internet.

The experts are:

Quentin Thomas (Chair)
David Cleevely
Elizabeth Forgan
Andrew Graham
Janice Hughes
Mark Oliver
Damian Tambini
George Yarrow.

Export Credit (Military Goods)

Dr. Tonge: To ask the Secretary of State for Trade and Industry how many times countries which have been granted export credit for military goods have defaulted on their repayments in each of the last 10 years. [122246]

Mr. Caborn *[holding answer 16 May 2000]:* The following list details the countries on which ECGD has paid claims in each of the last 10 years as a result of payment defaults in relation to export credits for defence equipment.

1990–91
Algeria
Argentina
Brazil
Egypt
Jordan
Kenya
Nigeria

1991–92
Argentina
Brazil
Egypt
Jordan
Kenya

1992–93
Brazil
Egypt
Jordan
Kenya
Venezuela

1993–94
Brazil
Egypt
Jordan
Kenya
Venezuela

1994–95
Algeria
Egypt
Jordan
Kenya
Venezuela

1995–96
Algeria
Egypt
Jordan
Kenya
Venezuela

1996–97
Algeria
Egypt
Jordan
Kenya

1997–98
Algeria
Egypt
Jordan
Kenya

1998–99
Indonesia
Jordan
Kenya

1999–2000
Indonesia
Zimbabwe.

Gas Transporters

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will list the companies, organisations and public bodies he has consulted over the removal of geographic exclusivity of licensed areas for gas transporters. [122324]

Mrs. Liddell: In October 1998, my Department published a consultation paper on the future of gas and electricity regulation. Among other things, this paper invited views on the abolition of geographic exclusivity. In October 1999, the Government's proposals for legislation in this area were published. That document set out the Government's decision to abolish geographic exclusivity. It also contained a list of those who had responded to the consultation paper, leaving aside only those who had requested confidentiality. Copies of that document were placed in the Libraries of both Houses.

British Energy and AES

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will make a statement on the reference to the Competition Commission of British Energy and AES. [122330]

Dr. Howells: This reference has been made by the Director General for Electricity Supply under the terms of the Electricity Act 1989 and the Competition Commission will report to him at the end of their inquiries.

Parental Leave

Ms Harman: To ask the Secretary of State for Trade and Industry what are the terms of reference of the Parental Leave Monitoring Group and the review of maternity pay and leave and parental leave. [122360]

Mr. Alan Johnson: The Parental Leave Monitoring Group will assess the impact of parental leave and look at the take-up of the new right by men and women. We are currently considering the terms of reference of the group in the light of the review on maternity pay and parental leave. My right hon. Friend the Secretary of State made an announcement on 9 May setting out the scope of the review on maternity pay and parental leave.

Ms Harman: To ask the Secretary of State for Trade and Industry when the Parental Leave Monitoring Group will meet. [122359]

Mr. Alan Johnson: We are currently considering the terms of reference of the group in the light of the review on parental leave and maternity pay and a meeting will be convened in due course.

Domestic Fuels

Shona McIsaac: To ask the Secretary of State for Trade and Industry if he will investigate the sales methods used by suppliers of domestic gas and electricity for new residents who are taking over previous contracts. [122353]

Mrs. Liddell: The Office of Gas and Electricity Markets (Ofgem) is responsible for regulating the activities of gas and electricity suppliers. It imposes a licence condition in respect of sales and marketing practices, which has recently been extended to 31 March 2002. Ofgem closely monitors the sales and marketing activities of suppliers, and is working with the industry to ensure that abuses are avoided. Where necessary it will take formal action against individual suppliers under the licence condition.

Genes (Patents)

Joan Ruddock: To ask the Secretary of State for Trade and Industry how many UK patents have been granted for *(a)* human genes, *(b)* animal genes and *(c)* plant genes. [121305]

Dr. Howells: Patents are only available for inventions for new technical solutions. Under the Patents Act 1977 and a recent EC Directive on the legal protection of biotechnological inventions, genes as they exist in nature cannot be the subject of patent rights. However, material—including genes—isolated from its natural environment by means of an inventive technical process may be subject to patent rights. To be patentable, such inventions would have to satisfy the general criteria for patentability that the invention is new and would not be obvious to someone in the technical field.

To date, approximately 50 patents relating principally to human genes or variants thereof; approximately 10 patents relating to animal genes or variants thereof; and, approximately nine patents relating to plant genes or variants thereof have been granted by the United Kingdom Patent Office.

Animal Welfare

Mr. Coaker: To ask the Secretary of State for Trade and Industry what steps he is taking to promote the development of internationally-agreed animal welfare standards in the context of the WTO negotiations building on existing work in the Council of Europe. [120123]

Mr. Morley *[holding answer 20 April 2000]:* I have been asked to reply.

We strongly supported the requirement in Article 8 of Directive 98/58/EC for the European Commission to report on the scope for developing wider international acceptance of EU farm welfare standards. Their report—which is overdue—will be a key element in defining how to approach this issue. For our own part, we have argued for the Office International des Epizooties to extend its activities to animal welfare: and we will take all opportunities offered by international gatherings such as the Animals 2000 World Congress of the World Society for the Protection of Animals to make contracts and advance this question.

ENVIRONMENT, TRANSPORT AND THE REGIONS

DVLA

Mr. Sarwar: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the differences between DVLA's procedures for processing applications for vehicles purchased from *(a)* car importers and *(b)* traditional dealers. [121316]

Mr. Hill: When presented with an application for the registration of a new vehicle the Driver and Vehicle Licensing Agency (DVLA) needs to be satisfied that *(a)* the vehicle is new *(b)* it meets type approval requirements and *(c)* VAT has been/or will be paid. Longstanding arrangements allow franchise dealers to register new vehicles without producing documentary evidence. This facility is not currently available to independent commercial importers.

The Agency is developing similar arrangements for importers. It is intended that a revised manual system of registration which will not require documentary evidence will be available to them by the end of the summer. An electronic system should become operational in 2001.

Sub-post Offices

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the documents and publications produced by his Department and Agencies that are available at sub-post offices. [121627]

Ms Beverley Hughes: I refer my hon. Friend to the answer given by the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Hull, West and Hessle (Mr. Johnson), on 15 May 2000, *Official Report*, column 23W.

Tunnels (Fire Resistance)

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions what initiatives are being pursued to introduce fire-resistant materials in new tunnels. [121722]

Mr. Hill: For roads, there are a number of initiatives directly or indirectly concerned with fire and safety issues in tunnels. They are being undertaken by European and other international expert bodies. If these initiatives

indicate it is appropriate that more fire resistant materials should be introduced into tunnels, they will be included into the UK's current tunnel design standards.

Following the fire in the Channel Tunnel, research has been done into increasing the resistance of concrete tunnel linings under conditions of extreme and prolonged heat. This research has been adopted by the designers of the Channel Tunnel Rail Link (CTRL) and fire protected concrete will be used in the new rail tunnels under London and the Thames.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122011]

Ms Beverley Hughes: It is not the policy of the Department of the Environment Transport and the Regions to use penalty clauses in its contracts as they are not legally enforceable. Legally valid clauses which require the contractor to make payments when in default have been invoked in 17 contracts since May 1997.

Jet-skis and Water Bikes

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions what the Government's policy is on bringing in new legislation to give local authorities control over jet skis and wet bikes; and if he will make a statement. [121926]

Mr. Meacher: Local authorities have the power to regulate personal watercraft, such as jet-skis and water bikes, through local byelaws. For instance, strict speed limits may be imposed to exclude watercraft from specific areas. My Department's Review of Byelaw Powers for the Coast recommended, among other things, that local authorities should be given a new power to create bathing-only zones and more general powers to regulate activities on the coast which affect the wider environment, such as the use of personal watercraft. We shall introduce legislation where it is needed to implement the Review's recommendations. In the meantime, we have published a voluntary code of best and safe practice for leisure craft users, and we are exploring options for a voluntary boat registration and identification scheme, which would include jet-skis.

Mersey Basin Campaign

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the role of the Mersey Basin campaign in relation to youth and community involvement in the North West Region. [122071]

Ms Beverley Hughes: The Secretary of State is aware of the achievements of the campaign in involving local communities in the care and maintenance of watercourses through the Mersey Basin Trust initiatives such as Stream Care, Waterside Revival and Green Action Grants. In addition through its Water Detectives resource packs for schools, the Campaign involves young people in the caring for their local rivers and streams.

A612

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department has had with Nottinghamshire County Council about the impact of a Gedling relief road on the A612 Nottingham to Burton Joyce at the junction of Shearing Hill and Burton Road. [122151]

Mr. Hill: There have been no discussions on this subject so far. The junction lies within the area of the Greater Nottingham Local Transport Plan which is being prepared jointly by Nottinghamshire County and Nottingham City Councils and will be submitted to Government by the end of July. It will form the basis for Government funding allocations for local transport initiatives and major local road schemes for the five year period 2001–06.

Climate Change Levy

Mrs. Fiona Jones: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in relation to the proposed Climate Change Levy being applied to combined heat and power where electricity sales made to licensed suppliers are subsequently sold on to business consumers; and what representations he has received on the effect on future investment in combined heat and power by commercial investors. [122150]

Mr. Meacher: Thirty-five responses to the Government's proposals in the consultation document, "A Quality Assurance Programme for Combined Heat and Power", commented on the proposed arrangements for sale of electricity from combined heat and power installations to other users, in relation to the Climate Change Levy. One company has informed the Government that it has decided to defer its decision to proceed with two CHP proposals, citing a number of factors including the proposed provisions for the operation of the Climate Change Levy.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to extend the number of industrial sectors able to enter into negotiated agreements with Government in respect of the Climate Change Levy; and what particular plans he has to extend negotiated agreements to those manufacturing sectors currently excluded. [122123]

Mr. Meacher: In his Budget statement on 21 March 2000, my right hon. Friend the Chancellor of the Exchequer confirmed that negotiated agreements will be open to those installations operating processes covered by Parts A1 and A2 of the forthcoming Pollution Prevention and Control Regulations.

A final consultation paper on these Regulations was recently published, by the Department of Environment, Transport and the Regions, with the objective of laying the Regulations in Parliament before the summer recess. As part of these wider consultations on the Regulations, and as is set out in the consultation paper, the Government are considering which processes currently covered by Part B of the PPC Regulations should, given their environmental effects, be more appropriately regulated under Part A2. Any processes that do move to regulation under Part A2 will become eligible for entry into the agreements.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the compatibility of the principle of rebates contained in the Climate Change Levy negotiated agreements with the European Commission's draft guidelines on state aid for environmental protection; and if he will make a statement. [122124]

Mr. Meacher: The Climate Change Levy agreements seek to deliver significant improvements in energy efficiency in exchange for a reduction in the standard rate of levy. This reduction counts as operating aid and is the subject of a current State Aids notification. The Government have linked the availability of the aid to helping to achieve an important environmental policy objective that the Commission shares: ie, the need to reduce emissions of greenhouse gases. The Government believe they have prepared a robust, balanced case which will deliver significant environmental benefits while also helping to safeguard international competitiveness.

In parallel, the European Commission's draft revised guidelines on State Aids for environment protection are being discussed with member states. The UK is playing a full part in these discussions and I understand the current draft is being revised further in the light of member states' comments.

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what decisions he has come to following the Government's consultation on the proposed CHP Quality Assurance programme, in relation to the exemption of Good Quality CHP from the Climate Change Levy; and if he will make a statement. [123005]

Mr. Meacher: The Chancellor announced in the pre-Budget Report in November 1999 that Good Quality CHP was to be exempted from the Climate Change Levy. The Government's proposals for determining 'Good Quality' were set out in the consultation paper "CHPQA—A Quality Assurance Programme for Combined Heat and Power", issued in January.

Over 130 detailed responses to the proposals were received. There was general agreement that the proposed Quality Index (QI) approach provided a sound basis for measuring the thermal efficiency and environmental quality of the range of CHP installations of different sizes, type and fuel use, and for determining eligibility for exemption from the Climate Change Levy, and for other purposes. The consultation also identified a number of detailed improvements to the proposals.

There was also general agreement that a QI score of 100 was the appropriate level at and above which installations should be eligible for full exemption from Climate Change Levy—that is to say, exemption of all heat and of all generated electricity used on site or sold directly to other users. There will be an interim commissioning period of 12 months for industrial installations, and 24 months for community heating installations, during which the threshold will be a QI of 95.

There was also agreement that the proposed CHP Equivalent Generation Limit (CHP EGL) methodology provided a robust basis for determining the entitlement to partial Levy exemption for installations with a QI of less than 100. But respondents argued that the datum used in the calculation of CHP EGL for a scheme should be 100, rather than the figure of 110 in the consultation proposals, and the Government accept the case for this.

Special provisions for simplified metering and monitoring arrangements for small-scale CHP schemes will apply to installations of 2 MWe or less, representing almost 90 per cent. of installations, rather than 1 MWe as previously proposed.

The operation of CHPQA will be reviewed in the light of experience. Any changes made will apply to subsequent CHP developments, and will not be applied retrospectively to existing CHP schemes.

The provisions for exemptions from the electricity supply licensing requirements are relevant to the operation of direct sale of electricity from Good Quality CHP. The Department of Trade and Industry's document, "Electricity (Class Exemption from the Requirements for a Licence) Order 1997 Proposed Amendments" sought views on possible changes, to facilitate CHP and other embedded generation. DTI are now considering responses, and will announce their conclusions shortly.

I am grateful for the valuable contribution from CHP users and suppliers and other interested parties in developing these arrangements for the detailed operation of CHP's exemption from the Climate Change Levy—a measure which gives crucial recognition to the environmental, climate change and other benefits of CHP, alongside the exemption of Good Quality CHP from business rates and Government's other supporting initiatives.

My Department will shortly publish a detailed consultation response, setting out the decisions in full. Meantime, I have placed a note with further details of the key elements in the Library.

Aviation

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions if he will he seek access to *(a)* cabotage rights and *(b)* ownership of US carriers by UK carriers in the forthcoming UK-US bilateral aviation negotiations. [122080]

Mr. Mullin: This Government will continue to press for the removal of all barriers to fair competition in the UK-US aviation market, including the refusal of cabotage rights and the restrictions on foreign ownership of US carriers. However, as cabotage and foreign ownership and control are banned by US law, it would require a change in US law to remove these barriers. The timetable for their removal must therefore extend beyond the horizon of the current round of negotiations.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding the problems experienced with the theoretical knowledge examinations for the JAA Air Transport Pilot Licence; and what action he intends to take as a result of these representations. [122483]

Mr. Mullin *[holding answer 16 May 2000]:* The Civil Aviation Authority (CAA) is responsible for the day-to-day aviation safety regulation, including the licensing of pilots. The CAA shares the concern of those in the aviation industry and other interested parties over the recent disappointing results of those candidates who

participated in the Joint Aviation Requirements Flight Crew Licensing (JAR-FCL) examinations. It is also aware of the importance of achieving a smooth transition to the new JAR-FCL examinations, but this change has been less smooth than originally was hoped. The CAA is keen to maintain a high level of standards within the UK, but none the less is looking closely into the failure rate of these examinations. I shall write to the hon. Member shortly with details of the CAA's findings and actions.

Vulnerable People (Support)

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about Government plans for providing support for vulnerable people; and how he intends to take forward, "Supporting People". [122566]

Mr. Raynsford: Britain is fortunate in having an effective and valuable stock of supported and sheltered housing, providing much-needed help to people such as older people, the mentally ill, the disabled and those with drink and drug problems.

As with most services, things can always be improved. The Government value the supported housing sector and through "Supporting People" we want to improve how supported housing is funded to make sure the highest quality of services are given, in the areas it can be most effective.

The "Supporting People" programme offers vulnerable people the opportunity to improve their quality of life through greater independence. It promotes housing-related services which are cost-effective and reliable, and which complement existing care services. It is a working partnership of local government, service users and support agencies.

Users will benefit from the increased range and focus of support services that will be provided through the partnership of councils and support agencies under "Supporting People". The programme will raise the priority of support services and encourage councils to take a more strategic approach to provision, integrating it fully with social and health services, housing, neighbourhood renewal and community safety.

While stakeholders broadly welcomed "Supporting People" in initial consultation, there are many challenges to be faced, and many complex issues to be worked through.

Today I have published a short document, "Together towards 2003", with an Action Plan of clear goals that must be achieved in order to prepare for the full roll out of "Supporting People" in April 2003. These are:

May 2000

Consultation paper on Phased implementation

Consultation paper on Managing the changeover

July 2000

Consultation paper on Administrative arrangements and decision-making processes

Consultation paper on Charging for services

October 2000

Consultation paper on Quality and monitoring

November 2000

Announcement on Phasing

Initial guidance to local authorities on administration arrangements

April 2001

Consultation on the principles of the Distribution Formula

October 2001

The Complete Package of guidance on implementing "Supporting People". This will include guidance on administrative structures, financial arrangements, continuation arrangements, needs assessment methodology and supply assessment. It will ensure diversity and equality of service delivery and enable authorities to plan their resource allocation

April 2002

First allocations to authorities based on the Distribution Formula, including transfer arrangements from current spending to new formula

December 2002

Readiness review—this will provide data on the main problem areas which will inform the provision of additional guidance.

The process of implementation has started today with the publication of two short consultation papers on phased implementation and managing change. Implementing the programme is a demanding task, which can be effectively achieved only by drawing on the knowledge and experience of local authorities, registered social landlords and other providers of support services.

I want to reassure providers and users that there will be no sudden changes to the support services as a result of the shift to "Supporting People".

We will be providing advice and support to councils, agencies and users throughout the transition period through the publication of guidance, a series of conferences and a quarterly newsletter. We will be disseminating results from research, pilot projects and advisory groups. People will also be able to refer to a dedicated website and helpline for more advice.

I am placing the consultation papers and a summary booklet about "Supporting People" in the House Library. They are also available on the DETR website at www.supporting-people.detr.gov.uk.

GM Trial Sites

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what consultations he had with *(a)* organic growers and *(b)* the Soil Association in Herefordshire about the siting of the GM trials at Kempley, Gloucestershire and Preston Wynne, Herefordshire; and if he will make a statement. [122038]

Mr. Meacher *[holding answer 15 May 2000]:* There has not been any specific consultation with organic growers or the Soil Association about the siting of farm scale evaluations of GM crops at Kempley or Preston Wynne.

However, my Department and the Ministry for Agriculture, Fisheries and Food have been in dialogue with UKROFS (United Kingdom Register of Organic Food Standards) and the Soil Association about the Farm Scale Evaluations. MAFF has also been encouraging discussions between organic farmers and the GM industry

body, SCIMAC, and have established a forum aimed at finding ways that the two systems can operate successfully alongside one another.

National Air Traffic Services

Mr. Temple-Morris: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish further information on the design of the NATS public-private partnership. [122974]

Mr. Mullin: The Government have today published an information brochure on the NATS PPP. A copy has been placed in the Library of the House and will shortly be available on the DETR website.

CABINET OFFICE

Departmental Vehicles

Mr. Pearson: To ask the Minister for the Cabinet Office how many *(a)* cars and *(b)* commercial vehicles operated by her Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122267]

Mr. Ian McCartney: The Government Car and Despatch Agency operates a fleet of vehicles, in the following table, for the Government as a whole. Seven of these vehicles are own by GCDA but operated by the Cabinet Office (Infrastructure Division).

	(a) Cars	*(b) Commercial vehicles*	*Total*
(i) UK	60	16	76
(ii) EU	130	41	171
(iii) Elsewhere	0	0	0
Total	190	57	247

In addition, one vehicle is leased by the Cabinet Office (Infrastructure Division) from Lex, which is made in the UK.

Statutory Instruments (Wales)

Mr. Llew Smith: To ask the Minister for the Cabinet Office how many statutory instruments have been referred by Government departments to the National Assembly for Wales; and if he will list the dates on which a response was received from the Assembly in each case. [122456]

Mr. Stringer: There is no general provision for statutory instruments to be referred by Government Departments to the National Assembly for Wales. The Government of Wales Act 1998 and the National Assembly for Wales (Transfer of Functions) Order 1999 both contain provisions which require that certain instruments are either subject to consultation with the National Assembly for Wales, or are subject to their consent being obtained.

Other contacts takes place on an information basis, as covered in the bilateral concordats between Government Departments and the National Assembly for Wales. No central record is kept of such informal contact in relation to statutory instruments; and the information could only be collected at disproportionate cost.

Regeneration Initiatives

Mr. Don Foster: To ask the Minister for the Cabinet Office if she will list the number and value of *(a)* bids and *(b)* grants made in each of the last three financial years for which figures are available, for each (i) area-based and (ii) other regeneration-related initiative for which her Department is responsible. [119802]

Mr. Stringer: The Cabinet Office is responsible for the Better Government for Older People programme and the Drug Action Teams listed by DETR as under (ii) other regeneration-related initiatives.

For the Better Government for Older People (BGOP) programme it is not possible to distinguish between direct/indirect government grants, redirected existing LGA provision, local partner funding and other contributions without incurring disproportionate costs. The Cabinet Office provides a small grant each year to help support the central co-ordination of the BGOP pilots and this figure is included in the expenditure totals.

Better Government for Older People (BGOP)

	1998–99	*1999–2000*	*Total*
Bids for pilot projects	64	—	64
Accepted	28	—	28
All expenditure (£)	322,154	597,285	919,439

Notes:
1. The BGOP was launched in 1998–99 and ends in 2000–01. All pilots were approved in 1998–99.
2. The Local Government Authorities concerned, together with their local partner organisations, meet all the costs of their pilot projects.

The Home Office's Drugs Advisory Service award grants to the Drugs Action Teams (DATs) for development. These grants are awarded on the basis of population, not bids.

Drug Action Teams

	1998–99	*1999–2000*	*Total*
Number of Drug Action Teams	98	106	
Development Funding 'Grants' from Central Government	2,989,700	5,035,000	8,024,700

Notes:
1. Development Funding began in 1996–97. The expenditure is provided through the Drugs Advisory Service part of the Home Office. However details of expenditure for 1997–98 are not readily available.
2. In addition to grants the Drugs Action Teams (DATs) receive funding and resources from a variety of sources including local agencies.
3. There are 111 DATs to be funded in 2000–01.

Mr. Don Foster: To ask the Minister for the Cabinet Office if she will list for each *(a)* area-based and *(b)* other regeneration-related initiative for which her Department is responsible (i) the amount budgeted and (ii) the total expended in each financial year for the planned lifetime of each initiative. [119794]

Mr. Stringer: The Cabinet Office is responsible for two of the programmes listed by DETR under 'other regeneration-related initiatives'—The Better Government for Older People and The Drug Action Teams. It is not possible to provide information as specifically requested. The Cabinet Office does not have accounting responsibility for the majority of expenditure made on these two initiatives.

The Better Government for Older People programme was launched in 1998 and runs until end of 2000. The pilot projects are fully paid for by Local Government Authorities and their partners. The Cabinet Office contributes a small grant toward the central co-ordination of the pilots. Total cost of the programme for each financial year is as follows: 1998–99 (£322,154), 1999–2000 (£597,285), and expected expenditure in 2000–01 (£500,000).

The Drugs Action Teams (DATs) receive funding and resources from a variety of sources, including local agencies and it is not possible to provide total expenditure figures that would be on a consistent basis. DATs receive 'development funding' from central Government, based on population data and paid through the Drugs Prevention Advisory Service at the Home Office. Information available for expenditure on development is for 1998–99 (£2,989,700) and 1999–2000 (£5,035,000). Expenditure forecasts for 2000–01 will be no lower than in 1999–2000. Resources for 2000–01 and beyond are subject to the Cross Cutting Review on Drugs as part of the 2000 Spending Review.

SOCIAL SECURITY

War Pensions

Mr. Cox: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women are in receipt of a war pension. [121477]

Mr. Bayley: The administration of the war pensions is a matter for the Chief Executive of the War Pensions Agency, Mr. Gordon Hextall. I have asked him to write to my hon. Friend.

Letter from Gordon Hextall to Mr. Tom Cox, dated 17 May 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many (a) men and (b) women are in receipt of a war pension.

The latest data available is from 30th November 1999. The total number of war pensions in payment at that date was 299,124. This is comprised as follows:

	Number
War Disablement Pensions	
Women	9,201
Men	234,390
Widows/Widowers pensions	
Widows	54,714
Widowers	7
Others	812
Total	299,124

The number of "others" include: 52 war orphans' pensions; 163 war parents' pensions, 23 adult dependants' pension; 1 unmarried dependant's pension; and 573 child allowances paid alone.

If I can be of any further assistance, please do not hesitate to contact me.

Housing Benefit (Scotland)

Mr. Gorrie: To ask the Secretary of State for Social Security what the total estimated expenditure was on Housing Benefit in Scotland in *(a)* 1998–99 and *(b)* 1999–2000, for (i) public sector tenants, (ii) housing association tenants and (iii) other private sector tenants. [122089]

Angela Eagle: The information is in the table.

Total Housing Benefit expenditure in Scotland for public sector tenants, housing association tenants and other private sector tenants

£ million

	1998–99	*1999–2000*
Local authority tenants	700	709
Registered social landlord tenants	167	188
Private rented sector tenants	167	163
Total Housing Benefit	1,033	1,060

Note:
The figures for 1998–99 are an estimate and those for 1999–2000 are based on the latest forecast.

Mr. Gorrie: To ask the Secretary of State for Social Security if he will list, for *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99, the gross expenditure on (i) rent allowances and (ii) rent rebates for each local authority in Scotland. [122088]

Angela Eagle: The information is in the table.

Gross expenditure on rent allowances and rent rebates for each local authority in Scotland

£000

Local authority	*Rent allowance expenditure*	*Rent rebate expenditure*
1996–97		
Aberdeen	8,085	16,176
Aberdeenshire	6,213	10,432
Angus	4,795	5,677
Argyll-Bute	6,439	6,728
Clackmannanshire	1,699	5,269
Comhairle Nan Eilean Siar	817	2,391
Dumfries and Galloway	8,250	13,371
Dundee	14,621	27,654
East Ayrshire	4,380	13,929
East Dunbartonshire	2,635	5,117
East Lothian	5,310	7,024
East Renfrewshire	2,653	3,675
Edinburgh	48,826	50,486
Falkirk	4,409	15,078
Fife	16,406	35,550
Glasgow	75,549	164,076
Highland	10,440	19,617
Inverclyde	4,798	12,865
Midlothian	5,341	3,679
Moray	3,836	5,019
North Ayrshire	6,994	15,896
North Lanarkshire	10,096	47,042
Orkney	1,074	881
Perth and Kinross	6,999	6,834
Renfrewshire	8,130	22,295
Scottish Borders	6,384	5,413
Shetland	306	1,504
South Ayrshire	6,033	12,346
South Lanarkshire	9,389	39,587
Stirling	2,801	9,404
West Dunbartonshire	3,875	16,205
West Lothian	8,222	11,790
Cumbernauld'	0	1,819
Irvine'	0	1,653
Livingston'	26	3,009
Scottish Homes	358	41,134

Gross expenditure on rent allowances and rent rebates for each local authority in Scotland

£000

Local authority	*Rent allowance expenditure*	*Rent rebate expenditure*
1997–98		
Aberdeen	7,404	17,421
Aberdeenshire	6,045	10,684
Angus	6,257	6,171
Argyll-Bute	5,650	6,894
Clackmannanshire	1,921	5,408
Comhairlę Nan Eilean Siar	808	2,492
Dumfries and Galloway	8,806	13,075
Dundee	17,181	30,072
East Ayrshire	5,573	14,786
East Dunbartonshire	2,247	5,557
East Lothian[2]	4,991	7,395
East Renfrewshire	2,807	3,830
Edinburgh	47,593	55,280
Falkirk	4,675	17,643
Fife	17,933	38,334
Glasgow	78,171	174,654
Highland	10,242	21,009
Inverclyde	6,450	14,211
Midlothian	5,783	4,156
Moray	3,898	5,142
North Ayrshire	8,054	17,359
North Lanarkshire	10,801	50,268
Orkney	975	871
Perth and Kinross	7,190	7,257
Renfrewshire	8,931	24,913
Scottish Borders	6,377	5,692
Shetland	282	1,572
South Ayrshire	6,023	13,550
South Lanarkshire	10,018	44,003
Stirling	2,716	8,986
West Dunbartonshire	4,339	16,457
West Lothian	9,785	15,593
Cumbernauld[2]	—	—
Irvine[2]	—	—
Livingston[2]	—	—
Scottish Homes	0	33,145
1998–99		
Aberdeen	7,250	20,372
Aberdeenshire	6,028	10,670
Angus	6,318	6,562
Argyll-Bute	6,638	7,241
Clackmannanshire	3,144	5,546
Comhairle Nan Eilean Siar	686	2,390
Dumfries and Galloway	8,945	12,823
Dundee	19,334	29,911
East Ayrshire	6,265	16,055
East Dunbartonshire	2,411	5,807
East Lothian	5,195	7,862
East Renfrewshire	2,770	3,936
Edinburgh	45,229	55,264
Falkirk	[1]—	[1]—
Fife	18,716	39,517
Glasgow	79,115	177,905
Highland	9,832	21,083
Inverclyde	6,472	14,983
Midlothian	5,894	4,434
Moray	4,136	5,229
North Ayrshire	8,652	18,189
North Lanarkshire	11,556	51,860
Orkney	994	832
Perth and Kinross	7,278	7,199
Renfrewshire	13,144	25,637
Scottish Borders	6,827	5,872
Shetland	281	1,734
South Ayrshire	6,389	12,762
South Lanarkshire	10,663	46,490
Stirling	2,565	8,964
West Dunbartonshire	4,425	16,314
West Lothian	10,742	17,394
Cumbernauld[2]	—	—

Gross expenditure on rent allowances and rent rebates for each local authority in Scotland

£000

Local authority	*Rent allowance expenditure*	*Rent rebate expenditure*
Irvine[2]	—	—
Livingston[2]	—	—
Scottish Homes	0	23,225

[1] No data available for Falkirk for 1998–99

[2] These authorities ceased to exist from 1997–98. Cumbernauld was absorbed into North Lanarkshire, Irvine into North Ayrshire and Livingston into West Lothian

Mr. Gorrie: To ask the Secretary of State for Social Security what account he will take in his reform of Housing Benefits of the differences between the English and Scottish housing systems; what plans he has to ensure that *(a)* tenants on the lowest incomes and *(b)* vulnerable households do not suffer financial loss from any changes to the Housing Benefit system; and what measures he plans to ensure that changes to Housing Benefit take account of other benefit and social policy reforms. [122086]

Angela Eagle: In our recent Housing Green Paper "Quality and Choice: A Decent Home For All" we acknowledge the importance of making sure that Housing Benefit and housing policies work together, and that the Government are sensitive to the housing policy aims and objectives of the devolved administrations.

Housing Benefit provides valuable support so that those with low incomes can meet their rent. A basic principle of any reform is that those who are most in need should continue to be able to afford reasonable rents.

We are determined to modernise Housing Benefit to improve customer service, tackle fraud and error and improve incentives to work. The Housing Green Paper contains proposals and ideas to reform Housing Benefit, and seeks the views of interested parties by 31 July 2000. We will take these views into account as we continue to work to improve Housing Benefit.

State Pension

Dr. George Turner: To ask the Secretary of State for Social Security, pursuant to his answer of 8 May 2000, *Official Report*, column 275W, on the state pension, if he will identify separately the costs of *(a)* a £5 increase at 75–79 years and *(b)* a £10 increase at 80 years, if each increase were to be implemented without the other. [122251]

Mr. Rooker: The information is in the table.

£ million

	£5 increase at 75	*£10 increase at 80*
Gross cost	1,100	1,200
Net cost after income-related benefits offset	750	800
Net cost after income-related benefits offset and taxation	700	700

Notes:

1. Part *(a)* of this question has been interpreted as a £5 increase for all those aged 75 and above rather than 75–79, otherwise people would receive a £5 increase at 75 then lose it again at age 80.
2. All costs are in £ million, rounded to the nearest £50 million, and are for 2000–01. Figures may not sum due to rounding.

3. Other benefits, whose rates are linked to the basic State pension, are not included.
4. Gross costs estimated by the Government Actuary's Department.
5. Income-related benefits offsets estimated by Analytical Services Division, Department of Social Security.
6. Income tax receipts estimated by the Inland Revenue.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Social Security how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122254]

Mr. Bayley: The Department has a total of 2,753 cars and commercial vehicles currently on its fleet.

Breakdown of the place of origin

	Cars	*Commercial vehicles*	*Total*
UK	1,1717	61	1,778
EU	883	26	909
Elsewhere	60	6	66
Total	2,660	93	2,753

Note:
Some caution should be exercised with the figures in the table. The largest single make of car owned by the Department is Vauxhall and the totals for the UK above include 397 Astras and 60 Cavaliers. There is no guarantee that every one of these cars was built in UK—some may have been built elsewhere in the EU. This is true of a further 114 cars of other makes on the fleet also shown above as built in UK. Disproportionate cost would be involved in trying to establish individually where all these units were manufactured.

For information on cars provided by the Government Car and Despatch Agency I refer my hon. Friend to the Written Answer which will be provided by my right hon. Friend the Parliamentary Secretary, Cabinet Office.

NORTHERN IRELAND

Decommissioning

6. **Miss McIntosh:** To ask the Secretary of State for Northern Ireland what assessment he has made of when the decommissioning section of the Belfast agreement will be implemented. [121150]

Mr. Mandelson: The Government regard the recent IRA statement as a very significant development, including for the first time a definite commitment to put weapons completely and verifiably beyond use.

We believe we can now build on this announcement so that the Good Friday Agreement can be implemented in all its aspects.

11. **Mr. Brady:** To ask the Secretary of State for Northern Ireland what assessment he has made of when he expects the decommissioning provisions of the Belfast agreement will be implemented. [121155]

13. **Mr. Mates:** To ask the Secretary of State for Northern Ireland what progress has been made on the decommissioning of illegally held arms and explosives. [121157]

19. **Mr. Nicholas Winterton:** To ask the Secretary of State for Northern Ireland what progress has been made in the process of decommissioning illegally-held weapons and explosives. [121163]

22. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland if he will make a statement on the state of the peace process with regard to decommissioning. [121166]

23. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland what progress has been made on the decommissioning of illegally held arms and explosives. [121168]

26. **Mr. Forth:** To ask the Secretary of State for Northern Ireland what progress has been made on the decommissioning of illegally held arms and explosives. [121170]

Mr. Ingram: I refer the right hon. Member and the hon. Members to the answer given earlier by my right hon. Friend the Secretary of State.

17. **Mr. Maginnis:** To ask the Secretary of State for Northern Ireland what the current status is of the de Chastelain commission; and if its role will be extended beyond 22 May. [121161]

Mr. Ingram: The role of the IICD will continue to be as stated in the joint declaration by the two Governments on 5 May:

> The IICD will continue its task under the Agreement. The Governments will now ask the IICD to consider urgently, in consultation with representatives of the paramilitary organisations, whether there are any further proposals for decommissioning schemes which offer the Commission greater scope to proceed in a more effective and satisfactory way with the discharge of this basic mandate, and to report. The Governments will make further reports as necessary. Those reports will be published promptly by the two Governments.

21. **Mr. Blunt:** To ask the Secretary of State for Northern Ireland what his policy is towards the inclusion of political representatives of paramilitary groups in the Northern Ireland Executive without the decommissioning of illegally held arms and explosives. [121165]

Mr. Mandelson: Our policy is to achieve both devolution and decommissioning on terms consistent with the Good Friday Agreement. With the British and Irish Governments' Joint Statement on 5 May and the IRA statement of 6 May, I believe there is now a basis for making progress in achieving both objectives.

EU Structural Funds

8. **Ms Buck:** To ask the Secretary of State for Northern Ireland when he last met European Commissioners to discuss EU structural funds allocated to Northern Ireland. [121152]

Mr. Ingram: On 25 November 1999 I met with Commissioner Neil Kinnock (Vice President Administrative Reform) over dinner at Hillsborough Castle but was unable to meet Commissioner Barnier (DG Regio) during his visit on 4 February 2000 due to political developments in relation to the suspension of devolution.

I hope to have the opportunity to meet Commissioner Barnier on 18 May in London.

Devolution

9. **Sir Raymond Whitney:** To ask the Secretary of State for Northern Ireland what steps have been taken to re-establish the Northern Ireland Executive and Assembly. [121153]

15. **Mr. Ottaway:** To ask the Secretary of State for Northern Ireland what steps have been taken to re-establish the Northern Ireland Executive and Assembly. [121159]

27. **Mr. Bill O'Brien:** To ask the Secretary of State for Northern Ireland what assessment he has made of the prospects for re-establishing the Executive in Northern Ireland; and if he will make a statement. [121171]

Mr. Mandelson: I refer the hon. Members and my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson).

Peace Process

10. **Mr. Corbyn:** To ask the Secretary of State for Northern Ireland if he will make a statement on the current state of the peace process. [121154]

Mr. Mandelson: I refer the hon. Gentleman to my statement to the House on 8 May.

14. **Mr. John Smith:** To ask the Secretary of State for Northern Ireland when he last met the Irish Prime Minister to discuss progress towards peace. [121158]

16. **Mr. Ivan Lewis:** To ask the Secretary of State for Northern Ireland when he last met the Irish Prime Minister to discuss progress on the peace process. [121160]

Mr. Mandelson: I last met the Irish Prime Minister during an intense period of negotiations at Hillsborough on 4 and 5 May.

Exiles

12. **Mr. Barnes:** To ask the Secretary of State for Northern Ireland if he will take further steps to gather statistics on the numbers of those exiled from their homes in Northern Ireland by paramilitary organisations. [121156]

Mr. Ingram: Currently the RUC record figures relating to reported intimidation but paramilitary expulsions cannot be separately identified. Figures on exclusions are particularly hard to calculate, since those affected are often reluctant to notify the police. Exclusions can also vary from temporary decisions to leave a town or area within it and total "exclusion" from Northern Ireland. We would be prepared to explore ways with the police in which the quality of these statistics could be improved, but it is not easy to gather accurate statistics in this area.

Security

18. **Mrs. Laing:** To ask the Secretary of State for Northern Ireland if he will make a statement about the security situation in Northern Ireland. [121162]

Mr. Ingram: The main paramilitary groups are maintaining their ceasefires and the recent IRA statement reflects a real reduction in the threat from that quarter. There remains a threat from dissident paramilitaries who are opposed to the Good Friday Agreement, and the security forces will continue to thwart attempts by these groups to undermine the peace process.

Victim Support

20. **Mr. Hilary Benn:** To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of the Government's programmes for victim support. [121164]

Mr. Ingram: Victim Support, which is funded by £737,000 from Government, dealt with 33,000 referrals of victims of crime during 1999–2000. The Government have also committed more than £6.25 million over three years to support victims of the Troubles. An evaluation of the Small Grants Scheme operated by the Community Relations Council is currently under way, and we have agreed to review the Core Funding Programme for victims groups, which is being administered by the Northern Ireland Voluntary Trust, during the 2001–02 financial year.

Goidelic Languages

23. **Mr. Flynn:** To ask the Secretary of State for Northern Ireland what proposals he has to promote tuition in Goidelic languages. [121167]

Mr. George Howarth: The Education (Northern Ireland) Order 1998 gave the Department of Education the power to fund a body which has as its objective the encouragement or promotion of Irish-medium education. Work is currently in hand to establish a new body, Comhairle Na Gaelscolaiochta, for this purpose. An Irish-medium curriculum materials unit has been established in St. Mary's University College, a College of the Queen's University of Belfast, under the auspices of the Education and Library Boards' Curriculum Advisory and Support Services, to provide a central source of Irish-medium expertise to support schools throughout Northern Ireland. The Northern Ireland Council for the Curriculum, Examinations and Assessment provides GCSE and GCE A level examinations through the medium of Irish in subjects as required.

Giant's Causeway

25. **Mr. Mackinlay:** To ask the Secretary of State for Northern Ireland if he will make a statement on the destruction by fire of the facilities at the Giant's Causeway. [121169]

Mr. Ingram: The fire at the Giant's Causeway Visitor Centre destroyed 80 per cent. of the building. Senior Government officials met Moyle District Council on 4 May to discuss the development of a permanent replacement and the provision of temporary buildings in the interim so that services to visitors can be maintained. The Council has been asked to liaise with Government on a way forward.

British-Irish Council

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland how often he has attended meetings of the British-Irish Council. [121151]

Mr. Mandelson: I attended the first and only meeting to date of the British-Irish Council on 17 December 1999.

Further meetings will follow the restoration of the Northern Ireland Assembly and Executive.

Belfast Port

Mr. Borrow: To ask the Secretary of State for Northern Ireland if he will make a statement on the future of Belfast Port. [121143]

Mr. Ingram: A proposal by Belfast Harbour Commissioners involving the transport of the Port of Belfast to the private sector, with a view to establishing a public/private partnership, with Government retaining a 'golden' share interest, is under consideration. A further option, involving the restructuring of the Port while retaining its trust port status, is also being examined at present.

Given the vital role of the Port in relation to the Northern Ireland economy, its future is a matter of considerable importance not only to the port authority and port users, but also to those in industry and commerce in Northern Ireland. I am hopeful that the Executive will be restored before the end of this month and I am sure that the future of the Port of Belfast will be high on its agenda.

Sheltered Accommodation (Burglaries)

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if he will make a statement about the number of burglaries at sheltered accommodation complexes in Northern Ireland from January 1997 to date; how many within the control of each housing association have been burgled; what has been the total number of occasions on which burglaries have occurred; how many residents have lost property; and what has been the estimated total value of property stolen. [121231]

Mr. Ingram: The information requested is not readily available and could be provided only at disproportionate cost.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if he will make a statement about window and double-glazing installations in sheltered accommodation complexes which make them vulnerable to burglars; and if he will require housing associations to take immediate measures to improve security at their properties. [121232]

Mr. George Howarth: It is deplorable that burglars are targeting the elderly in this way. The problem with certain window and double-glazing installations is not, however, confined to sheltered accommodation complexes. It applies to other housing, residential and non-domestic premises where such glazing was used. Those double-glazed windows most at risk were probably installed in the late 1980s/early 1990s, and it would appear that some window types may be more vulnerable than others. Where problems are identified, additional measures can be incorporated in the existing frame to enhance security. Housing associations have already undertaken a number of modifications. In 1991, the Department introduced a new requirement for housing association developments that "the design of doors and windows minimise the risk of forced entry". The Department will write to all associations drawing attention to the current situation. It will consult with the Northern Ireland Federation of Housing Associations on whether any additional guidance is needed, and if the programme of identification and modification can be accelerated.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if he will ensure that elderly residents within sheltered accommodation do not suffer financial loss as a result of burglaries arising from structural or glazing installation inadequacies at these complexes. [121233]

Mr. George Howarth: No. Housing Associations are required to insure property against structural damage and it is the responsibility of individuals to insure the contents of their properties against theft or damage.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what discussions the RUC has had about appointing a co-ordinated task force to deal with burglary from sheltered accommodation; how many individuals have been charged with burglary from sheltered accommodation since January 1997; what convictions have been achieved; and what penalties have been imposed in each case. [121234]

Mr. Ingram: The Royal Ulster Constabulary is not aware of a problem specific to burglaries from sheltered dwellings. If the hon. Member would care to provide me with more details I would be happy to look into the matter.

The information requested on detection and convictions is not readily available and could be provided only at a disproportionate cost.

PRIME MINISTER

Interception of Communications Act

Mr. MacShane: To ask the Prime Minister what arrangements have been made to appoint a Commissioner under section 8 of the Interception of Communications Act following the expiration of Lord Nolan of Brasted's appointment on 10 April; and if he will make a statement. [122801]

The Prime Minister: Lord Justice Swinton Thomas has accepted an appointment as the Interception of Communications Commissioner for a period of three years from 10 April 2000. I thank his predecessor, Lord Nolan of Brasted for the great contribution he made during the six years he spent as Interception Communications Commissioner.

Sanctions

Mr. Dalyell: To ask the Prime Minister if he will discuss with Kofi Annan the allowing of sanctions against *(a)* Serbia and *(b)* Iraq to be lifted on goods relating to bona fide scientific and technological work, essential to food testing and civil manufacturing industry. [121302]

The Prime Minister: I refer my hon. Friend to the answer given to him by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain) on 8 May 2000, *Official Report*, column 258W.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 17 May. [122108]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

FOREIGN AND COMMONWEALTH AFFAIRS

eEurope

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs which targets announced following the European Council meeting in Lisbon on eEurope in March and agreed to by the United Kingdom have been fully implemented; and what is the timetable for implementing the remaining targets. [122444]

Mrs. Liddell: I have been asked to reply

The Special European Council in Lisbon in March reached a number of conclusions under the heading of "An information society for all". The chief conclusions with targets were:

- The adoption as rapidly as possible during 2000 of pending legislation on the legal framework for e-commerce, on copyright and related rights, e-money, distance selling of financial services, jurisdiction and the enforcement of judgments, and the dual-use export control regime; and also the promotion of consumer confidence in e-commerce, in particular through alternative dispute resolution systems;
- The conclusion as early as possible in 2001 of work on legislative proposals following the Commission's 1999 review of the EU's telecoms regulatory framework; meeting the frequency requirements for future mobile communications systems in a timely and efficient manner; and completing fully integrated and liberalised telecommunications markets by the end of 2001;
- Work towards introducing greater competition in local access networks before the end of 2000 and unbundling the local loop;
- Ensuring that all schools in the EU have access to the Internet and multimedia resources by the end of 2001, and that all teachers needed are skilled in the use of the Internet and multimedia resources by the end of 2002;
- Ensuring generalised electronic access to main basic public services by 2003;
- With the support of the EIB, making available in all European countries low cost, high-speed interconnected networks for Internet access and fostering the development of state-of-the-art information technology and other telecom networks as well as the content for those networks, with specific targets in the eEurope action plan.

The Special European Council asked the Commission to produce a comprehensive action plan with targets as part of its eEurope initiative, which identifies ways to reinforce a digital culture among European businesses, schools, individuals and public administrations. The Commission is expected to publish shortly a draft action plan with targets, for agreement by Heads of State and Government at the Feira European Council in June. We expect the action plan to include these and other areas related to developing the information society.

As the earliest of the targets identified above is the end of this year, most of the related activity is still in progress. However, the Council and the European Parliament have given an important lead by fast tracking the adoption of the E-Commerce Directive, which sets the legal framework for e-commerce in Europe by removing barriers to cross-border electronic business and providing legal certainty on issues such as the liability of intermediary service providers, e-contracts and information to be provided to consumers. Adoption is expected in the next few weeks, with implementation in all member states to follow within 18 months.

Treaty of Nice

Mr. Redwood: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates in 2000 for *(a)* negotiating sessions and *(b)* other meetings on the draft Treaty of Nice. [120808]

Mr. Vaz *[holding answer 5 May 2000]:* A timetable for the intergovernmental conference negotiations until the end of the current Portuguese Presidency is available in the Library of the House of Commons. The French Government have yet to publish a timetable for their Presidency, which runs from 1 July until the end of the year.

British Embassy Vehicles

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 2 May 2000, *Official Report*, column 68W, on British Embassy vehicles, what the *(a)* cost, *(b)* make and *(c)* model was of the motor vehicles leased for use by British diplomatic representatives in Germany since 1 May 1997. [121508]

Mr. Vaz *[holding answer 11 May 2000]:* Posts in Germany currently spend a total annual cost of DM 438,005.52 (£136,876.73 @ 3.20) on leased vehicles. The annual costs since 1 May 1997 would not be too different. The make and model of the vehicles currently being used are:

Berlin/Bonn/BTO Leipzig

- Rolls Royce—Silver Seraph
- Jaguar—XJ8
- Rover—75 2.0 Ltr
- Rover—75 2.0 Ltr
- Rover—75 2.0 Ltr
- Rover—75 2.0 Ltr
- Rover—600 2.0 Ltr
- Rover—600 1.8 Ltr
- Rover—600 1.8 Ltr
- Rover—600 1.8 Ltr
- Rover—216 1.4 Ltr
- Mercedes Lorry—7.5 Ton
- Ford—Courier
- Ford—Courier
- VW—Minibus
- Land Rover—Discovery

Frankfurt

- Rover—825 SI LUX

Munich

Rover—825 SI LUX

Rover—600 2.0 Ltr

Dusseldorf

Jaguar—XJ6

Rover—825 SI LUX

Rover—600 2.0 Ltr

Rover—400 1.6 Ltr

Stuttgart

Rover—75 2.0 Ltr.

Since 1 May 1997 the overall composition of the fleet has remained more or less the same.

Stability Pact for South Eastern Europe

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors underlay the decision taken at the Lisbon Summit to involve commissioners Solana and Patten in implementation of the Stability Pact for South Eastern Europe. [121976]

Mr. Vaz: The Lisbon European Council invited High Representative Solana and Commissioner Patten "to enhance co-ordination with the Stability Pact and other efforts of the international community". This is intended to maximise the international community's overall contribution to the Balkans by making co-ordination among the different players as effective as possible.

The Danube

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what proposal was made by the Regional Funding Conference on 30 March to reopen the Danube for international and local traffic; [121830]

(2) what grant the European Commission has given to finance removal of obstacles in the Danube. [121831]

Mr. Vaz: On 25 January the Danube Commission submitted a proposal for clearance of the Danube to the European Commission. The European Union has provisionally agreed to finance 85 per cent. of the total 24.1 million euro cost of the clearance work, conditional on the Danube Commission providing clarification on outstanding technical questions.

The Danube Commission proposal was also cleared by the European Investment Bank and included in a list setting out EIB projects at the Stability Pact Regional Funding Conference on 30 March. The EIB has not, however, agreed additional funding for the proposal.

British Council

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what the reduction has been in the number of London-appointed British Council staff serving overseas since 1997; and if he will make a statement on the impact of these reductions on the work of the British Council. [121823]

Mr. Hain: The number of London-appointed British Council staff serving overseas has been reduced by 6 per cent. since 1997–98. This reduction has been partly offset by the appointment of skilled local managers in the Council's local offices.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to increase the programme funds available to British Council offices in developing countries. [121822]

Mr. Hain: The British Council performs a valuable role and should be properly funded. It is already able to bid against a range of FCO programme funds; for example, it manages some 50 per cent. of Human Rights Projects Fund activities. Its freedom to bid for access to these funds will continue.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on changing in the funding of the British Council when it is required to operate in additional countries. [121828]

Mr. Hain: The British Council is funded through grant-in-aid, voted by Parliament, for its activities world-wide rather than through specific grants for individual countries. We expect the Council to reshape its representation around the world as required, including opening new offices, within the resources it has from the FCO and other Government Departments, the private sector and paid for services. Technology now allows the Council also to reach target audiences in a different way.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the *(a)* percentage reduction in the value of the British Council's DFID-funded contract work since 1996–97 and *(b)* impact of this reduction on the British Council's work in developing countries. [121821]

Mr. Hain: The value of the British Council's DFID-funded contract work has been reduced by 55 per cent. since 1996–97. The resulting drop in income has led to extensive restructuring in overseas directorates in developing countries and a reduction of staff in the UK and abroad. Council operations in South Asia and sub-Saharan Africa have been most affected.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will restore the British Council's grant in aid to its real terms level before 1995–96. [121827]

Mr. Hain: The FCO and the British Council experienced cuts in funding in the period from 1995–96 until this Government had the opportunity, in the last comprehensive spending round, to arrest the decline. It is unrealistic to expect that the FCO and the British Council will receive increases that will recoup these cuts quickly. My right hon. Friend the Foreign Secretary is pressing for a much-needed increase in FCO resources across the board. I expect the Council to achieve an increase in its grant in aid broadly in line with the settlement for the FCO as a whole as it performs a valuable role and I always try to visit its offices abroad while on ministerial visits to demonstrate my support.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the percentage reduction in the number of UK-based staff at the British Council since 1996–97; and if he will make a statement on the impact of the reduction on the Council's work. [121820]

Mr. Hain: The number of UK-based staff at the British Council has been reduced by 23 per cent. since 1996–97. These cuts have resulted in a reduction in the range of services offered to international students in the UK and in

the size of the Council's network of regional offices in the UK. Reductions in the number of subject advisers and geographical managers in the Council's London and Manchester offices, and in personnel and finance officers, have affected the support provided to overseas operations.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the percentage reduction in corporate overheads at the British Council since 1995–96. [121826]

Mr. Hain: Corporate overheads at the British Council have been reduced by 23 per cent. since 1995–96.

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the British Council country directorates which have no full-time London-appointed staff. [121824]

Mr. Hain: The following 16 British Council country directorates have no full-time London-appointed staff: Albania, Algeria, Belarus, Bolivia, Brunei, Caribbean, Denmark, Eritrea, Estonia, Finland, Lithuania, Macedonia, Malta, Norway, Swaziland and Switzerland.

Georgia Presidential Visit

Mr. Bruce George: To ask the Secretary of State for Foreign and Commonwealth Affairs when the President of Georgia will visit the UK. [121802]

Mr. Vaz *[holding answer 15 May 2000]:* We are looking forward to an early visit by President Shevardnadze. When the Secretary of State visited Georgia in February he invited President Shevardnadze to visit the UK. We have now offered dates to the Georgian Government and are awaiting their response.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122259]

Mr. Battle: The Foreign and Commonwealth Office's policy is to purchase vehicles on the basis of value for money. We are also required to comply with the UK's international obligations under the EC Public Procurement Directives. The statistics cover vehicles in the UK and at posts overseas. The majority of our fleet is manufactured in the UK.

	Place of manufacture		
	UK	*EC*	*Elsewhere*
Home Fleet			
Cars	13	5	0
Commercial vehicles	13	15	1
Overseas Fleet			
Cars	594	159	285
Commercial vehicles	54	0	3
Totals for Home and Overseas Fleets			
Cars	607	164	285
Commercial vehicles	67	15	4

DEFENCE

Joint Nuclear, Biological and Chemical Regiment

Mr. Anthony D. Wright: To ask the Secretary of State for Defence if he will make a statement on the long term location of the Joint Nuclear, Biological and Chemical Regiment currently based at RAF Honington. [123004]

Mr. Spellar: The Joint Nuclear, Biological and Chemical Regiment, which was established as a joint initiative in April 1999, following recommendations arising from the Strategic Defence Review, will be permanently based at RAF Honington.

The Regiment was established at RAF Honington as a successful joint initiative in April last year, following the recommendations of the Strategic Defence Review, and was fully operational by December. The Regiment's operational capability will comprise nuclear, biological and chemical detection, reconnaissance and survey and will combine these aspects with expertise in decontamination techniques. This is a critical enabling capability—and the Regiment will be invaluable in reducing the risk to our armed forces who deploy in dangerous areas like the Gulf.

Sierra Leone

Mr. Wilkinson: To ask the Secretary of State for Defence how many flights by Antonov 124/100 aircraft have been chartered by his Department to West African destinations associated with the crisis in Sierra Leone; on what dates; what loads were carried in each case; and how many refuelling stops were required en route. [122533]

Mr. Hoon: As of 1200 hours 16 May, five Antonov 124/100 sorties have been chartered by the MOD to West African destinations associated with the crisis in Sierra Leone: three flights on 8 May 2000; one flight on 9 May 2000; and one flight on 13 May 2000. Each flight carried between 61 tonnes and 82.5 tonnes of store and equipment. Refuelling stops were not required.

Naval Funding

Mr. Quentin Davies: To ask the Secretary of State for Defence what is the Royal Navy's budgeted fund allocation for 2000–01; and what was the corresponding budget for the previous five years. [122113]

Mr. Spellar: The operating costs of the Ministry of Defence are managed by 11 Top Level Budget (TLB) holders. Major equipment and research programmes are managed separately. Prior to 2000–01 there were three discrete TLBs covering the main activities of the Royal Navy, however, from 2000–01 a new tri-service TLB has been created to manage the Departments logistics activities—the Chief of Defence Logistics (CDL) TLB. This budget includes the costs of the Navy as well as the Army and RAF and it is not possible separately to identify the single service elements; the budget is managed as a whole. Equipment procurement costs are also managed centrally the Defence Procurement Agency (DPA) and are therefore also excluded.

For 2000–01 the budgets set for the two remaining Navy TLBs is £1,693 million. The total budget for the CDL TLB is £4,854 million.

The Navy Budget for the previous five years was as follows:

Year	*£ million (actuals)*
1995–96	3,879
1996–97	3,761
1997–98	3,714
1998–99	3,765
1999–2000	3,698

Lord Levy

Mr. Maude: To ask the Secretary of State for Defence, pursuant to his answer of 27 March 2000, *Official Report*, column 25W, if Lord Levy has requested any further defence briefings since 25 March 1999. [118284]

Mr. Hoon *[holding answer 11 April 2000]:* No.

Mr. Maude: To ask the Secretary of State for Defence, pursuant to his answer of 27 March 2000, *Official Report*, column 25W, for what reason Lord Levy was given a briefing on Syria by the Chief of Defence Intelligence; and if Lord Levy received security clearance prior to receiving that briefing. [118283]

Mr. Hoon *[holding answer 11 April 2000]:* On 25 March 1999, the Chief of Defence Staff asked the Chief of Defence Intelligence (CDI) to see Lord Levy, as he judged that this would be of benefit to him prior to his visit to the Middle East carrying messages for the Prime Minister. Lord Levy did not receive security clearance for this specific meeting as he already holds the appropriate clearance.

Mr. Maude: To ask the Secretary of State for Defence from which officials Lord Levy has received briefings on the Middle East. [119671]

Mr. Hoon: I refer to my answer of 27 March 2000, *Official Report*, column 25W. Lord Levy has not been briefed on the Middle East by any other Ministry of Defence officials.

Mr. Maude: To ask the Secretary of State for Defence, pursuant to his answer of 27 March 2000, *Official Report*, column 25W, (1) what assistance was offered by Lord Levy to the Chief of Defence Staff during his visit to Israel last September; [118280]

(2) which meetings Lord Levy attended during the Chief of Defence Staff's visit to Israel; and what was the subject of those meetings; [118279]

(3) to which Israeli officials Lord Levy made representations regarding the Chief of Defence Staff's visit to Israel; [118305]

(4) what preparatory work was done in Israel by Lord Levy for the Chief of Defence Staff's visit last September; [118304]

(5) if the Chief of Defence Staff discussed arms sales during his visit to Israel. [118285]

Mr. Hoon *[holding answer 11 April 2000]:* The British embassy in Tel Aviv prepared and arranged the Chief of Defence Staff's visit to Israel. Lord Levy and HM Ambassador accompanied the Chief of Defence Staff to a call on Prime Minister Barak. A range of matters of mutual interest were discussed. Arms sales were not discussed.

Bahrain

Mr. Maude: To ask the Secretary of State for Defence when the Chief of Defence Staff visited Bahrain; whom he met; what topics were discussed; and who was in his accompanying delegation. [118286]

Mr. Spellar *[holding answer 11 April 2000]:* General Sir Charles Guthrie last visited Bahrain between 25 and 27 February 2000. He met the Amir of Bahrain, the Crown Prince, the Prime Minister, the Defence Minister, the Chief of Staff of the Bahrain Defence Force, Vice Admiral Moore of the US Navy and UK personnel deployed in Bahrain. They discussed aspects of the UK's bilateral relationship with Bahrain and a variety of regional issues. General Guthrie was accompanied on the visit by his Deputy Principal Staff Officer and Aide De-Camp. Our Ambassador to Bahrain was present during the calls on Bahraini officials and the Defence Attaché escorted throughout.

Nuclear-powered Submarines

Mrs. Gilroy: To ask the Secretary of State for Defence (1) if he will list the maximum design accidents assessed by the Nuclear Powered Warships Committee following a near instantaneous loss of primary circuit coolant which are in place for the Swiftsure and Trafalgar nuclear powered submarines in operation near and in the Devonport Royal Dockyard; what is the anticipated frequency of MDA per reactor year; what is the core inventory in terms of the fission products Kr, Xe, I, Te, Cs, Sr, and Ru for the nominated MDA for a reactor that *(a)* is at Plant State A and *(b)* has recently been derated to Plant State B on the basis of the Standard Core History for the average reactor in-core life for the currently operational Core Z fuel charge; if he will place in the Library copies of his Department's BR1, BR 3018, BR 3019, BR3020, BR 3025 and BR 3030 documents and where appropriate the documents that have superseded them; and if he will make a statement; [121412]

(2) if, in relation to the refitting and refuelling of Royal Navy nuclear-powered submarines at Devonport Royal Dockyard, he will provide the Reference, MDA or Design Basics Accidents *(a)* applicable to periods (i) when the boat is under repair in the dry dock facility, other than when refuelling, (ii) when the boat is being defuelled in preparation for refuelling for the nuclear reactor, including the transition of the irradiated fuel to the dockyard storage locality and (iii) when the boat is out of commission and awaiting decommissioning without and with irradiated fuel in the reactor core and *(b)* relating to the treatment, packaging and storage of past and present arisings of radioactive waste undertaken and held at the Dockyard; and if he will make a statement. [121348]

Mr. Spellar: Response plans for a nuclear accident during submarine operations, including refitting, refuelling, fuel and waste handling, within HM Naval Base and the Royal Dockyard, Devonport are firmly based on detailed analysis and comply with appropriate legislation (in particular the Ionising Radiations Regulations). Probabilistic techniques are employed where appropriate in this analysis.

The radioactive inventories and source terms used in this analysis are classified, because they are related to sensitive information about the design of naval propulsion reactors. I am, therefore, withholding this information under Exemption 1 of the Code of Practice on Access to Government Information. However, work is underway within my Department to respond to the forthcoming Radiation (Emergency Preparedness and Public Information) Regulation (REPPIR) which are expected to require that some aspects of the hazard assessments are made available to the public. Some information of this nature is already available in the document DEVPUBSAFE.

I am placing a copy of Joint Service Publication JSP392 (Instructions for Radiological Protection , which replaced Book of Reference BR3020) together with BR3030 Vol. 1, in the Library of the House. The other documents listed are classified and I am, therefore, withholding them under Exemption 1 of the Code of Practice on Access to Government Information.

Project Allenby Scoping Study

Mr. Key: To ask the Secretary of State for Defence if he will place in the Library a copy of the Project Allenby Scoping Study Executive Summary. [121942]

Mr. Spellar: Yes. I have arranged for a copy of the Project ALLENBY Scoping Study Executive Summary to be placed in the Library of the House.

Anti-personnel Mines

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how many joint operations which took place outside the UK in the last three years involved the use of anti-personnel mines. [122092]

Mr. Spellar: UK armed forces were involved in 15 joint operations involving the use of anti-personnel landmines over the last three years, primarily involving operations in the Balkans. However, in no instances were UK armed forces responsible for their use.

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how many Ranger anti-personnel mines are being used for training purposes. [122091]

Mr. Spellar: The UK has retained 2,088 Ranger Anti-Personnel Mines for training purposes in accordance with Article 3 of the Ottawa Convention. The retention of these mines is included in the UK's annual return to the UN Secretary General, in the UK Article 7 report for the period 1 August 1999 to April 2000.

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence which countries retain stocks of Ranger anti-personnel mines. [122090]

Mr. Spellar: It is not for the Government to provide information on other countries' mine holdings. Details of APL stocks held by parties to the Ottawa convention can be found, however, on the UN website www.un.org.

Regional Brigades

Mr. Key: To ask the Secretary of State for Defence what were the terms of reference for the Scott review of regional brigades; when it will be complete; and if he will place a copy in the Library. [121941]

Mr. Spellar: The Regional Brigade Study is due to report in June 2000 following which proposals will be put in the CinC LAND and Ministers. I have arranged for a copy of the Terms of Reference to be placed in the Library of the House.

Type 22 Frigate

Dr. Julian Lewis: To ask the Secretary of State for Defence what is the annual running cost of a Type 22 frigate. [121705]

Mr. Spellar: I refer the hon. Member to the answer I gave to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) on 12 May 2000, *Official Report*, columns 511–12W.

Naval Vessels

Dr. Julian Lewis: To ask the Secretary of State for Defence when he expects the two new LPD class ships to enter service with the Royal Navy. [121703]

Dr. Moonie: HMS Albion and HMS Bulwark, the two Landing Platform Dock (Replacements), are planned to enter service with the Royal Navy in 2003.

Dr. Julian Lewis: To ask the Secretary of State for Defence when HMS Fearless and HMS Intrepid were commissioned. [121701]

Mr. Spellar: HMS Fearless was commissioned on 25 November 1965. HMS Intrepid was commissioned on 11 March 1967.

Eurofighter

Mr. Wilkinson: To ask the Secretary of State for Defence what is the cost of one *(a)* Mauser 27mm shell, *(b)* Advanced Short Range Air to Air Missile and *(c)* Advanced Medium Range Air to Air Missile. [121681]

Dr. Moonie *[holding answer 11 May 2000]:* The unit cost of a 27mm Mauser High Explosive round is estimated to be in the region of £63. Based on prices in the most recent MOD contracts, the unit price of an Advanced Medium Range Air to Air Missile (AMRAAM) is in the order of £380,000 and that of an Advanced Short Range Air to Air Missile (ASRAAM) in the order of £200,000. All figures include VAT and are at September 1999 prices. Unit prices will vary depending on batch sizes, including orders from other customers.

Departmental Building Costs

Mr. Pollard: To ask the Secretary of State for Defence what are the projected costs of reconstructing his Department's building in Whitehall; and if he will make a statement. [122310]

Dr. Moonie: A contract to carry out the long overdue modernisation of the MOD's London headquarters was signed with Modus Services plc earlier this month. Main Building falls well short of modern standards. The redevelopment will result in the modern flexible working environment needed to provide effective direction and support to the armed forces. The costs to the Ministry of Defence will be some £55 million per annum at March 2000 prices over the 30 years of the Public Private Partnership contract. This encompasses the short-term decant arrangements as well as the long-term provision of

a wide variety of services to both the redeveloped Main Building and the Old War Office Building. These two buildings will then be the only buildings containing headquarters staff in the central London area, allowing five other buildings to be disposed of.

Fishery Protection and Patrol Vessels

Mr. Key: To ask the Secretary of State for Defence if he will list the *(a)* Castle class and *(b)* Island class fishery protection and patrol vessels by (i) completion date and (ii) lay off date; and what plans he has for their replacement. [122464]

Mr. Spellar: (i) The Castle and Island Class patrol vessels were commissioned as follows:

	Commissioned
Castle Class	
Leeds Castle	1981
Dumbarton Castle	1982
Island Class	
Shetland	1977
Guernsey	1977
Lindisfarne	1978
Anglesey	1979
Alderney	1979

(ii) On current plans these vessels are intended to have ship life of about 30 years and, as part of the normal planning process, the ordering of replacements will be considered as they reach the end of their lives.

Sea Patrol

Mr. Key: To ask the Secretary of State for Defence on how many days from 1 January 1999 to date the patrol ship Atlantic (North) has been on patrol at sea. [122463]

Mr. Spellar: A ship is allocated to the Atlantic Patrol Task (North) for 365 days of the year. From 1 January 1999 to 30 April 2000, a ship was actually on patrol in the area on this task for 224 days. This does not include days in transit by ships to or from the area.

HMS Endurance

Mr. Key: To ask the Secretary of State for Defence when HMS 'Endurance' *(a)* left the United Kingdom and *(b)* will return to the United Kingdom; and if he will make a statement about the length of this deployment. [122466]

Mr. Spellar: HMS Endurance left the United Kingdom on 5 January 2000 and returned on 2 May. The length of this deployment was shorter than normal due to an extended refit period.

Ballistic Missile Defence Research

Mr. Baker: To ask the Secretary of State for Defence how much the UK Government has spent per year since 1991 on ballistic missile defence research; and how much of each year's expenditure was on pre-feasibility programmes. [121793]

Mr. Hoon *[holding answer 15 May 2000]:* The cost of the Pre-feasibility Programme, undertaken in 1994–96, was approximately £4.5 million. The Technology Readiness and Risk Assessment Programme (TRRAP), which emerged from the Strategic Defence Review (SDR) and which is scheduled to run for three years from July 1998, has approved funding of £12 million within MOD's Corporate Research Programme. In addition approximately £500K per annum has been expended since 1991 on technical studies and experiments in collaboration with the US.

Fleet Air Arms

Mr. Quentin Davies: To ask the Secretary of State for Defence how many flying hours were flown by the Fleet Air Arms in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 and *(e)* 1999–2000; and what is the (i) budget and (ii) planning assumption for 2000–01. [122114]

Mr. Spellar: The answer is as follows:

Fleet Air Arm flying hours	*Total hours flown*
1995–96	57,593
1996–97	54,065
1997–98	56,679
1998–99	53,532
1999–2000	55,346

On current planning, in Financial Year 2000–01, some 63,000 flying hours are expected to be flown by Fleet Air Arm aircraft which now come under Commodore Naval Aviation, Joint Helicopter Command and Joint Harrier Force. The total estimated fuel budget for these aircraft for this year is in the order of £8.8 million. This will of course be subject to adjustment in the light of operational and other considerations.

HOUSE OF COMMONS

Select Committees

Mr. Pearson: To ask the President of the Council when the Government plan to publish their response to the Liaison Committee's First report, Shifting the Balance: Select Committees and the Executive, HC 300. [122923]

Mrs. Beckett: I intend to publish the Government's response tomorrow.

HOME DEPARTMENT

Policing (Somerset)

Mr. Ashdown: To ask the Secretary of State for the Home Department what plans he has to allocate additional cash for policing in Somerset; and if he will make a statement. [121214]

Mr. Charles Clarke *[holding answer 9 May 2000]:* Somerset and Avon Police Authority set a budget this year of £181.2 million, an increase of 4.5 per cent compared with last year. In addition, the force will benefit from a number of initiatives to help tackle crime. Distribution of resources between the counties of Avon and Somerset will reflect the Chief Constable's judgment of priorities at different times and is not subject to Government determination.

Under the Crime Reduction Programme, over £2 million has been allocated so far to Avon and Somerset for the Reducing Burglary, Targeted Policing and Closed Circuit Television (CCTV) initiatives.

Five Reducing Burglary bids have been approved with programme funding amounting to £0.3 million. Under the latest round of the Targeted Policing Initiative, two proposals with a combined value of just over £1 million have been approved for further development: one combating robbery in central Bristol, the other increasing the use of court confiscation orders against property criminals and drug dealers in Avon and Somerset. Another £1 million has been allocated to fund nine projects in Avon and Somerset under the CCTV initiative.

Additionally, through the Crime Fighting Fund, Avon and Somerset will receive resources for additional recruits above and beyond the number that would otherwise have been recruited.

Police Vehicles

Mr. Pearson: To ask the Secretary of State for the Home Department what guidance he gives police forces and authorities on the purchase and leasing of vehicles which are manufactured in the United Kingdom. [122153]

Mr. Charles Clarke: None. It is the responsibility of chief officers in England and Wales, together with their police authority, to determine which vehicles they purchase or lease. Decisions will be based on the operational needs of the force but must comply with European Union procurement law.

Framework Arrangements, centrally negotiated by Police Information Technology Organisation, enable forces to benefit from agreed discounts. These Arrangements cover a variety of vehicles, including motorcycles, and also vehicle spare parts.

Child Abuse

Ms Southworth: To ask the Secretary of State for the Home Department (1) how many criminal convictions have been secured against adults charged in relation to child abuse more than three years after the alleged offences took place in each year since 1990; [122292]

(2) how many adults employed in a position of trust have been charged in relation to child abuse more than three years after the alleged offences took place in each year since 1990. [122293]

Mr. Charles Clarke: The requested information cannot be determined from the data collected centrally.

Operation Care

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 November 1999, *Official Report*, column 119W, on Operation Care, as a result of the police investigations into child abuse, how many people who were convicted pleaded not guilty; how many *(a)* suspects and *(b)* offenders there were; how many separate complaints of child abuse were received; how many people were acquitted after trial; how many people were arrested but had no further action taken against them; how many persons have been charged and are awaiting trial and how long they have been waiting; how many persons are on police bail; with respect to each investigation how many victims have applied for compensation; how much each individual has received; and how many victims have not applied for compensation. [121698]

Mr. Charles Clarke: I understand that Operation Care is a continuing investigation, and the information which follows is accurate as of 11 May.

Four people convicted on charges arising from Operation Care had pleaded not guilty. 407 persons were classified as offenders or suspects. The number of separate complaints relevant to this operation is not readily available, but is at least 759. Four people were acquitted after trial; 12 people were arrested but had no further action taken against them; 17 people have been charged and are awaiting trial. Of these latter, four have been awaiting trial for up to one year, a further seven for up to 18 months, a further three for up to two years, and a further three for up to 31 months. (Delays in trial are sometimes due to defence requests.) Twelve people are on police bail. 108 people have applied for compensation to the Criminal Injuries Compensation Authority and 32 people have received awards as shown in the table. The precise number of complainants who have not applied for compensation is not known.

Amounts paid in compensation	*Number of people*
£500	2
£1,000	5
£2,000	7
£2,500	1
£3,000	7
£5,000	1
£6,000	2
£6,300	1
£7,500	3
£10,000	1
£10,750	1
£20,000	1

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 November 1999, *Official Report*, column 119W, on Operation Care, if he will list the forces that *(a)* have carried out and *(b)* are carrying out investigations into institutional child abuse; what is the name of each investigation and its terms of reference; when each investigation (i) commenced and (ii) ended; which are continuing; what period of time is covered by each investigation; how many people have been (A) charged, (B) arrested and (C) convicted and sentenced; and how many people who have been convicted and sentenced have appealed. [121697]

Mr. Charles Clarke: Information is not collected on the number of investigations into institutional child abuse or on the numbers of people arrested, charged or convicted as a result. But a survey was carried out last year on behalf of the Association of Chief Police Officers Crime Committee to establish how many forces in England and Wales had been or were currently investigating claims of institutional child abuse. During the period covered by the questionnaire (1 January 1998 to 30 June 1999), 32 forces said they had been, or were, currently investigating such allegations. Many of the remaining forces stated that they had been engaged in such inquiries at other times.

Police Forces (Funding)

Mr. Hilary Benn: To ask the Secretary of State for the Home Department how many police officers in each force area are currently being employed using funding through the *(a)* single regeneration budget and *(b)* discretionary local authority funds. [121712]

Mr. Charles Clarke: Information on the number of police officers employed using Single Regeneration Budget funding is not available centrally.

It is also not possible to determine how many officers are recruited using discretionary local authority funds. Force budgets are treated as a whole and distinctions are not made between those officers financed by local authority and central grant funds.

Crime Clear-up Rate (London)

Mr. Cox: To ask the Secretary of State for the Home Department what has been the clear-up rate for criminal offences in the Metropolitan police area in the last 12 months. [121975]

Mr. Charles Clarke: The most recent available data from the Metropolitan police relate to the year ending 31 March 2000. This indicates that their clear-up rate for recorded crimes in that year was 16 per cent.

Wrongfully Convicted Prisoners

Mrs. Ellman: To ask the Secretary of State for the Home Department how many prisoners have been released by the Court of Appeal on grounds of wrongful conviction since the Criminal Cases Review Commission was set up; and how many cases are awaiting consideration. [121938]

Mr. Charles Clarke: To date, 27 of the cases heard by appellate courts following a referral by the Criminal Cases Review Commission have resulted in the conviction being quashed or the sentence being reduced. Twelve appellants were in custody at the time and were released due to the Court's decision. At present, 45 cases referred by the Commission are awaiting an appeal hearing. At the end of April, the Commission had 462 applications under review, and 921 awaiting review.

Mr. Johnny Kamara

Mrs. Ellman: To ask the Secretary of State for the Home Department if he will make a statement on the case of Mr. Johnny Kamara and the formal quashing of his conviction by the Court of Appeal on 9 May following consideration by the Criminal Cases Review Commission. [121943]

Mr. Charles Clarke: It is a matter for the greatest regret when anyone suffers punishment as a result of a miscarriage of justice. I welcome the decision of the Court of Appeal to quash Mr. Kamara's conviction, and that of the Criminal Cases Review Commission to refer the case to the Court.

Racial Abuse

Mr. Llwyd: To ask the Secretary of State for the Home Department how many cases of racial abuse were recorded in *(a)* each police authority and *(b)* each constituency in the past five years. [121720]

Mr. Charles Clarke: Information on the number of racist incidents recorded by the police is published annually by the Home Office in "Statistics on Race and the Criminal Justice System" for each police force area. Information is not collected centrally by constituency.

It is not possible to identify which of these incidents could be described as racial abuse.

Racially Motivated Crime

Mr. Llwyd: To ask the Secretary of State for the Home Department how many people were *(a)* charged and *(b)* convicted of racially motivated crimes in each of the past five years (i) in England and (ii) in Wales. [121726]

Mr. Charles Clarke: No information is collected centrally on the number of persons charged or on the number convicted of a racially motivated offence.

Information is available on those cautioned or convicted of any offence identified as racially aggravated by the Crime and Disorder Act 1998. The statistics currently available cover the period October 1998 to September 1999 (December 1999 for the Crown court) in England and Wales. These show that 326 persons were cautioned by the police, 486 persons convicted at magistrates courts and 84 at the Crown court.

Humberside Police

Shona McIsaac: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued in the Humberside police area. [121935]

Mr. Charles Clarke: As I stated in my reply to the hon. Member for Surrey Heath (Mr. Hawkins) on 21 February 2000, *Official Report*, column 824W, records of the numbers of anti-social behaviour orders applied for are not currently held centrally. We are not aware of any issued in the Humberside police area since the relevant provisions of the Crime and Disorder Act 1998 came into force in April last year.

Shona McIsaac: To ask the Secretary of State for the Home Department if he will make a statement on the disbanding of Humberside police's Drug Squad. [121934]

Mr. Charles Clarke: This is an operational matter for the Chief Constable of the Humberside police. Inquiries have established, however, that there are no plans to disband the force's Drugs Squad.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122025]

Mr. Straw: It is not my Department's policy to include penalty clauses in contracts. However, available details about contracts my Department has entered into with private sector companies for the provision of goods or services since May 1997 where financial compensation or damages were triggered for non-performance are given in the table.

Company	Contract
Rebound ECD	Provision of Secure Training Centre
Medomsley Training Services Ltd.	Provision of Secure Training Centre
Premier Monitoring Services Ltd.	Provision of Electronic Monitoring Services
Premier Monitoring Services Ltd.	Provision of Electronic Monitoring Services
GSSC of Europe Ltd.	Provision of Electronic Monitoring Services
Securicor Custodial Services Ltd.	Provision of Electronic Monitoring Services
NPT Framework Agreement	Siemens

Crime Fighting Fund

Mr. Hope: To ask the Secretary of State for the Home Department if he intends to accelerate police recruitment under the Crime Fighting Fund; and if he will make a statement. [122564]

Mr. Straw: I announced in the reply I gave my hon. Friend the Member for Elmet (Mr. Burgon) on 9 February 2000, *Official Report*, column 172W, that all 43 forces in England and Wales had successfully bid for a share of the Crime Fighting Fund (CFF) to recruit 5,000 police officers over and above the number they had otherwise planned to recruit over the next three years commencing April 2000. These were to be phased on the basis of 1,000 recruits this year (2000–01), 2,000 in 2001–02 and 2,000 in 2002–03. I also gave details of the number of police officers each force had been allocated.

Since then, and as a result of the funding decisions outlined by my right hon. Friend the Chancellor of the Exchequer in the Budget, I was able to announce in my reply I gave my hon. Friend the Member for Coventry, South (Mr. Cunningham) on 27 March 2000, *Official Report*, columns 1–3W, that part of the £91 million provided in the Budget for modernising the police service in England and Wales would be used to accelerate the CFF with a view to delivering the 5,000 recruits within the first two years of the scheme.

I have consulted the police service and police authority representatives and I am now pleased to announce that forces will be able to recruit up to a maximum of 3,000 new recruits in year one of the scheme (2000–01), rather than 1,000 as announced in February, and the remaining 2,000 in year two (2001–02). Tripling the number which can be recruited during the current financial year will cost about £24 million above and beyond the £35 million which has already been provided for the current allocation. Further decisions on funding for the police service for 2001–04 will be announced as part of the Spending Review 2000 in the summer.

The table shows the revised distribution of officers allocated to each force under the accelerated scheme.

My officials have today written to each chief constable and each police authority to explain the funding arrangements under the scheme. I have placed a copy of the letter in the Library.

The funding for each force will be determined once each force has provided a profile of their planned recruitment during the first year. This will help ensure that funding can be maintained for forces to recruit up to the maximum in year one. Forces are also being given the opportunity, by prior agreement, to revise their CFF allocations if they are experiencing difficulty in recruitment by deferring part of their allocation to year two and those who are able to, to accelerate some of their year two allocation into year one. No force will be able to exceed its overall total CFF allocation and any increase may be limited by the total CFF budget for year one.

Revised share of 5,000 recruits

Forces	2000–01 Year 1	2001–02 Year 2	Total
Avon and Somerset	67	34	101
Bedfordshire	28	27	55
Cambridgeshire	37	5	42
Cheshire	47	39	86
City of London	8	0	8
Cleveland	20	8	28
Cumbria	25	15	40
Derbyshire	49	52	101
Devon and Cornwall	77	61	138
Dorset	29	17	46
Durham	36	15	51
Dyfed-Powys	25	25	50
Essex	70	33	103
Gloucestershire	29	23	52
Greater Manchester	186	192	378
Gwent	31	12	43
Hampshire	82	51	133
Hertfordshire	40	5	45
Humberside	47	27	74
Kent	82	64	146
Lancashire	75	51	126
Leicestershire	46	37	83
Lincolnshire	29	12	41
Merseyside	105	96	201
Metropolitan	663	450	1,113
Norfolk	35	31	66
North Wales	34	28	62
North Yorkshire	20	5	25
Northamptonshire	32	21	53
Northumbria	85	51	136
Nottinghamshire	52	35	87
South Wales	59	9	68
South Yorkshire	67	34	101
Staffordshire	49	34	83
Suffolk	31	14	45
Surrey	46	32	78
Sussex	69	43	112
Thames Valley	111	89	200
Warwickshire	21	9	30
West Mercia	50	39	89
West Midlands	173	137	310
West Yorkshire	107	24	131
Wiltshire	26	14	40
Total	3,000	2,000	5,000

Metropolitan Police Vehicles

Mr. Heald: To ask the Secretary of State for the Home Department what has been the average daily number of Metropolitan police vehicles off the road for repairs in each month of this year; and if he will make a statement. [122362]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the average daily number of vehicles off the road for repairs in each month of this year was as follows: January—532; February—427; March—405; and April—864.

Mr. Heald: To ask the Secretary of State for the Home Department how many vehicles the Metropolitan police had in *(a)* March 1997 and *(b)* March 2000. [122363]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that in March 1997 there were 4,160 vehicles; in March 2000 there were 3,991.

Hunting with Dogs

Mr. Baker: To ask the Secretary of State for the Home Department (1) by whom it was decided to widen the initial remit of his Department's inquiry into hunting with dogs; and what factors led to this decision; [122527]

(2) if he will list the persons involved *(a)* within and *(b)* outside his Department in drawing up the remit of the Burns inquiry; [122525]

(3) what was the role of Baroness Jay in determining the remit of his Department's inquiry into hunting with dogs; what role she has played in the inquiry; and if he will make a statement. [122526]

Mr. Mike O'Brien: The terms of reference of the Committee of Inquiry into Hunting with Dogs were drawn up by Home Office Officials, in consultation with Lord Burns, and approved by my right hon. Friend the Home Secretary.

Baroness Jay has had no role whatsoever either in drawing up the terms of reference or in the Inquiry itself.

The remit has always been about hunting with dogs—not shooting or retrieval of quarry with dogs. The question of "widening" the Terms of Reference is a misunderstanding.

Female Circumcision

Ms McCafferty: To ask the Secretary of State for the Home Department what guidance his Department issues to chief constables concerning training for the policing of the Prohibition of Female Circumcision Act 1985. [122491]

Mr. Charles Clarke: New Government guidance "Working Together to Safeguard Children" which is available in the Library and which has been circulated to chief officers of police, recommends that in local areas where there are communities who traditionally practice female genital mutilation, the policy of Area Child Protection Committees (on which the police are represented) should focus on a preventive strategy involving community education.

Ms McCafferty: To ask the Secretary of State for the Home Department (1) how many *(a)* arrests and *(b)* convictions have been made under the Prohibition of Female Circumcision Act 1985; [122490]

(2) how many *(a)* arrests and *(b)* convictions have been made under (i) the Children Act 1989 and (ii) the Criminal Justice (Terrorism and Conspiracy) Act 1998, in relation to the practice of female genital mutilation in the UK and abroad. [122494]

Mr. Charles Clarke: Arrest data are not collected centrally by individual offence.

The Home Office Court Proceedings Database show no defendants proceeded against under the Prohibition of Female Circumcision Act 1985. Information collected under the Children Act 1989 and the Criminal Justice (Terrorism and Conspiracy) Act 1998 does not distinguish such offences from others within these Acts.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for the Home Department how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122257]

Mr. Straw: The information requested is given in the table. It has not been possible to identify the exact origin of all the vehicles as this would require individual chassis numbers which are not readily to hand.

Home Office fleet vehicles: place of manufacture

	Cars	*Commercial vehicles*	*Total* [1]	*Total percentage of fleet*
United Kingdom	95	330	425	42
European Union	295	81	376	37
United Kingdom/European Union [2]	45	95	140	14
Other	0	18	18	2
Not known [2]	20	25	45	5

[1] Figures exclude any vehicles over 10 years old

[2] Some manufacturers (eg Vauxhall) require details regarding individual chassis numbers and model specifications to be able to give this information

AGRICULTURE, FISHERIES AND FOOD

Seed Purity

Judy Mallaber: To ask the Minister of Agriculture, Fisheries and Food what action the Government are taking to address the issue of seed purity. [122925]

Ms Quin: We are taking several new steps to ensure seed purity, in addition to the current consultation on the importation and labelling of seeds. These include pressing internationally for agreed standards, testing of seed imports to the UK and working with the industry on a Code of Practice. The need for action in this area is highlighted by the recent information we have received from Advanta Seeds UK that some of its conventional rapeseed sold and sown in 1999 and 2000 in several EU member states, including the UK, contained about 1 per cent. of genetically modified rapeseed. The genetic modification in question has already been assessed and cleared for food use and for field trials in the UK. We have consulted both ACRE (The Advisory Committee on Releases to the Environment) and the Food Standards Agency who have confirmed the view that there is no risk to public health or the environment.

Forest Enterprise

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what arrangements are being made for the quinquennial review of the Forest Enterprise Executive Agency. [122800]

Mr. Morley: As an executive agency, Forest Enterprise is subject to review every five years—part of the process of continuous improvement of Government services

promised in the "Modernising Government" White Paper of March 1999. Forest Enterprise was established as an executive agency on 1 April 1996 and its review has now started. Stage 1 is concerned with getting the organisation right, and its conclusions will be reported to Forestry Ministers in July. Stage 2, which is concerned with improving the agency's performance, will be completed in December.

The review will include wide ranging consultation with Forest Enterprise's customers, visitors and other interested parties, who are invited to contact the Secretary to the Forestry Commissioners, at 231 Corstorphine Road, Edinburgh EH12 7AT or to visit the Forestry Commission's website at www.forestry.gov.uk/fereview.

Over-30-months Scheme

Judy Mallaber: To ask the Minister of Agriculture, Fisheries and Food when the weight limit on payments for cattle entering the over-30-months scheme will be removed; and if he will make a statement. [122926]

Ms Quin: On 12 May the Beef Management Committee agreed a Commission proposal to remove the weight limit on payments for all cattle entering the over-30-months scheme. This will take effect for all cattle entering the scheme on or after 5 June. This delivers on a key element of the Government's Action Plan for Farming. It is worth £20 million a year in payments to UK farmers and will also increase asset values. It will be of particular benefit to those running suckler heards.

Pig Industry

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what estimate his Department has made of the number of UK pig slaughterings per week over the last two years; and what are his projections for next year. [121763]

Ms Quin: The table gives UK weekly clean pig slaughterings for the past two years. Estimates of slaughterings for future years are not prepared on a weekly basis, but a Eurostat estimate of UK slaughterings for the year 2000 as a whole amount to 13.5 million heads.

UK weekly clean pig slaughterings

Unit: thousand head

1998	*1999*	*2000*	*2000 weeks*
254.9	307.1	246.3	8 January 2000
321.1	313.0	276.1	15 January 2000
320.9	313.5	271.3	22 January 2000
315.1	315.7	268.6	29 January 2000
310.0	297.3	265.8	5 February 2000
304.6	304.1	260.9	12 February 2000
305.8	295.9	256.7	19 February 2000
304.4	285.0	250.1	26 February 2000
305.7	286.2	259.0	4 March 2000
305.9	285.4	250.7	11 March 2000
302.2	277.3	242.7	18 March 2000
295.1	282.7	250.9	25 March 2000
295.0	251.0	250.4	1 April 2000
300.1	252.0	238.6	8 April 2000
265.2	279.7	244.8	15 April 2000
248.5	267.5	218.7	22 April 2000
301.7	270.0	—	29 April 2000
300.7	245.9	—	6 May 2000

UK weekly clean pig slaughterings

Unit: thousand head

1998	*1999*	*2000*	*2000 weeks*
259.2	279.0	—	13 May 2000
299.6	269.4	—	20 May 2000
301.8	269.3	—	27 May 2000
262.7	243.8	—	3 June 2000
302.1	269.3	—	10 June 2000
301.6	265.6	—	17 June 2000
299.7	272.8	—	24 June 2000
288.2	272.5	—	1 July 2000
296.6	274.6	—	8 July 2000
292.2	266.5	—	15 July 2000
279.8	273.3	—	22 July 2000
293.3	268.0	—	29 July 2000
297.2	264.5	—	5 August 2000
297.1	273.7	—	12 August 2000
299.8	270.2	—	19 August 2000
308.0	269.6	—	26 August 2000
308.5	246.5	—	2 September 2000
267.8	278.3	—	9 September 2000
318.9	275.5	—	16 September 2000
315.6	275.6	—	23 September 2000
317.3	278.5	—	30 September 2000
324.1	274.1	—	7 October 2000
316.3	280.9	—	14 October 2000
321.3	276.1	—	21 October 2000
317.1	280.3	—	28 October 2000
322.0	285.1	—	4 November 2000
320.8	286.9	—	11 November 2000
324.4	290.6	—	18 November 2000
322.3	295.6	—	25 November 2000
325.0	298.9	—	2 December 2000
331.3	310.3	—	9 December 2000
335.7	322.0	—	16 December 2000
360.3	242.8	—	23 December 2000
194.2	120.2	—	30 December 2000
192.9	—	—	—

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what steps he will take, with regard to the recently announced aid package for United Kingdom pig farmers, to ensure that the complexity of meeting the scheme's requirements does not deter the industry from accessing the funds available. [121767]

Ms Quin: The Pig Industry Restructuring Scheme is being developed in close consultation with the National Pig Association and the Meat and Livestock Commission to ensure as far as is possible that the scheme is relevant to the needs of pig producers. Clearly the scheme must also remain within UK and EU law and meet any financial propriety concerns.

Agriculture Council

Mr. Browne: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the outcome of his negotiations at the March Council Meeting of EU Agriculture Ministers in respect of export refunds for the UK spirit industry. [121971]

Ms Quin: The EU Agriculture Council on 20 March agreed on conclusions to guide the Commission in its strategy for accommodating budgetary and WTO pressures in the fixing of export refunds for processed products. My right hon. Friend the Minister emphasised to the Council the importance of export refunds to the cereals-based spirit drinks industry, notably Scotch

whisky. He urged the Commission to recognise this concern in its implementation of export refund reductions. A statement to this effect was recorded in the minutes of the Council.

Discussions with the Commission on the implementation of the strategy are continuing at official level. Our aim is to achieve the best outcome possible for all sectors affected, including the spirits sector.

Civil Servants (Relocation)

Mr. Hunter: To ask the Minister of Agriculture, Fisheries and Food which relocation companies his Department has used when relocating civil servants since May 1997. [122296]

Mr. Morley: My Department has used the following companies:

Move	*Firm*
1. Move of officials between our Whitehall offices, Nobel House on Millbank, and St. Christopher House in Southwark.	Planned in house with removals by Rockshields Ltd.
2. Move of officials from Tolworth and St. Christopher House to 1A Page Street, London SW1	Planned in house with removals by Bishops Move Ltd.
3. Move from offices at Alphington Road, Exeter to new offices at Clyst St. Mary	Planned by Vickery Holman with removals by Pickfords Business Services Ltd.
4. Move from offices at Wistaton, Crewe to Electra Way, Crewe	Planned by Edmund Kirby with removals by Bishops Move Ltd.
5. Move of Central Science Laboratory at Slough to Sand Hutton, near York	Planned by Robert Shanks and Associates with removals by Burton and Smith Moving Ltd.

Imported Carcases

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of imported carcases over the last two years; and what are his projections for next year. [121764]

Ms Quin: Although import statistics are not collected in this form, it is unlikely that much pigmeat imported into the UK over the last two years was in the form of pig carcases. In 1998 the UK imported 188,000 tonnes of pork and 231,000 tonnes of bacon and ham. The equivalent figures for 1999 were 212,000 tonnes and 227,000 tonnes.

Estimates of future imports are not available.

Animal Slaughtering

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the incidence of animals being illegally slaughtered without pre-stunning in abattoirs. [121957]

Mr. Morley *[holding answer 15 May 2000]:* Slaughter in an abattoir without prior stunning is not illegal if it is carried out by a religious method and in accordance with the requirements set for religious slaughter. The Government would prefer all animals to be stunned before slaughter, but are committed to maintaining this exemption from the requirement to stun, in recognition of the wish of certain communities to slaughter animals in accordance with their religious beliefs. That does not mean that we do not seek to apply improved welfare standards and we do meet representatives of religious organisations to discuss their issues.

Departmental Vehicles

Mr. Pearson: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122265]

Mr. Morley: Country of manufacture is not routinely provided by suppliers and so the information is not readily available. Although it is possible to obtain the information from main dealers it would mean having to extract the chassis number of each vehicle in the Departmental fleet to enable the dealership to trace its country of origin. With some 550 official vehicles in use throughout the Department and Agencies, this could be done only by incurring disproportionate cost.

Zimbabwe (Import Licences)

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food what recent representations were made to the European Commission concerning permitted maximums in import licences for agricultural products from Zimbabwe; and if he will make a statement. [120852]

Ms Quin: No representations have been made by the Government. Any other representations are a matter for the European Commission.

LORD CHANCELLOR'S DEPARTMENT

Criminal Defence Service

Angela Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will introduce the Criminal Defence Service. [122927]

Mr. Lock: The Lord Chancellor has agreed to a request from the Legal Services Commission to postpone the introduction of the Criminal Defence Service from 2 October 2000 to 2 April 2001. This will allow additional time for preparation by the professions and for the implementation of the new arrangements by criminal defence lawyers. The Legal Services Commission is notifying the professions by letter accordingly. This delay will have no substantial effects on the reform programme, including the development of the salaried defender service.

Consultation papers on the establishment of the salaried defender service and on the choice of representative will be published shortly.

Departmental Vehicles

Mr. Pearson: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* cars and *(b)* commercial vehicles operated by the Lord Chancellor's Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122248]

Mr. Lock: The Lord Chancellor's Department operates a total of 636 cars of which (i) 251 were manufactured in the UK, (ii) 373 in the EU, and (iii) elsewhere.

Eleven commercial vehicles are operated by the Department. Of these 10 were manufactured within the UK. The place of manufacture of the other commercial vehicle, in use by the Northern Ireland Court Service, is unknown and does not therefore appear in the table.

The breakdown of vehicles operated by the Lord Chancellor's Department is shown in the table.

Department	*UK*	*EU*	*Elsewhere*
Cars			
Lord Chancellors Department	14	0	0
Court Service	232	341	11
Public Trustee Office	0	0	0
Land Registry	5	32	1
Public Records Office	0	0	0
Northern Ireland Court Service	0	0	0
Commercial			
Lord Chancellors Department	0	0	0
Court Service	1	0	0
Public Trustee Office	0	0	0
Land Registry	9	0	0
Public Records Office	0	0	0

Trials (Health Problems)

Mr. Sheerman: To ask the Parliamentary Secretary, Lord Chancellor's Department how many people who have been *(a)* brought to trial and *(b)* involved in a trial as an accused person have in the past 20 years been excused from trial due to (i) physical and (ii) mental ill-health. [122079]

Jane Kennedy: The information requested is not held centrally and could be provided only at disproportionate cost. However, figures are available, from 1986 onwards, for defendants who have been found unfit to plead at the Crown court. They do not, however, take into account the nature of the defendant's illness.

Year	*Found unfit to plead*
1986	30
1987	30
1988	36
1989	93
1990	49
1991	36
1992	51
1993	[1]
1994	[1]
1995	32
1996	19
1997	38
1998	35
1999	34

[1] Reliable information unavailable due to the introduction of the Crown court IT system.

WALES

Comprehensive Spending Review

Mr. Llwyd: To ask the Secretary of State for Wales what meetings he has had with the Chancellor of the Exchequer in relation to this year's Comprehensive Spending Review. [121740]

Mr. Paul Murphy: I meet the Chancellor regularly and discuss a range of issues, including the Government's Spending Review which is currently under way.

Mr. Llwyd: To ask the Secretary of State for Wales what representations he has made on behalf of the National Assembly for Wales in relation to this year's Comprehensive Spending Review. [121739]

Mr. Paul Murphy: I represent the interests of Wales in the Government's Spending Review that is currently under way. This is a very significant part of my job, and I can assure you that I attach a great deal of importance to it. I can guarantee that the Assembly's views will be fully taken into account when the final decisions are made.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Wales how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122252]

Mr. Paul Murphy: I refer the hon. Member to the answer being given to him by my right hon. Friend the Minister for the Cabinet Office.

My Department operates no vehicles other than those provided by the Government Car and Despatch Agency.

EDUCATION AND EMPLOYMENT

Eco-schools Scheme

Mr. Kidney: To ask the Secretary of State for Education and Employment what assessment he has made of the contribution that the eco-schools scheme makes to the teaching of curriculum subjects. [121933]

Jacqui Smith: The Eco-schools Programme is managed in the UK by Going for Green, a charitable trust. My Department is aware of the programme and the contribution it can make to environmental awareness in schools, and I recently visited a school to present an eco-schools certificate. We also discuss it as part of our regular liaison with the Department of Environment, Transport and the Regions.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122021]

Mr. Wicks: There are none to list as the Department for Education and Employment does not include penalty clauses in its contracts.

Objective 3 Funding

Mr. Öpik: To ask the Secretary of State for Education and Employment which areas of England and Wales are covered by the European Social Fund Objective 3 Funding; when the funding scheme will come into operation; and if he will make a statement. [122101]

Ms Jowell: In England, Objective 3 will cover all the English regions, except for the Objective 1 areas of Merseyside, Cornwall and South Yorkshire. I expect the European Commission to approve our plan in June, and for bidding rounds to be held in all regions before the end of July. In Wales Objective 3 will cover the seven unitary authorities outside the Objective 1 area of West Wales and the Valleys. The Welsh plan has been prepared by the National Assembly for Wales, and I understand that approval from the Commission is expected in time for the programme to come into operation either in the summer or in the early part of the autumn.

Female Circumcision

Ms McCafferty: To ask the Secretary of State for Education and Employment what guidance his Department issues to local education authorities concerning the operation of the Prohibition of Female Circumcision Act 1985. [122495]

Jacqui Smith: Our advice in "Working Together to Safeguard Children", which we published jointly with the Department of Health and the Home Office earlier this year, highlights the importance of focusing on preventative strategies in relation to female genital mutilation. Copies of "Working Together" were sent to all local education authorities. Furthermore, our advice to schools and local education authorities on child protection procedures in Circular 10/95, "Protecting Children from Abuse: The Role of the Education Service" makes clear that, if school staff have reason to believe that a child is at risk from any form of abuse, they should report their suspicions immediately to the school's designated teacher for child protection. The designated teacher will refer any concerns to the appropriate professional agencies to investigate further.

Institute for Learning and Teaching

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on *(a)* membership and *(b)* industrial relations at the Institute for Learning and Teaching in higher education. [122169]

Mr. Wicks: The Institute for Learning and Teaching (ILT) is an independent body. 1,100 applications for membership have been received in the six months of recruitment which has taken place so far. The ILT is taking steps to increase awareness of the benefits of membership among those eligible to join. I understand that both the AUT and NATFHE have representation on the Transitional Council of the ILT and that their contribution is greatly valued by the Institute.

Hearing-impaired Children

Mr. Boswell: To ask the Secretary of State for Education and Employment what guidance his Department has given to local education authorities about making educational provision for children with a hearing loss *(a)* over and *(b)* under the age of two years in order to support their language and educational development. [122249]

Jacqui Smith: The Code of Practice on the Identification and Assessment of Special Educational Needs includes guidance on the steps to be taken to identify and meet the needs of children with sensory impairments, including hearing difficulties. The Code of Practice also contains a chapter offering guidance on assessments of special educational needs for children under the age of five, which includes specific guidance on the assessment of children under the age of two. Local education authorities are under a statutory duty to have regard to the Code of Practice.

Mr. Boswell: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that take-up of training by teachers wishing to undertake the mandatory training for teachers of the deaf is sufficient to meet national demand. [122250]

Jacqui Smith: Prime responsibility for the in-service training of teachers rests with local education authorities and schools, who are in the best position to determine their needs and respond to demand in the light of local circumstances. In recognition of the importance of training, the Department is supporting expenditure of £26 million in the 2000–01 financial year through the Standards Fund to help LEAs with the costs of training teachers of children with special educational needs, including training in the mandatory qualifications. The Teacher Training Agency has also been conducting a review of the courses leading to mandatory qualifications.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Education and Employment when the right hon. Member for North-West Cambridgeshire will receive a substantive reply to his letter of 29 March on behalf of his constituent Dr. Irwin. [122331]

Mr. Wills *[holding answer 16 May 2000]:* A reply to the right hon. Member's letter was issued on 15 May.

Connexions

Mr. Clappison: To ask the Secretary of State for Education and Employment what assessment he has made of the optimum mix of delivery of the Connexions Service through private, voluntary and public partners as referred to in paragraph 7.12 of Connexions: the best start in life for every young person. [122454]

Mr. Wicks: The Connexions Service: prospectus and specification, which was published on 4 May, invites prospective partner organisations to come together to agree how the Connexions Service can operate most

effectively in their area and to produce outline Partnership Proposals. Partnerships will need to ensure that the mix of public, private and voluntary sector provision is appropriate to the needs of the particular area and that these decisions are based on the quality of existing provision. Partnerships will need to demonstrate in their Business Plans to be produced in the autumn that public, private and voluntary sector providers have been given a fair opportunity in each area to offer relevant services, on the basis of the quality of existing provision. The Connexions Service National Unit, through its assessment and approval of partnership Business Plans and subsequent monitoring of service delivery, will ensure that an appropriate mix of public, private and voluntary sector providers are involved.

Class Sizes

Shona McIsaac: To ask the Secretary of State for Education and Employment if he will list the average class size in each infant school in Cleethorpes constituency since 1995. [122347]

Ms Estelle Morris: Information on individual schools is not normally published. Where individual school information is published, as in the School Performance tables, the information is first checked with the schools concerned. The latest available information on infant class sizes in the parliamentary constituency of Cleethorpes is shown in the table.

Provisional national estimates of infant class sizes in England for January 2000 was recently published in a Statistical First Release "Class sizes in Maintained schools in England: January 2000" on 12 April 2000. Prior to this, information on infant class sizes for September 1999 was published in Statistical First Release "Infant class sizes in England: September 1999" on 21 January 2000. Copies of both publications are available from the Library.

Average size of infant classes[1] taught by one teacher in maintained primary schools in the parliamentary constituency of Cleethorpes: 1995–2000[2]

Position as at January	*Average class size*
2000[2]	24.7
1999	26.5
1998	28.3
1997	27.5
1996	[3]—
1995	[3]—

[1] Key stage 1 classes
[2] Provisional
[3] Not available

TREASURY

Prudential Assurance Company

Mrs. Spelman: To ask the Chancellor of the Exchequer when he expects the talks initiated in March 1996 between his Department and the Prudential Assurance Company regarding a modification of 10 per cent. distributable surplus to reach an outcome. [122487]

Miss Melanie Johnson *[holding answer 16 May 2000]:* When discussions of this kind take place and a conclusion is reached, the company concerned makes an announcement. Information about proposals of this kind may be confidential or price sensitive, and therefore subject to statutory restrictions on disclosure.

Departmental Vehicles

Mr. Pearson: To ask the Chancellor of the Exchequer how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122204]

Mr. Timms: All vehicles operated by the Treasury are provided by the Government Car and Dispatch Agency (GCDA). GCDA are an agency of the Cabinet Office and I refer my hon. Friend to the answer given today by my right hon. Friend the Minister of State, Cabinet Office.

NIRS2

Mr. Flynn: To ask the Chancellor of the Exchequer what assessment he has made of the total cost of the difficulties encountered with the NIRS2 computer system; and what percentage of that cost will be recouped from Andersen Consulting. [122104]

Dawn Primarolo *[holding answer 15 May 2000]:* Andersen Consulting has worked with the Inland Revenue to resolve the problems experienced with the NIRS2 system. All the costs in undertaking this work have been met by Andersen Consulting. The cost to Andersen Consulting is approximately £20 million.

Tax Rates (Businesses)

Mr. Pollard: To ask the Chancellor of the Exchequer what plans he has to extend to unincorporated small businesses the new lower 10 per cent. starting tax rate levied on the initial £10,000 business profits. [122357]

Dawn Primarolo: Unincorporated businesses are subject to income tax whereas small companies are subject to corporation tax. Income tax rates are applied to total income from all sources; therefore profits from unincorporated business activities are aggregated with an individual's other income, and the appropriate rates charged after deduction of personal allowances. A 10p income tax band was introduced in Budget 1999 and increased in Budget 2000. As with the whole tax system, this band is kept under constant review. Any future changes will be announced in the normal way.

Press Officers

Mr. Portillo: To ask the Chancellor of the Exchequer how many press officers were employed by the Treasury in *(a)* May 1997 and *(b)* May 2000. [122381]

Miss Melanie Johnson: In May 1997, HM Treasury employed 5 press officers (besides the Head of Communications) and at May 2000 the number is 5.5.

Working Families Tax Credit

Mr. Alexander: To ask the Chancellor of the Exchequer how many households in *(a)* Scotland and *(b)* Paisley, South which are eligible for the Working Families Tax Credit are (i) single parent families where the woman is the sole earner, (ii) single parent families

where the man is the sole earner, (iii) couples, where the male is the sole earner, (iv) couples, where the female is the sole earner and (v) dual income families. [122371]

Dawn Primarolo: It is estimated that 98,800 families in Scotland have been awarded the Working Families Tax Credit to the end of March 2000, of which 1,400 were in Paisley, South.

The breakdown requested for Scotland is as follows:

Family type	*Number with Working Families Tax Credit awards at March 2000*
Single parent—female earner	61,100
Single parent—male earner	2,100
Couple—male sole earner	21,800
Couple—female sole earner	8,500
Couple—both earning	5,400
Total	98,800

There are too few cases in the 5 per cent. sample used for these analyses to provide a complete breakdown for Paisley, South. It is estimated that 1,100 families with WFTC awards in Paisley, South were single parents where the woman is the sole earner.

VAT (Renovations and Conversions)

Mr. Bob Russell: To ask the Chancellor of the Exchequer what representations he has received in the past six months requesting that value added tax be *(a)* reduced and *(b)* removed on building renovations and conversions; and if he will make a statement. [122127]

Dawn Primarolo: Treasury Ministers have received about 5,550 letters since last November asking for changes to the rate of VAT on building, renovation and maintenance work. The vast majority of these letters have asked for a reduced rate rather than removal of VAT. The removal of VAT from repairs and renovations is illegal under agreements with our European partners.

Mr. Bob Russell: To ask the Chancellor of the Exchequer what plans he has to reduce the level of value added tax levied on building renovations and conversions; and if he will make a statement. [122121]

Dawn Primarolo: The Government have no present plans to introduce a reduced rate for building renovations and conversions.

Mortgage Tax Relief (Scotland)

Mr. Gorrie: To ask the Chancellor of the Exchequer what the total cost of mortgage tax relief was in Scotland in *(a)* 1996–97, *(b)* 1997–98, and *(c)* 1998–99; and what was the estimated cost in 1999–2000. [122087]

Miss Melanie Johnson: The estimated costs of mortgage interest relief in Scotland for 1996–97, 1997–98 and 1998–99 are published in Table 5.3 of "Inland Revenue Statistics 1999", a copy of which is in the House of Commons Library. The provisional figure for 1999–2000 is £130 million.

Economic and Monetary Union

Mr. Gill: To ask the Chancellor of the Exchequer if he will list the estimates covering expenditure on the national changeover plan; and the dates on which they were approved by the House. [121811]

Miss Melanie Johnson: Details of expenditure on national changeover planning were included in the second Outline National Changeover plan which was published on 9 March. A copy of the Plan is in the Library of the House.

Mr. Gill: To ask the Chancellor of the Exchequer on what date and in which forum the decision was taken to proceed with a national changeover plan. [121809]

Miss Melanie Johnson: In his statement to the House in October 1997, my right hon. Friend the Chancellor of the Exchequer said that the Government would

> begin now to prepare ourselves so that, should we meet the economic tests, we can make a decision to join a successful single currency early in the next Parliament.—[*Official Report*, 27 October 1997; Vol. 299, c. 587.]

The first Outline National Changeover Plan was presented to the House by the Prime Minister on 23 February 1999.

Indirect Taxation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will place a copy of the document entitled, "The simulation of indirect tax reforms: the IFS simulation model for indirect taxation", in the Library. [121741]

Dawn Primarolo: A copy of "The simulation of indirect tax reforms: the IFS simulation model for indirect taxation", published by the Institute for Fiscal Studies in 1990, has been available in the House of Commons Library since 1995.

Funding (Wales)

Mr. Llwyd: To ask the Chancellor of the Exchequer what meetings his Department has had with the *(a)* National Assembly for Wales and *(b)* Office of the Secretary of State for Wales in relation to the Comprehensive Spending Review. [121738]

Mr. Andrew Smith: Officials from my Department meet officials from the National Assembly for Wales and the Office of the Secretary of State for Wales regularly to discuss a range of issues.

Contributions Agency

Mr. Sarwar: To ask the Chancellor of the Exchequer what changes have been made in the past year by the Contributions Agency in its policy on employment of civil servants between the ages of 60 and 65 years. [121321]

Dawn Primarolo: The Contributions Agency (CA), a former agency of the Department of Social Security (DSS), ceased to exist with effect from 1 April 1999 when, as part of the transfer arrangements with the Inland Revenue, all CA functions and associated staff moved across to the Revenue.

Prior to the transfer with the Revenue the CA, in line with other Government Departments and agencies, had delegated responsibility to formulate their own retirement age policy. Their policy, operated under the central DSS policy framework, provided for a normal retirement age of 60 for all staff. As part of the transitional arrangements on moving to this policy, some staff had been granted extensions of service up to a maximum retention date of 31 July 1999.

As part of the negotiations prior to the transfer, the Revenue undertook to honour any commitments given to staff in respect of extension of service in place at 31 March 1999. This undertaking was embodied in the terms and conditions package negotiated with the relevant trade unions, and accepted by CA staff by way of a ballot. Thus after the transfer any former member of the CA who had been granted an extension of service was able to remain with the Revenue until the expiry of that extension, up to the maximum retention date of 31 July 1999. Where an extension was not agreed at 31 March 1999, then staff would subsequently retire in line with Revenue retirement age policy, which at the time of the transfer was similar to CA policy, in providing for a normal retirement age of 60.

The Revenue has recently introduced a concession to the normal retirement age of 60, whereby staff with less than 25 years pensionable service at age 60 may be retained until this level of pensionable service is attained, or reach age 65, whichever is the earlier. This concession was part of a package of terms and conditions changes attached to a Modernisation Agreement with the Public and Commercial Services Union (PCS) accepted as part of the revised 1999 pay offer. The concession took effect on 21 January 2000.

On a wider front, the Revenue is carrying out a review of its current retirement age policy and, following consultation with the relevant trade unions, any resultant policy changes will be announced in due course.

Tax

Mr. Gill: To ask the Chancellor of the Exchequer what estimate he has made of the aggregate burden of additional taxes on trade, industry and commerce since May 1997. [121351]

Dawn Primarolo: Details of the Budget measures can be found in the relevant tables of the July 1997, March 1998, 1999 and 2000 Red Book. Many of these measures are of particular benefit to trade, industry and commerce.

Barnett Formula

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what Barnett formula comparability factors are being used for *(a)* Scotland, *(b)* Wales and *(c)* Northern Ireland for each Department in the 2000 Spending Review; and if he will make a statement. [121085]

Mr. Andrew Smith: The Barnett comparability factors which were used in the 1998 Comprehensive Spending Review were included in the Statement of Funding Policy published by the Treasury last year. The 2000 spending review is currently underway and will report in due course.

Mobile Phone Licences

Mr. Mitchell: To ask the Chancellor of the Exchequer what sum he expects to receive from allocation of licences for the new generation of mobile telephones; and what assessment he has made of the effects of *(a)* his proposed use of it to redeem national debt and *(b)* such planned redemption on the maximum annual debt in sterling he can incur under the Maastricht protocol or stability pact. [121076]

Mr. Andrew Smith: The total sum of the completed bids from the auction of licences for spectrum to support third generation mobile services in the UK was £22.5 billion. Within any given level for total public spending, less on debt interest will mean more is available for other public services. Total spending will be unchanged from the spending envelope set in the Budget in line with the Government's neutral view of the economy's trend growth and in line with the fiscal rules. The Budget forecast that the stability and growth pact reference levels of 3 per cent. of GDP for the deficit and 60 per cent. for debt are achieved comfortably throughout the next five years.

Manufacturing Jobs

Mr. Kidney: To ask the Chancellor of the Exchequer what proportion of the jobs created in the United Kingdom since May 1997 have been in the manufacturing sector. [120840]

Miss Melanie Johnson: The information requested, the proportion of jobs created in the UK since May 1997 that have been in the manufacturing sector, is not available.

Household Incomes

Mr. Cox: To ask the Chancellor of the Exchequer what is the average income per week per household in the London Borough of Wandsworth. [122384]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Cox, dated 17 May 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question asking about the average household income of Wandsworth. I am replying in the Director's absence.

No household income estimates are available from ONS at London borough level.

The latest figures published by ONS for household income by region, up to 1997 were published in Regional Accounts 1997: part 2, Economic Trends no. 551, October 1999. This publication is available in the House of Commons Library.

In this publication income of the household sector is defined on a national accounts basis. In addition to private households, this includes charities, voluntary and other non-profit organisations and quasi-corporations.

The published figures are normally presented in terms of total annual household income per head of population. Converted to weekly averages published regional estimates for London (the smallest area published that includes Wandsworth) are as follows:

1994: £268
1995: £282
1996: £303
1997: £312.

Employment Statistics (Greater London)

Mr. Cox: To ask the Chancellor of the Exchequer how many *(a)* people were unemployed and *(b)* job vacancies there were in the Greater London area on 1 April. [122078]

Miss Melanie Johnson: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Cox, dated 17 May 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on unemployment and job vacancies in the Greater London area. I am replying in the Director's absence.

Estimates of economic status are available from the Labour Force Survey (LFS). The measure of unemployment derived from the LFS is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are a) without a paid job, b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained.

The latest seasonally adjusted estimates from the Labour Force Survey covering winter (December-February) 1999/2000 show there were 268,000 ILO unemployed in the Greater London area.

In the closest aggregation of Jobcentres to the Greater London area there were 36,100 unfilled vacancies in March 2000 the latest date for which data are available. Jobcentre vacancies do not represent the total number of vacancies available in the economy. Latest estimates suggest that about a third of all vacancies nationally are notified to Jobcentres. This proportion may vary between regions.

Written Answers to Questions

Thursday 18 May 2000

EDUCATION AND EMPLOYMENT

Students (A-levels)

Mr. Clappison: To ask the Secretary of State for Education and Employment what proportion of leavers aged 16 to 18 years entered higher education following completion of A-levels from *(a)* sixth forms in independent schools, *(b)* sixth forms in maintained schools, *(c)* sixth form colleges and *(d)* other further education colleges in the last year for which figures are available. [120920]

Mr. Wicks: The available information, for entry to full-time higher education, is given in the table. Equivalent data for part-time admissions are not available.

Prior educational establishments of students aged 16–18 with A-level [1] qualifications accepted for entry in 1999 through UCAS to full-time and sandwich undergraduate courses

Previous establishment	*Number of acceptances*	*Percentage of total*
Sixth Form Centre	1,780	1.5
Independent School	19,906	16.6
Sixth Form College	18,763	15.6
Maintained Schools	67,819	56.5
Other [2]	10,777	9.0
Not known	924	0.8
Total	119,969	100.0

[1] A-level being the highest qualification on entry
[2] Includes Other FE/HE establishments

Connexions Service

Mr. Clappison: To ask the Secretary of State for Education and Employment what the timetable is for the mapping of current provision of services to be undertaken by the Connexions Service as referred to in paragraph 7.20 of "Connexions: the best start in life for every young person". [122453]

Mr. Wicks: As part of their proposals, each pilot area has been asked to submit a timetable for completing their mapping exercise. We expect all pilots to complete an initial exercise by September 2000. In submitting proposals for the wider introduction of the Connexions Service from April 2001 we expect further mapping will have started before the end of the year.

Mr. Clappison: To ask the Secretary of State for Education and Employment if personal advisers will be provided for pupils in independent schools through the Connexions Service. [122702]

Mr. Wicks: The Connexions Service will provide access to high quality guidance and support to all 13–19 year olds, giving particular priority to those young people who are most at risk of encountering obstacles to a successful transition to adulthood.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Education and Employment what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121649]

Mr. Wills: The headline pay settlement was 2.5 per cent. on the pay bill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 3.9 per cent. The increases were not staged.

Open Government

Dr. David Clark: To ask the Secretary of State for Education and Employment how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121853]

Ms Hodge: The Home Office holds responsibility for the Code of Practice on Access to Government Information and monitoring its operation and effectiveness, and will respond to this question on behalf of Government as a whole. I refer my hon. Friend to the reply given by the Secretary of State for the Home Department today, *Official Report*, columns 216–17W.

University Buildings

Dr. Gibson: To ask the Secretary of State for Education and Employment what steps he has taken to assess the structural integrity of university buildings constructed in the 1960s. [122696]

Mr. Wicks: Higher education institutions are autonomous bodies. Each university is responsible for the maintenance and repair of its own estate. No survey has been carried out to look specifically at 1960s buildings, but in 1997 the Higher Education Funding Council for England commissioned a survey to review the condition of the whole higher education estate. As a result of the survey, the Higher Education Funding Council for England introduced a "poor estates" initiative, setting aside £200 million for higher education estates funding up to 2000.

Teachers

Sir Sydney Chapman: To ask the Secretary of State for Education and Employment how many teaching posts are *(a)* vacant and *(b)* filled by supply, temporary and agency teachers in (i) state primary schools and (ii) state secondary schools in (1) Barnet Local Education Authority and (2) Greater London areas; and what proportions of the total the figures represent. [122735]

Ms Estelle Morris: The following table shows the number of vacant teaching posts and the number of posts covered by teachers in occasional service in the maintained nursery, primary and secondary sector in Barnet local education authority and Greater London at January 2000.

	Teacher vacancies		Teachers in occasional service			
	Full-time vacant posts	Vacancy rate	Number of agency teachers	Number of other occasional teachers	All occasional teachers	Occasional teacher rate
Nursery/Primary						
Barnet	30	2.8	30	10	40	3.6
Greater London	520	2.0	1,200	540	1,730	6.1
Secondary						
Barnet	20	1.6	20	10	30	2.2
Greater London	410	1.8	680	190	870	3.5

Note:
Totals may not sum to component parts because of rounding

A qualified teacher vacancy refers to a full-time permanent appointment (or an appointment of at least one term's duration) at 20 January 2000 which was advertised but not filled. Vacancies include those filled on a temporary basis unless filled by someone with a fixed term contract of one term or more. Supply, temporary and agency teachers on a contract of at least one month cannot be separately identified from teachers in regular service.

Teachers in occasional service collected on Form 618G provide cover for a variety of reasons e.g. vacancies, training courses and sickness absence.

Further Education Funding Council

Mr. Goggins: To ask the Secretary of State for Education and Employment when he expects the Further Education Funding Council to publish its tariff value of courses for 2000–01. [122734]

Mr. Wicks: The tariff document for 2000–01 is due to be published on 22 May 2000.

Funding and Research Council

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment if he will make a statement on the terms of reference for the review of the funding and research council. [122138]

Ms Hewitt: I have been asked to reply.

Overall responsibility for funding university infrastructure in Scotland, Wales and Northern Ireland is with the devolved Administrations. For England, the responsibility is with the Higher Education Funding Council for England.

In addition, my Department, together with the Wellcome Trust and the HEFCE, is responsible for the £750 million Joint Infrastructure Fund initiative, which provides for research infrastructure and equipment in UK universities. My Department is also responsible, together with the Higher Education Funding Councils and the Department of Higher and Further Education, Training and Employment, for the Joint Research Equipment Initiative for university research equipment.

Competition for funds from the JIF has been very strong. There have been many high quality applications and we have been able to fund only the most outstanding. Under the terms of the JIF scheme there can be no re-submission of unsuccessful applications.

JIF was set up as a one-off fund to boost university infrastructure. The Government are giving careful consideration to the need for a follow-on programme. This includes exploration of options other than allocation based on competition through bidding.

The 1997 Dearing Report of the National Committee of Inquiry into Higher Education drew attention to the need to invest in university research infrastructure in order to ensure that the UK remains at the forefront of scientific research. Dearing's recommendations were based on the 1996 "Survey of Research Equipment in UK Universities" undertaken by the Policy Research in Engineering, Science and Technology Unit at the University of Manchester (PREST). Dearing also drew on Segal Quince and Wicksteed's 1997 "Review of Dual Support: The Funding Gap" study of overall research funding in universities.

I understand that the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom expects to publish shortly an updated study by PREST, part funded by CVCP and HEFCE, of the present state of research equipment provision and needs in UK universities.

NORTHERN IRELAND

Robert Hamill and Gregory Girvan

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if disciplinary proceedings will be instituted against officers present at the location of the attack on 27 April 1997 in Portadown town centre on Robert Hamill and Gregory Girvan. [119709]

Mr. Ingram: The Independent Commission for Police Complaints are actively considering whether disciplinary proceedings will be instigated in this particular case.

Mr. Corbyn: To ask the Secretary of State for Northern Ireland how many witness statements have been taken by the Royal Ulster Constabulary inquiry team investigating the murder of Robert Hamill. [119710]

Mr. Ingram: There have been 301 witness statements taken to date.

TRADE AND INDUSTRY

University Funding and Infrastructure

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list the universities awarded funding for research infrastructure as part of the Joint Infrastructure Fund Competition, indicating how much funding each will receive. [121665]

Ms Hewitt: The Joint Infrastructure Fund (JIF) has made 109 awards worth just under £600 million to 39 universities. The final two rounds of awards will be announced in November 2000 and March 2001.

The successful universities are listed. The value of Round 2 and Round 3 awards are subject to negotiation with successful applicants and will be announced later this year. Round 1 figures are shown in the table.

£ million

Universities awarded funding[1]	*Value of Round 1 awards*
Aberdeen	—
Bangor (University of Wales)	2.8
Bath	—
Birkbeck College	—
Birmingham	11.1
Bristol	2.0
Cambridge	30.4
Cardiff	—
Dundee	—
Durham	—
East Anglia	—
Edinburgh	6.3
Glasgow	2.1
Imperial College	11.3
King's College, London	—
Lancaster	0.6
Leeds	2.4
Leicester	—
Liverpool	6.1
LSE	6.6
Manchester	1.8
Newcastle	4.4
Nottingham	5.0
Oxford	17.9
Queen Mary and Westfield College	24.8
Queen's, Belfast	0.4
Reading	—
Sheffield	—
Southampton	3.8
Strathclyde	1.2
SUERC (Glasgow)	3.9
Surrey	4.7
Sussex	—
Ulster	—
UMIST	—
University College, London	—
Wales College of Medicine	—
Warwick	1.0
York	—
Total (Round 1 only)	150.4

[1] JIF Rounds 1–3

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry (1) which organisations are responsible for funding infrastructure requirements in universities; [122139]

(2) what models are being considered for the replacement of the Joint Infrastructure Fund. [122137]

Ms Hewitt: Overall responsibility for funding university infrastructure in Scotland, Wales and Northern Ireland is with the devolved administrations. For England, the responsibility is with the Higher Education Funding Council for England.

In addition, my Department, together with the Wellcome Trust and the HEFCE, is responsible for the £750 million Joint Infrastructure Fund initiative, which provides for research infrastructure and equipment in UK universities. My Department is also responsible, together with the Higher Education Funding Councils and the Department of Higher and Further Education, Training and Employment, for the Joint Research Equipment Initiative for university research equipment.

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JIF was set up as a one-off fund to boost university infrastructure. The Government are giving careful consideration to the need for a follow on programme. This includes exploration of options other than allocation based on competition through bidding.

The 1997 Dearing Report of the National Committee of Inquiry into Higher Education drew attention to the need to invest in university research infrastructure in order to ensure that the UK remains at the forefront of scientific research. Dearing's recommendations were based on the 1996 "Survey of Research Equipment in UK Universities" undertaken by the Policy Research in Engineering, Science and Technology Unit at the University of Manchester (PREST). Dearing also drew on Segal Quince and Wicksteed's 1997 "Review of Dual Support: The Funding Gap" study of overall research funding in universities.

I understand that the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom expects to publish shortly an updated study by PREST, part funded by CVCP and HEFCE, of the present state of research equipment provision and needs in UK universities.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry (1) what his policy is on funding proposals which have not been successful in gaining an allocation from the Joint Infrastructure Fund; [122165]

(2) what provision will be made for financing research infrastructure once the funds from the Joint Infrastructure Fund have been allocated; [122164]

(3) what analysis has been made of the volume of investment required in research infrastructure in universities to bring infrastructure in particular subject areas up to the standards of major international competitors. [122166]

Ms Hewitt *[holding answer 15 May 2000]:* I refer my hon. Friend to the answer given today to her written question 122138, *Official Report*, column 193W.

Insolvency Legislation

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what plans his Department has to act on the recently published consultation document on reform of insolvency legislation. [121661]

Dr. Howells: The consultation document, "Bankruptcy: A Fresh Start"—which is the formulation of outline suggestions for possible changes to the law—marks the end of the first stage of the review. The consultation period ends on 30 June. A lot of detailed work will be needed before decisions are made about whether and, if so, how bankruptcy law should be changed. This will be informed by responses to the consultation.

EU Research and Development Reports

Mr. Bercow: To ask the Secretary of State for Trade and Industry what categories of reports are funded under the call for proposals for indirect research and technological development actions in the framework of the specific programme for research, technological development and demonstration in the field of improving the human research potential and the socioeconomic knowledge base, referred to in European Community Document (2000/c 74/08); and if he will make a statement. [121493]

Ms Hewitt: European Community Document 2000/c 74/08 refers to a call for proposals under the Strategic Analysis of Specific Policy Issues (STRATA) activity of the programme, Improving the Human Research Potential and the Socio-Economic Knowledge Base (IHP). The call identifier is IHP-STRATA-00–1.

Under the call the Commission has invited proposals to produce reports on a number of specific issues relating to science and technology policies, these include:

European science and technology policies and national and global systems;

Articulation between research, training and development and other policies within the European institutional environment;

Management of change in science and technology policy; and

Collaboration in science, technology and innovation: changing needs and opportunities for policy.

Research

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list the Government's research priorities and the research priorities of *(a)* the United States and *(b)* Germany. [122133]

Ms Hewitt: This Government's overall priorities for science and technology were set out following the Comprehensive Spending Review in "Forward Look 1999 (Cm 4363)". They are:

Maintaining the excellence of UK Science—ensuring UK science is and remains world class;

Promoting business exploitation—supporting the development and exploitation of new and existing technologies, particularly through encouraging partnerships and the flow of people between universities and business; and

Ensuring effective use of science and technology by Government Departments—in support of their policy, regulatory, and procurement responsibilities.

Details of the specific research priorities of individual departments, Research Councils and other bodies are also set out in "Forward Look", copies of which are available in the Library of the House. These priorities are being reviewed in the context of the current Spending Review.

In the USA, the main priorities for civilian research set out in the federal budget for Financial Year 2000 are:

All areas of Biomedical research, in particular human genomics and also plant genome research;

Fundamental information technology research; and

Bio-complexity—research on inter-dependencies between the elements of specific environmental systems.

The German Federal Government research priorities set out in their 1999 science research budget include the areas of biotechnology, production engineering, marine and polar research, lasers, IT and sustainable development.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how much has been provided by each of the research councils and the four funding councils for spending by the universities on equipment to support scientific research programmes by subject area in each year since 1994. [122135]

Ms Hewitt: Data in respect of the Research Councils and the Higher and Further Education Funding Council (England) are as set out.

Details of awards so far made from the Joint Infrastructure Fund were provided in my answer to my hon. Friend's written question 121665 answered today, *Official Report*, column 193W.

The funding of Higher Education Institutions in Scotland, Wales and Northern Ireland is the responsibility of the devolved administrations.

HEFC(E)'s capital funding for research in HEIs

Year	*Mainstream*	*JREI*	*JIF (£ million)*
1994–95	62.8	—	[1]7.5
1995–96	67.1	—	[2]9.0
1996–97	45.4	19.8	[3]7.7
1997–98	50.0	25.7	—
1998–99	52.3	25.8	—
1999–2000	53.9	16.3	—
2000–01	54.0	—	—

[1] Round 1
[2] Round 2
[3] Round 3

Science budget funding of HEIs' capital

Capital element of research grants to HEIs	*1994–95*	*1995–6*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
BBSRC	8.800	8.100	7.720	6.280	7.470	10.000	11.000
EPSRC	33.296	32.307	33.564	35.585	39.336	33.764	49.627
ESRC	0.100	0.100	0.300	0.600	0.600	0.700	0.800
MRC	11.300	9.950	11.631	11.700	10.182	8.276	7.800
NERC	3.340	6.818	3.087	3.897	3.263	3.805	5.908
PPARC	3.472	6.751	4.363	5.238	5.213	6.039	6.175

Joint research equipment initiative

	Calendar year of the award			
	1996	*1997*	*1998*	*1999*
BBSRC	1.1	1.6	1.5	3
EPSRC	3	4.6	5.4	5.5
MRC	1.1	1.4	1.8	2.1
NERC	0.4	0.6	0.7	0.8
PPARC	—	—	—	—
Total	5.6	8.2	9.6	12.2

The Research Councils also provide access for university researchers to national and international facilities.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Trade and Industry how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122253]

Dr. Howells *[holding answer 17 May 2000]:* Other than hire cars and vehicles supplied by the Government Car and Despatch Agency, for which my right hon. Friend the Minister of State for the Cabinet Office responded on 17 May 2000, *Official Report*, column 141W, my Department operates 19 cars, manufactured as follows:

UK: 13

UK or EU: 2[1]

EU: 2

Elsewhere: 1.

[1] Due to some models being simultaneously manufactured in more than one country, it is not possible to be more specific without unjustifiable expense.

Post Offices

Mr. Ashdown: To ask the Secretary of State for Trade and Industry when his Department plans to bring forward proposals for developing the future business potential of the Post Office network; and if he will make a statement. [121310]

Mr. Byers: Completion of the installation of the Horizon system, a modern automated IT platform, throughout the Post Office network in 2001 will provide the potential to develop a range of new business opportunities. In addition to automated network banking on an agency basis, Horizon would provide an important part of the infrastructure for a universal bank offering basic banking services accessible at post offices. We also see opportunities for post offices to develop a key role in e-commerce services and scope for a further development of their role as one-stop shops for many Government services and transactions. We are also looking at the role post offices may be able to play in fulfilling our objective of making the Internet accessible to all by 2005.

Mr. Ashdown: To ask the Secretary of State for Trade and Industry what plans he has to support the development of a post office universal bank; and if he will make a statement. [121308]

Mr. Byers: The Government strongly support co-operation between the banks and the Post Office to develop a universal bank offering basic banking services to all. The Horizon project to equip the post office network with a modern on-line IT platform, towards which the Government are contributing nearly £500 million, has the potential to provide an important part of the infrastructure for such a bank. A universal bank accessible through post offices would complement the agency network banking service which the Post Office already provides under arrangements with Girobank/ Alliance and Leicester, LloydsTSB, Co-operative and Barclays Banks.

Mr. Ashdown: To ask the Secretary of State for Trade and Industry when he plans to bring forward detailed proposals relating to subsidies for post offices; and if he will make a statement. [121309]

Mr. Byers: I refer the right hon. Member to the reply given by my hon. Friend the Minister for Competitiveness, on 11 May 2000, *Official Report*, column 439W.

Green Transport

Mr. Don Foster: To ask the Secretary of State for Trade and Industry if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122561]

Dr. Howells: In line with the target set in the Integrated Transport White Paper for the introduction of green transport plans for key government buildings we have completed plans for the Department's three key buildings—Atholl House, St. Mary's House and Westfield House.

Petrol

Ms Jenny Jones: To ask the Secretary of State for Trade and Industry what steps he has taken to facilitate a meeting between representatives of petrol retailers and petrol wholesalers to discuss a code of practice. [122361]

Dr. Howells: I said during the petrol retailing debate in January that I was happy to broker a meeting if the concerned parties wished to meet and were prepared to compromise where necessary. Such a meeting has not yet been requested, but I intend to take the initiative and invite relevant parties to meet. However, it is sensible to receive advice from the Director General of Fair Trading on the future of the 1966 undertakings first. I expect to receive this soon.

Climate Change Levy

Mr. Pollard: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the climate change levy on the competitive position of the United Kingdom's horticultural industry. [120805]

Ms Quin: I have been asked to reply.

It is not possible to say with precision what the effect of the climate change levy will be on the competitive position of the United Kingdom's horticultural industry. This will depend, among other things, on the extent to which individual sectors and firms within the industry are exposed to international competition, the future energy

use of the industry and the extent to which the industry takes up the various incentives offered under the levy to improve energy efficiency.

The Government have sought to design the climate change levy in a way that maximises its environmental effectiveness while protecting the competitiveness of UK firms. With respect to the horticultural industry the Chancellor of the Exchequer announced in Budget 2000 that the Government intend to introduce a package of measures to help protect its competitiveness. Subject to State Aids clearance from the European Commission this will include:

A special package of support for horticulture allocated from the energy efficiency fund. This package will aim to improve energy efficiency across the sector and will include activities such as the provision of site specific advice for individual businesses;

An extension to the list of investments qualifying for enhanced capital allowances to include thermal screens. This will provide a further fiscal incentive for horticultural businesses to invest in energy saving technologies, and;

A temporary 50 per cent. discount on the levy for a period of up to five years to the horticulture sector while the energy efficiency measures targeted at the sector take effect.

DEFENCE

Biological Warfare

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on the *(a)* role of the 1 Field Laboratory Unit that operated a biological warfare agent detection facility during the 1990–91 Gulf conflict and *(b)* work of that unit in detecting biological warfare agents. [123219]

Mr. Spellar: The 1997 "Gulf Veterans Illnesses: A New Beginning" policy statement set out a number of commitments to help address the health concerns of Gulf Veterans. One of these commitments was to review specific incidents of suggested biological warfare exposures and the activities of 1 Field Laboratory Unit. As part of this commitment I am today publishing a paper entitled, "A Review of the Activities of the 1 Field Laboratory Unit and Suggested Biological Warfare Agency Detections During Operation Granby".

As a result of our review of the available information we assess that UK troops were not subject to attack by or exposed to biological warfare agents during the Gulf conflict. There were alarms on some detectors, many of which were recognised to be false by the system operators at the time. On one occasion, a biological substance was detected and samples returned to the UK for testing. The tests concluded that this was not caused by a biological warfare agent. Our review re-examined this incident and concludes that the evidence suggests that the detection was caused by natural biological material.

Defence Aviation Repair Agency

Mr. Olner: To ask the Secretary of State for Defence what performance targets have been set for the Defence Aviation Repair Agency for 2000–01. [123220]

Mr. Spellar: Key Targets have been set for the Chief Executive of the DARA for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in April 1999 and are as follows:

Key Target 1—Quantity

To achieve 95 per cent. of the agreed programme of work weighted by value.

Key Target 2—Cost

To keep within the approved full operating cost budget, within a tolerance of +1 per cent. while delivering the agreed programmes of work.

Key Target 3—Timeliness

To meet 95 per cent. of the agreed Turn-Round-Times for fixed wing and rotary aircraft within a tolerance of +5 per cent. or five working days, whichever is the greater.

Key Target 4—Quality

To achieve a customer standard index rating of 75 points or higher, made up from:

A. To achieve 98 per cent. acknowledgement of Customer Concerns within two working days—20 points.

B. To achieve 95 per cent. of Investigations and Response to Customer Concerns within 56 days or as agreed—40 points.

C. To achieve a 5 per cent. reduction from the FY99–00 baseline of DARA Attributable Customer Concerns, as a percentage of quantity—15 points.

Key Target 5—Efficiency

Efficiency 1: The development of the appropriate basis and measurement system for reporting efficiency as a Trading Fund—such as an indexed measure of the contribution of DATA to the DLO Lean Support Initiative.

Efficiency 2: To achieve a 15 per cent. increase in repayment work revenue from a FY99–00 outturn baseline.

Army Base Repair Organisation

Mr. Olner: To ask the Secretary of State for Defence what performance targets have been set for the Army Base Repair Organisation for 2000–01. [123221]

Mr. Spellar: Key Targets have been set for the Chief Executive of the ABRO for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in April 1993 and are as follows:

Key Target 1—Quantity

To complete 95 per cent. of all Sensitive and Significant programmes within the times agreed with the customer.

Key Target 2—Timeliness

To complete 95 per cent. of District Load tasks within the priorities agreed with the customer.

Key Target 3—Efficiency

To increase manpower utilisation by 3 per cent.

Key Target 4—Working Towards Trading Fund Status

ABRO to proceed to shadow trading by 1 April 2001.

Gulf (Reserve Forces)

Mr. Kidney: To ask the Secretary of State for Defence if members of the Reserve Forces who served in the Gulf are entitled to attributable pensions benefits. [123222]

Mr. Spellar: Attributable benefits for Reserve Service were introduced in 1980, and the regulations are contained in the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pension) Order 1999, the Army Pay Warrant 1977, and the Queen's Regulations for the Royal Air Force. It has been the practice since 1980 to award attributable benefits only where members of the Reserve Forces are medically discharged from the Reserves at an end of a period of active duty. During periods of recalled service for operations, individuals in the regular reserve forces could claim benefits only if they were medically discharged at the point of demobilisation. We have now taken legal advice, which suggests that Army reservists are, under current regulations, eligible to claim attributable benefits if they are medically discharged from the reserve at any time. Our legal advisers have also identified some anomalies in the regulations for the other Services.

We therefore propose for the future that all members of the volunteer reserves and regular reserves should be eligible for attributable benefits if they are medically discharged from the reserve forces at any time for reasons attributable to reserve service. The existing anomalies in the regulations, under which reservists are treated differently depending on which Service they come from, will be removed. We shall re-examine claims from Gulf Reservists under the interpretation of the regulations we now believe to be correct. We shall also consider any new claims.

Gulf War Illnesses

Mr. Kidney: To ask the Secretary of State for Defence what assessment he has made of the RAND Corporation report entitled, "A Review of the Scientific Literature as it Pertains to Gulf War Illnesses, volume II: Pyridostigmine Bromide". [123223]

Mr. Spellar: The RAND report, which is a comprehensive compilation of published literature on pyridostigmine bromide (PB) and its relationship to Gulf Veterans' Illnesses (GVI), has now been carefully reviewed and a written assessment of the report has been produced. I am placing a copy of this assessment in the Library of the House.

The RAND report does not present any new work on pyridostigmine bromide. It concentrates on several hypotheses of how PB might be the cause of GVI and to a lesser extent discusses the effectiveness of PB. Although a number of theories have been identified they have not, in our view, been critically evaluated and there is no differentiation between the credibility and the value of the various pieces of research. The report gives no guidance as to which of the various hypotheses is worthy of further investigation or for the prioritisation of further research. The approach and methodology adopted for this review do not advance the debate on whether PB is possibly linked to illness in Gulf veterans.

Naval Bases and Supply Agency

Mr. Reed: To ask the Secretary of State for Defence what performance targets have been set for the Naval Bases and Supply Agency for 2000–01. [123225]

Mr. Spellar: Key Targets have been set for the Chief Executive of the NBSA for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in December 1996 and are as follows:

Key Target 1—Quantity and Timeliness

To provide up to 40028 Standard Berth Unit Days on demand.

Key Target 2—Timeliness, Quality and Cost

Provide quality, timely and cost effective engineering support to allocated vessels to the annual level indicated in the Fleet Time Maintenance Loading Programme (FTMLP) within ± 3 per cent. of budget.

Key Target 3—Quantity, Timeliness and Efficiency

Non-explosive Stores: Supply 88 per cent. of available material, including fuel, within Required Delivery Dates, while achieving the agreed targets for high priority Operational Defects.

Key Target 4—Quantity and Timeliness

Munitions: Supply 99 per cent. of available maintained munitions within demand timescales.

Key Target 5—Quantity

Provide Single Living Accommodation (SLA) to 25 per cent. of entitled personnel at Director Naval Services and Conditions (DNSC) Grade 2 standards or better.

Defence Communications Services Agency

Mr. Reed: To ask the Secretary of State for Defence what performance targets have been set for the Defence Communications Services Agency for 2000–01. [123224]

Mr. Spellar: Key Targets have been set for the Chief Executive of the DCSA for financial year 2000–01. The targets build on the progress made by the Agency since it formed in April 1998 and are as follows:

Key Target 1—Service Assurance (Quantity)

To achieve a mean 96 per cent. of the service performance targets in the Services Baseline Document.

Key Target 2—Service Provisioning (Timeliness)

To commission 90 per cent. of new requests for service on or before the dates agreed with customers.

Key Target 3—Service Restoration (Timeliness)

To restore 95 per cent. of interrupted services classed as operationally urgent within four hours or within other specific periods agreed with customers.

Key Target 4—Service Support (Quality)

To achieve a 75 per cent. average success rate in response to demands on all DCSA Operator Assistance Centres (OACs) and helpdesk facilities.

Key Target 5—Customer Satisfaction (Quality)

To achieve a 70 per cent. mean of customers/users who express moderate or high satisfaction with the services and support offered by the DCSA.

Key Target 6—Efficiency

To achieve an improvement in efficiency by reducing the average unit cost of output for current DCSA products by 5 per cent. per annum.

Defence Evaluation and Research Agency

Mr. Hancock: To ask the Secretary of State for Defence if he will list the foreign representations that he received in respect of the DERA part sell-off and privatisation; and if he will make a statement. [122379]

Mr. Hoon: Throughout the DERA PPP process there has been substantial and widespread discussion with officials from each of our international collaborative

partners. These have involved a considerable number of British officials, with meetings taking place in the UK and overseas often in the margins of bilateral and multilateral meetings. In addition, we have received written responses as part of last year's consultation process from a number of foreign companies. I refer the hon. Member to the answer I gave to the hon. Member for Truro and St. Austell (Mr. Taylor) on 10 January 2000, *Official Report*, column 85W, regarding details of the companies and our international collaborative partners.

Representations have focused on the need to ensure that PPP does not affect our ability to:

(a) maintain and further develop our international research programmes;

(b) ensure that security sensitive information owned by foreign governments and passed to the UK under Government-to-Government arrangements, can continue to be adequately protected; and

(c) ensure that foreign commercially sensitive intellectual property passed to the UK under Goverment-to-Government arrangements can continue to be adequately protected.

Ms Squire: To ask the Secretary of State for Defence if it is DERA's policy to support the *(a)* Business Innovation Centre at Rosyth Europarc and *(b)* application for European funding. [122399]

Dr. Moonie: The Defence Evaluation and Research Agency (DERA) is strongly committed, through the Defence Diversification Agency (DDA), to encouraging the widest possible exploitation of defence technology in the civil sector, in line with Government policy. The DDA is implementing this policy by establishing a national network of technology diversification managers, all rooted in DERA but located in regionally based business communities, one of which is the Rosyth Europarc, to provide a technology brokering service. It is also DERA's policy to support the Europarc Business Innovation Centre's application for European funding.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122017]

Dr. Moonie: Provision of such a list would require consideration of some 6,000 contracts and could be provided only at disproportionate cost.

Typhoon Aircraft

Mr. Wilkinson: To ask the Secretary of State for Defence what functional modifications will be made to the Mauser 27mm cannon to be installed in the first 55 Eurofighter Typhoon aircraft to be delivered to the Royal Air Force. [121755]

Dr. Moonie: The 27mm Mauser Cannon fitted to Eurofighter will undergo a number of internal modifications affecting the ammunition feed arrangements and muzzle blast suppressor. No additional modifications are required if the gun is carried but not used.

Defence Diversification Council

Dr. Lynne Jones: To ask the Secretary of State for Defence, pursuant to his answer of 22 March 2000, *Official Report*, column 566W, when he expects the Defence Diversification Council to be established; and if he will make a statement on the reasons for the delay. [122233]

Mr. Key: To ask the Secretary of State for Defence when he will set up the Defence Diversification Council; and if he will make a statement. [122128]

Dr. Moonie: We are currently examining the implications of the DERA Public/Private Partnership proposals for the work that is now being undertaken by the Defence Diversification Agency. Once that examination has been completed, we shall announce our proposals for the future of the Agency, including the arrangements for the establishment of the Defence Diversification Council.

Hawk Trainer

Mr. Hancock: To ask the Secretary of State for Defence what was the original estimated cost of the Hawk Trainer Replacement Airframe Programme; what is the cost expected to be on completion; what is the end date for this contract; and if he will make a statement. [122374]

Dr. Moonie: Early estimates suggested that the cost of the programme would be of the order of £160 million. A contract for the work was awarded to BAE SYSTEMS in December 1998. Details of the contract are commercially sensitive, but the value was of the order of £120 million (VAT inclusive). The programme commenced in July 1999. The first aircraft was returned to service, ahead of schedule, in April of this year. The programme is due to be completed by January 2004.

Suez Canal

Mr. Healey: To ask the Secretary of State for Defence what is his estimate of the number of servicemen who served during the Suez Canal Zone occupation from 1951 to 1954 who are still alive. [122333]

Dr. Moonie *[holding answer 16 May 2000]:* This information is not held centrally. The work that would be required to determine whether in fact it would be possible to provide this information could be provided only at disproportionate cost.

AWE Llanishen

Ms Julie Morgan: To ask the Secretary of State for Defence what amounts of beryllium and depleted uranium are left on site at the Atomic Weapons Establishment in Llanishen Cardiff; and when he expects the site will be free from contamination. [122391]

Dr. Moonie *[holding answer 16 May 2000]:* Although traces of beryllium and depleted uranium have been found in specific locations they are of a very low level and, being contained on the site, pose no threat to health or the environment. Precise levels of contamination are currently being collated in preparation for a contract to be let for the remediation phase of site decommissioning, and will be made public shortly. The site is expected to be free from contamination by autumn of next year.

Tomahawk Missile

Mr. Quentin Davies: To ask the Secretary of State for Defence what plans he has to equip the Royal Navy with the Tactical Tomahawk missile; if this will be carried by *(a)* Royal Navy submarines and *(b)* the future Type 45 destroyer; and if he will make a statement. [122111]

Mr. Hoon *[holding answer 17 May 2000]:* No decision has yet been taken on whether the Royal Navy should procure tactical Tomahawk (TACTOM) missiles. However, a contract has been placed, through the United States Department of Defense, to undertake a joint US/UK feasibility study to evaluate the design options for torpedo tube launch of the TACTOM missile. This enabling work will allow UK options for TACTOM procurement, if required in the future, to remain open. There are currently no plans for the type 45 destroyer to have a land attack capability.

Casualty-receiving Ship

Mr. Quentin Davies: To ask the Secretary of State for Defence when he plans to place an order for the additional primary casualty receiving ship referred to on page 25 of the Strategic Defence Review. [122112]

Dr. Moonie *[holding answer 17 May 2000]:* A range of procurement options are being considered to meet the requirement. Initial work suggests that we should be in a position to place a contract during 2002, and the programme to achieve this date is being developed.

BVRAAM

Mr. Hoyle: To ask the Secretary of State for Defence when he will make an announcement on the preferred supplier for the BVRAAM. [122145]

Mr. Hoon: I announced on 16 May the Government's intention to procure the METEOR missile, offered by a consortium led by Matra BAe Dynamics, as the Beyond Visual Range Air-to-Air Missile for the Eurofighter aircraft. Our decision will give the RAF the most advanced air-to-air missile in the world, and will ensure that Eurofighter can combat all projected air-to-air threats well into its service life.

Conservation Document

Dr. Tonge: To ask the Secretary of State for Defence how many copies of the document entitled "Respecting the Environment Conservation on the Defence Estate and the Role of the MOD Conservation Office" were printed; how many were distributed; where they were distributed; and what the total cost was. [122708]

Dr. Moonie: 40,000 copies of the MOD booklet, "Respecting the Environment" were printed. The cost of designing and printing the document was £11,548.33 which equates to 29 pence a copy. Over 30,000 copies have been or are being distributed via the Defence Tourer exhibition and the Army Presentation Team and directly to schools, colleges, libraries and interested members of the public. This process continues. Distribution costs are not separately identified.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Defence what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121652]

Dr. Moonie: For staff covered by the main departmental pay system, the headline settlement added 2.7 per cent. to the paybill. Together with funds released by staff turnover, staff in post received performance-related increases averaging 4.5 per cent. A further 0.2 per cent. represented restructuring costs associated with the move to a more efficient and flexible structure and was focused on the Department's lowest paid staff. The increase was not staged.

Heavy Lift Aircraft

Mr. Hoyle: To ask the Secretary of State for Defence when he will make an announcement on the preferred supplier for the short-term and long-term heavy lift aircraft. [122144]

Mr. Robertson: To ask the Secretary of State for Defence when he will make a decision on his Department's participation in the A400M airbus project; and if he will make a statement. [122396]

Mr. Hoon: I announced on 16 May the Government's intention to procure 25 A400M aircraft, to be developed and produced by Airbus Military, to meet the strategic airlift needs of our Armed Forces in the medium to long term. In the interim we will meet our short term needs through lease of four C-17 aircraft from The Boeing Company. This investment in our strategic airlift capability delivers the major enhancements promised in the Strategic Defence Review and will ensure that our Armed Forces are properly equipped with the best equipment.

Cluster Bombs

Ms Oona King: To ask the Secretary of State for Defence (1) if he will make a statement on the *(a)* manufacture in the United Kingdom of, *(b)* use by United Kingdom armed forces of and *(c)* export of cluster bombs; [110169]

(2) if he will make a statement on the circumstances in which British armed forces use cluster bombs. [110170]

Mr. Spellar: Cluster bombs held by the Royal Air Force are manufactured in the UK by Hunting Engineering Ltd. Cluster bombs are an effective weapon both against armoured targets and area targets, such as a group of soft-skinned military vehicles. UK armed forces will always use the most appropriate weapons against a given target, acting within their Rules of Engagement, taking into account weapon effectiveness and the need to minimise collateral damage. Applications for the export of cluster bombs are considered on a case-by-case basis against criteria announced by the Foreign Secretary on 28 July 1997 and the EU Code of Conduct on Arms Sales.

LORD CHANCELLOR'S DEPARTMENT

Bowman Report

Mr. Fitzpatrick: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his response to the

recommendation in the Bowman report on the Crown Office List that there should be a comprehensive review of the present structure, jurisdiction, procedures, remedies and routes of appeal of tribunals. [123129]

Jane Kennedy: The Lord Chancellor has welcomed Sir Jeffery Bowman's recommendation. It has been 43 years since the last thorough review of tribunals. The number of tribunals has grown greatly since then. There has also been a fundamental change in the nature of, and pressures on, their work. The Lord Chancellor has therefore decided that there should be a wide ranging, independent review of tribunals.

Its terms of reference will be:

To review the delivery of justice through tribunals other than ordinary courts of law, constituted under an Act of Parliament by a Minister of the Crown or for purposes of a Minister's functions; in resolving disputes, whether between citizens and the state, or between other parties, so as to ensure that:

There are fair, timely, proportionate and effective arrangements for handling those disputes, within an effective framework for decision-making which encourages the systematic development of the area of law concerned, and which forms a coherent structure, together with the superior courts, for the delivery of administrative justice;

The administrative and practical arrangements for supporting those decision-making procedures meet the requirements of the European Convention on Human Rights for independence and impartiality;

There are adequate arrangements for improving people's knowledge and understanding of their rights and responsibilities in relation to such disputes, and that tribunals and other bodies function in a way which makes those rights and responsibilities a reality;

The arrangements for the funding and management of tribunals and other bodies by Government Departments are efficient, effective and economical; and pay due regard both to judicial independence, and to ministerial responsibility for the administration of public funds;

Performance standards for tribunals are coherent, consistent, and public; and effective measures for monitoring and enforcing those standards are established; and

Tribunals overall constitute a coherent structure for the delivery of administrative justice.

The review may examine, insofar as it considers it necessary, administrative and regulatory bodies which also make judicial decisions as part of their functions.

The review will be led by Sir Andrew Leggatt, supported by Dame Valerie Strachan, and a team of expert advisers. It will operate in an open, consultative way, involving and seeking views from as wide a range of interests as possible. The Lord Chancellor has asked Sir Andrew to report to him by 31 March 2001.

Green Transport

Mr. Moore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the key buildings for which the Lord Chancellor's Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122622]

Mr. Lock: In line with the target set in the Integrated Transport White Paper, green transport plans for three Headquarters buildings were completed by March 1999. Draft plans for a further 55 key buildings have been prepared and these will be introduced by July 2000.

The key buildings are:

Birmingham county court
Bolton Combined court
Bow county court
Bradford Combined court
Brighton county court
Bristol county court
Cardiff Civil Justice Centre
Central Criminal court
Central London Trial Centre
Coventry Combined court
Croydon Combined court
Crown court at Birmingham
Crown court at Bristol
Crown court at Manchester
Crown court at Southwark
Crown court at Wood Green
Derby Combined court
Exeter Combined court
Immigration Appellate Authority, Taylor House
Immigration Appellate Authority, York and Wellington Buildings
Inner London Sessions House
Judge Advocate General's Office/Council On Tribunals
Judicial Studies Board, Millbank
Kingston upon Hull Combined court
Law Commission
Leeds Combined court
Leicester Crown and county court
Liverpool Combined court
Maidstone Combined Court
Manchester county court
Milton Keynes county court
Newcastle upon Tyne Combined court
Northampton Bulk Issue Centre
Northampton Combined court
Northern Circuit Office
Norwich Combined court
Nottingham Combined court
Office of the Social Security Commissioners
Official Solicitors Office/Chichester Rents Crown court
Oxford Combined Court Centre
Plymouth Combined court
Portsmouth Combined court
Preston Combined court
Principal Registry of the Family Division
Reading county court
Royal Courts of Justice
Sheffield Combined court
Snaresbrook Crown court
South Eastern Circuit Offices
Southampton Combined court
Stoke on Trent Combined court
Teesside Combined court
Willesden county court
Wolverhampton Combined court
Worcester Combined court.

Marriage Support

Ms Kelly: To ask the Parliamentary Secretary, Lord Chancellor's Department how much the Lord Chancellor's Department has spent since 1997 on *(a)* marriage support funding and *(b)* marriage counselling services; and how many people have been helped in each year. [122600]

Jane Kennedy: Spending by the Lord Chancellor's Department on marriage and relationship support and research for the financial years since 1997 is as follows: 1997–98: £3.4 million; 1998–99: £3.0 million; 1999–2000: £3.2 million. In line with Sir Graham Hart's recommendations in his report to the Lord Chancellor on Marriage Support Funding (published in November 1999), the allocation is being increased as follows: 2000–01: £4 million; 2001–02: £4.5 million; 2002–03: £5 million.

This spending is currently provided to the central bodies of the main marriage and relationship support and research organisations towards expenses incurred in the development of training and support to local services, including the selection, training and supervision of counsellors, administrative costs and research. The Government do not directly fund the provision of counselling services. It is therefore not possible to calculate precisely how many people are helped in each year.

Open Government

Dr. David Clark: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121855]

Jane Kennedy: I refer my right hon. Friend to the written answer given to him today by my right hon. Friend the Home Secretary on behalf of the Government as a whole, *Official Report*, columns 216–17W.

Civil Servants

Dr. David Clark: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121645]

Jane Kennedy: This reply covers non-industrial civil servants working in the Headquarters of the Lord Chancellor's Department and Associated Offices, the Court Service, and the Public Trust Office.

The average increase received by non-industrial civil servants who achieved a satisfactory or better performance was 4 per cent. The main increases were not staged, but they were paid with effect from 1 October 1999 rather than the normal settlement date of 1 August.

HOME DEPARTMENT

Mike Tyson

Ms Ward: To ask the Secretary of State for the Home Department when he will make a decision on Mr. Mike Tyson's application for entry clearance. [123031]

Mr. Straw: I have today informed Mr. Tyson that he will be granted entry clearance for a single visit of three weeks' duration strictly for the purpose of a boxing match in Scotland on 24 June 2000.

The decision to grant entry clearance has been taken in accordance with Rule 320(18) of the United Kingdom Immigration Rules which requires that admission will not normally be given to those with criminal convictions for relatively serious offences unless it can be justified for strong compassionate reasons, but also bearing in mind the residual discretion which I have under the Rule.

In reaching my decision, I took note of the fact that Mr. Tyson has relevant convictions for the purposes of the application of this Rule. I also noted that there are recent allegations of an assault on an employee of a nightclub in Las Vegas, but we understand this is still under investigation. And I took into account the views expressed by the public about Mr. Tyson visiting the United Kingdom.

I did not consider that there were strong compassionate reasons which would justify admission in Mr. Tyson's case for the purpose of the Rule. However, I concluded that there were other exceptional circumstances which justified his entry to the country for the purpose of participating in the boxing match. My decision took account of the following factors:

that Mr. Tyson's behaviour on his previous visit to the United Kingdom was satisfactory;

that any risk to the public to which his criminal convictions and other allegations referred to above might be relevant, would be minimised by the circumstances of his proposed visit—ie his high media profile, the presence of his trainers and other supporting entourage, and the limited duration of his visit; and

that a refusal to permit entry would result in a loss of economic benefit to the United Kingdom, and in particular to the areas in which engagements took place, and would not enhance the United Kingdom's standing as a venue for major sporting events.

I also took account of the fact that Rule 320(18) currently operates in an inconsistent manner in that those in the public eye whose convictions are known are more likely to be caught by its provisions.

Immigration Rules

Ms Kelly: To ask the Secretary of State for the Home Department what progress has been made on the review of paragraph 320 (18) of the Immigration Rules. [123030]

Mr. Straw: I have today published a consultation document which details the consideration given to this matter and the changes proposed. A copy of the paper has been placed in the Library. Comments on the document are invited by 20 June 2000 and should be addressed to:

Susan Wale,
European Directorate,
Room 1212 Apollo House,
36 Wellesley Road,
Croydon,
CR9 3RR.

Prison Service

Siobhain McDonagh: To ask the Secretary of State for the Home Department if he will publish the results

achieved by the Prison Service on each of its Key Performance Indicators in 1999–2000; and if he will make a statement. [123128]

Mr. Boateng: The Prison Service Key Performance Indicators (KPI) results for 1999–2000 are given in the table. Data are provisional and subject to validation by prisons.

KPI	*Target*	*Actual*
Category A escapes	0	0
Escapes from prisons and prison escorts, expressed as a proportion of average population	0.05%	0.059%
Escapes from contracted escorts, expressed as a ratio per prisoners handled	Less than 1:20,000	1:22,251
Assault rate (percentage of average population)	9%	9.9%
Rate of positive random mandatory drug tests (MDT)	18.5%	14.4%
Percentage of the population held two to a cell designed for one (Doubling)	18%	18.5%
Average purposeful activity hours	24 hours	23.2 hours
Total Accredited Offending Behaviour Programme completions (OBPs)	3,600	4,478
Sex Offender Treatment Programmes (SOTPs)	700	586
Cost per Uncrowded prisoner place	£26,208	£25,567
Cost per prisoner	£27,392	£25,567
Average working days lost to staff sickness	12.5	13.3
Percentage of public correspondence replied with 20 working days	95%	93.6%

Asylum Seekers

Mr. Fearn: To ask the Secretary of State for the Home Department if his Department has compiled a list of postcodes to be avoided in the dispersal of asylum seekers' programmes. [120632]

Mrs. Roche: Asylum seekers who are supported by the National Asylum Support Service will be dispersed to cluster areas around the country. Our intention is to ensure that the cluster areas are suitable for asylum seekers taking into account, inter alia, the views of local authorities. In some cases, local authorities may advise that particular areas may not be suitable for asylum seekers and they may identify such areas by post-code. That information would be taken into consideration in determining whether to accept any accommodation for asylum seekers if offered in that area.

Mr. David Atkinson: To ask the Secretary of State for the Home Department if he will make a statement on the number of asylum seekers placed to date in bed and breakfast accommodation in Bournemouth; whom local authorities are required to notify before placing asylum seekers in such accommodation in other authority areas; and if he will make a statement. [122477]

Mrs. Roche: The information requested is not held centrally. There is no requirement under the voluntary interim scheme for one local authority to notify another before placing asylum seekers in accommodation in another local authority area. However, we have encouraged local authorities doing this to liaise with those authorities into whose areas asylum seekers are being sent.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what steps he is taking to ensure that the Asylum Support Agency maintains the closest possible contact with local authorities in connection with the asylum seekers dispersal policy; and if he will make a statement. [122748]

Mrs. Roche: We remain in consultation with the Local Government Association (LGA) and the Association of London Government (ALG). We consult local authority consortiums about proposed accommodation providers operating in their area, giving as much information as possible about the likely locations of the accommodation that the private sector providers are likely to offer.

We notify the relevant health and education authorities that an asylum seeker (and family if applicable) have been dispersed to their area. On a weekly basis, we notify the relevant local authority consortiums.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will list for each region in England the contracts that have been entered into between the Asylum Support Agency and providers of accommodation. [122751]

Mrs. Roche: As of 15 May, the Home Office had awarded contracts to the following accommodation providers:

Adelphi Hotels Limited, Hove, East Sussex

Angel Group Limit, London E1

Capital Accommodation (London) Limited, London N8

Clearsprings (Management) Limited, Rayleigh, Essex

Glasgow City Council (on behalf of the Scottish Regional Consortium of local authorities)

The Landmark Liverpool Limited, London W3

Roselodge Limited, Wembley, Middlesex

Shallan (UK) Limited, London NW3

South Yorkshire Housing Association Limited and Yorkshire Community Housing Association (a joint venture), Sheffield

YMCA Glasgow.

These providers—although not contractually limited to the areas in which they are operating at present—are currently supplying accommodation in the following cluster areas:

Birmingham (Adelphi)

Bradford (Angel: Clearsprings)

Gateshead (Roselodge)

Glasgow (Glasgow City Council; YMCA Glasgow)

Leeds (Angel: Clearsprings)

Liverpool (Capital: Landmark)

Manchester (Adelphi: Capital: Clearsprings)

Nelson (Adelphi: Clearsprings)

Newcastle (Angel: Roselodge)

Sheffield (Roselodge: South Yorkshire Housing Association)

Sunderland (Roselodge).

Other cluster areas will be brought on stream as the new support arrangements are rolled out.

Negotiations will also be continuing with a view to concluding further contracts with other providers to ensure that sufficient accommodation continues to be available to meet projected needs. We expect to be in a position to award further contracts shortly.

Home Detention Curfew

Miss Widdecombe: To ask the Secretary of State for the Home Department how many prisoners imprisoned for burglary and released on the Home Detention Curfew scheme had been convicted of a prior offence of burglary; and if he will make a statement. [122094]

Mr. Boateng: This information is not held centrally and could be obtained only at disproportionate cost by requesting information from individual establishments.

Probation Service

Mr. Pollard: To ask the Secretary of State for the Home Department if he will make a statement on the level of recruitment and retention of probation officers. [122309]

Mr. Boateng: During 1999, there have been significant increases of four per cent. in the number of probation officers in post and of seven per cent. in the number of other probation service staff in post (whole-time equivalent in both cases). The increase in probation officers is due largely to more than doubling the number of trainee probation officers in the year.

Criminal Injuries Compensation

Mr. Blizzard: To ask the Secretary of State for the Home Department (1) what evidence is used by the Criminal Injuries Compensation Authority in judging whether a claimant's own conduct caused or contributed to the incident; [122327]

(2) what percentage of claims to the Criminal Injuries Compensation Authority are rejected on the grounds that the injured person's own conduct caused or contributed to the incident. [122326]

Mr. Charles Clarke: The Authority advises that in the three years ending 31 March 2000, the proportion of cases refused under paragraph 13(d) of the compensation scheme, on grounds of conduct, as a percentage of total cases settled was around 5.4 per cent.

The Authority further advises that in most cases, it determines whether an applicant's conduct caused or contributed to the incident in which the applicant was injured by considering the report on the incident provided to the Authority by the police and any other relevant information the applicant may have supplied. The Authority may also consider police witness statements and interview transcripts where available. Where the incident has resulted in court proceedings, the Authority may also obtain and consider information about these proceedings and their outcome.

Sexual Offences

Mr. Ben Chapman: To ask the Secretary of State for the Home Department when the review led by his Department into the law on sexual offences will be completed and a report published. [122586]

Mr. Charles Clarke: The sex offences review has completed its work and reported to Ministers. I hope that its proposals will be published for consultation shortly.

National Family and Parenting Institute

Ms Kelly: To ask the Secretary of State for the Home Department how much has been spent on establishing the National Family and Parenting Institute; what is its estimated annual budget; and if he will make a statement on the planned impact of the Institute. [122532]

Mr. Boateng *[holding answer 17 May 2000]:* I understand that the National Family and Parenting Institute, which is an independent charity, launched in November 1999, had the assistance of a grant from the Joseph Rowntree Foundation of £120,000. They have not published their budget for 2000–01, but they are receiving over £2 million over the next three years from central government.

Working in partnership with other professional and voluntary family support organisations, the Institute aims to be a centre of expertise, ensuring readily accessible and reliable support for families and parents.

Kosovan Refugees

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what financial support is being made available to Kosovan refugees returning from the United Kingdom to their home country; and if he will make a statement. [122727]

Mrs. Roche: The current voluntary return programme from the United Kingdom began on 26 July 1999 and will end on 25 June 2000. For humanitarian and economic reasons it was decided to give a relocation grant of 720 Deutschmarks per person (approximately £250), payable on arrival in Kosovo, to all those who chose to go back under the return programme. That grant was increased to 1,300 Deutschmarks per person (approximately £400) with effect from the flight on 5 May. Arrangements have also been made to transport larger possessions overland to Kosovo. This will enable Kosovans to take back, for example, household goods and building materials, which they have bought or been given, and which they cannot take on an aeroplane.

In order to benefit from the grant and the overland transport of goods, Kosovans must register for return by 10 June and leave the United Kingdom on one of the organised voluntary return flights by 25 June.

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what financial support is available to Kosovan refugees who have applied for asylum after the expiry of their 12 months' sanctuary in the United Kingdom; and if he will make a statement. [122730]

Mrs. Roche: Under the new support arrangements that we began phasing in on 3 April all new destitute asylum seekers who claim asylum in Scotland or Northern Ireland and additionally, since 17 April, all new asylum applicants in Kent will be supported by the National Asylum Support Service.

In all other cases, support will fall to local authorities who may provide essential living needs under the provisions of the Asylum Support (Interim Provisions) Regulations 1999.

Mr. Hilary Benn: To ask the Secretary of State for the Home Department if it is his policy to allow Kosovan refugees receiving medical treatment from the NHS to remain in the United Kingdom pending completion of treatment in cases where treatment is not available in Kosovo. [122728]

Mrs. Roche: Every request by a Kosovan to remain here longer on medical grounds will be considered carefully on its individual merits.

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what is his policy on ordering the return home of Kosovan refugees; how many Kosovan refugees have been required to return home against their will in the last 12 months; and if he will make a statement. [122731]

Mrs. Roche: Kosovan Albanians who were evacuated to the United Kingdom under the Humanitarian Evacuation Programme (HEP) between 25 April and 25 June 1999 were granted 12 months' leave to enter. As agreed with United Nations High Commissioner for Refugees (UNHCR) at the outset of the evacuation process, protection was afforded on a temporary basis only. It was made clear at the time and subsequently that the leave of the evacuated Kosovans would not be extended and that they would be expected to return to Kosovo as soon as it was safe to do so.

The UNHCR judge that it is now safe for the majority of Kosovan Albanians to return to Kosovo and this has been exemplified by the one million Kosovans who have voluntarily chosen to return since July 1999.

The Government have given every assistance to Kosovan Albanians who wish to return to Kosovo permanently by funding two voluntary assisted return programmes and giving each returning person a relocation grant. The current programme and grant will run until 25 June. If, at the end of the 12-month period, people do not choose to return voluntarily and there are no protection or other humanitarian reasons to prevent them from doing so, I regret that consideration will be given to enforcing their return. It is the Government's hope that the generosity of this country in affording protection to the Kosovan Albanians in their hour of need will not be overlooked in this way and that such action does not have to be taken.

There have been no enforced removals to Kosovo in the last 12 months.

Mr. Hilary Benn: To ask the Secretary of State for the Home Department how many refugees from Kosovo have returned home from the United Kingdom in each of the last 12 months. [122733]

Mrs. Roche: The current voluntary return programme from the United Kingdom began on 26 July 1999 and will end on 25 June. The programme is open both to those Kosovans who arrived in the United Kingdom under the Humanitarian Evacuation Programme (HEP) and to independent arrivals. As of 10 May, 1,280 Kosovans who arrived in the United Kingdom under the HEP and 370 independent arrivals had returned permanently to Kosovo under the voluntary programme. The table shows the number of Kosovans returning permanently by month since the programme started.

Month	*Humanitarian evacuation programme*	*Independent arrivals*
July 1999	148	1
August 1999	460	32
September 1999	303	115
October 1999	79	48
November 1999	60	29
December 1999	28	43
January 2000	16	26
February 2000	4	14
March 2000	35	18
April 2000	57	22
May 2000	90	22
Total	1,280	370

In addition, a further 423 Kosovans benefited from the "explore and prepare" programme which operated between 2 December 1999 and 20 April. This programme enabled heads of Kosovan Albanian households, or community leaders who wished to assess the situation in Kosovo, to visit and make the necessary preparations for the permanent return of their families or communities.

Civil Servants

Dr. David Clark: To ask the Secretary of State for the Home Department what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121648]

Mr. Straw: The headline pay settlement in the core Home Office was 2 per cent. on the pay bill and, together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.0 per cent. The increases were not staged. In our agencies, staff received average performance related increases as follows:

	Percentage
Forensic Science Service	3.67
Prison Service	4
United Kingdom Passport Agency	4.1

None of these awards were staged.

In the Fire Service College, pay negotiations have not been concluded and the information is therefore not yet available.

Open Government

Dr. David Clark: To ask the Secretary of State for the Home Department how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121854]

Mr. Straw: The annual Monitoring Report on the Code of Practice on Access to Government Information contains information regarding the operation of the Code during the calendar year, including statistics on the number of requests received under the Code. These statistics are broken down by Department. (Government

Departments all submit returns for inclusion in the report.) The statistics relate to the calendar year: it is not possible to break these down into parliamentary sessions.

The 1998 Monitoring Report was published in July 1999 and contains statistics for that calendar year. The total number of requests received in 1998 was 23,754, of which a total of 22,009 were granted. The breakdown of these requests into individual departments is contained in Appendix 1. Copies of the 1998 report are in the Library. I hope to be able to publish the 1999 Monitoring Report on the Code of Practice on Access to Government Information shortly.

Demonstrations

Mr. Evans: To ask the Secretary of State for the Home Department what measures have been taken to ensure the protection of *(a)* private and *(b)* public property during demonstrations involving anarchist groups in (i) London and (ii) elsewhere. [122614]

Mr. Charles Clarke: Protection of property during demonstrations is an operational matter for the police service and for the owners or agencies responsible for the property.

I understand that during the recent demonstrations in London, discussions were held between the Metropolitan Police, the Royal Parks Agency and English Heritage about the best ways to protect property of public importance.

Hunting with Dogs

Dr. Gibson: To ask the Secretary of State for the Home Department what representations he has received from Ministers outside his Department on the issue of hunting with dogs. [122698]

Mr. Mike O'Brien: Information relating to internal discussion and consultation is not disclosed under exemption 2 of the Code of Practice on Access to Government Information.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to bring forward a Bill, one of whose aims would be to ban hunting wild mammals with hounds. [122749]

Mr. Mike O'Brien: My right hon. Friend the Home Secretary announced in the reply he gave to my hon. Friend the Member for Worcester (Mr. Foster) on 11 November 1999, *Official Report*, columns 787–88W, how the Government wished to proceed on the issue of hunting with dogs. The Government will offer reasonable time, if necessary, and drafting assistance for this issue to be considered by the House of Commons through a Private Member's Bill on a free vote.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he has set the Burns inquiry a deadline for reporting; and if he will make a statement. [122750]

Mr. Mike O'Brien: In announcing the inquiry into hunting in the reply given to my hon. Friend the Member for Worcester (Mr. Foster) on 11 November 1999, *Official Report*, columns 787–88W, my right hon. Friend the Home Secretary stated that the inquiry will be asked to report by late spring this year.

Police (Chorley)

Mr. Hoyle: To ask the Secretary of State for the Home Department when the police cells at Chorley will be brought up to Health and Safety Executive approved standard. [122172]

Mr. Charles Clarke: A £300,000 refurbishment of Chorley police station is in progress, and I understand that the police station will meet all applicable health and safety standards when it is complete.

Mr. Hoyle: To ask the Secretary of State for the Home Department how many people arrested in Chorley have been detained in police cells in *(a)* South Ribble and *(b)* Skelmersdale, in the last year for which figures are available; and of those detained, how many were arrested in Chorley. [122170]

Mr. Charles Clarke: This information is not held centrally.

Mr. Hoyle: To ask the Secretary of State for the Home Department how many times in the last two years Greater Manchester police have assisted in operations in Chorley. [122173]

Mr. Charles Clarke: Officers from Greater Manchester and Lancashire collaborate on routine operations on a day-to-day basis in Chorley and this has proved very successful. There has been only one pre-planned organised collaboration in the area, Operation Coalition, involving both forces.

Back-up Custody Facilities, Leyland

Mr. Hoyle: To ask the Secretary of State for the Home Department at which police station the back-up custody suite to Leyland is located. [122171]

Mr. Charles Clarke: There are two back-up custody facilities for Leyland: Chorley is the first and Bamber Bridge the second.

Family Support

Ms Kelly: To ask the Secretary of State for the Home Department (1) how much was spent in each year since 1997 on the Family Support Grant; [122597]

(2) how much has been spent in each year on the Fathers Fund. [122598]

Mr. Boateng: The Family Support Grant is a new programme of funding for voluntary organisations which first became available in 1999. There is no separate Fathers Fund, but each year a theme is selected to focus on particular areas of work. In 1999, the theme was work with boys, young men and fathers. Grants first paid out in the year April 1999–2000 are available for up to three years and for 2000–2001, for up to two years. Expenditure has been as follows:

1999–2000

£1 million in total, of which £474,724 was on work with fathers;

2000–01

£3 million in total, including £663,645 on work with fathers.

Police Corruption

Dr. Kumar: To ask the Secretary of State for the Home Department if he will estimate the overall cost of the Lancet inquiry into alleged corruption in the Cleveland police force and breakdown the costs under their main headings; and if he will make a statement. [122701]

Mr. Charles Clarke: The cost of the Lancet inquiry to the end of April this year was £2.622 million. This can be broken down as follows:

	£ million
Cleveland officers (including salaries, overtime and travel/subsistence)	1.271
Officers from Northamptonshire, Warwickshire and West Yorkshire (including salaries, overtime and travel/subsistence)	1.169
Other costs (accommodation and office expenditure)	0.182

Young Offenders Institutions

Ms Julie Morgan: To ask the Secretary of State for the Home Department (1) how many inmates of young offenders institutions *(a)* committed and *(b)* attempted suicide in each year since 1977; [122747]

(2) how many cases of self-harm by inmates of young offenders institutions took place in each year since 1977. [122726]

Mr. Boateng: The information requested is given in the tables from the earliest year that records are available. Information about attempted suicides is not recorded separately, but is incorporated into figures on self-harm incidents.

Incidents of self-harm at HMP young offenders institutions 1990–91 to 1999–2000

Financial year	Incidents of self-harm
1990–91	312
1991–92	341
1992–93	469
1993–94	474
1994–95	717
1995–96	1,143
1996–97	793
1997–98	879
1998–99	944
1999–2000[1]	n/a

[1] Not yet available

Self-inflicted deaths at HMP young offenders institutions 1988–2000

Calendar year	Number of deaths
1988	1
1989	2
1990	2
1991	4
1992	4
1993	1
1994	1
1995	2
1996	6
1997	5
1998	5
1999	8
2000[1]	1

[1] As at 16 May 2000

Notes:

1. Establishments have been categorised according to their primary role. However, it should be noted that there are a number of other prisons that hold young offenders (eg male remand centres) which are not included.
2. Incidents do not equate to numbers of prisoners as an individual prisoner may self harm more than once.
3. Self harm data are derived from information provided by establishments to the Prison Health Policy Unit. These data include information on all attempted suicides.
4. Prior to 1990, data on self-harm have not been held centrally in a format which permits distinction according to type of establishment.
5. Prior to 1988, data on suicides have not been held centrally in a format which permits distinction according to type of establishment.
6. It should be noted that not all self-inflicted deaths conclude with a verdict of suicide.

Ms Julie Morgan: To ask the Secretary of State for the Home Department how many cases of *(a)* rape and *(b)* assault within young offenders institutions were reported to the authorities in each year since 1997. [122725]

Mr. Boateng: The figures for the numbers of assaults of a sexual nature and other assaults in young offender institutions reported to Prison Service headquarters since April 1997 are set out in the table. Separate figures for rape and buggery are not available. Such assaults are included within the figures for assaults of a sexual nature, which also include lesser sexual offences.

Assaults in young offender institutions (YOIs)

Year	Assaults of a sexual nature	Other assaults
1997–98	17	1,016
1998–99	19	1,501
1999–2000	17	2,757

Forensic Science Service

Mr. Streeter: To ask the Secretary of State for the Home Department what steps he is taking to reduce delays by the Forensic Processing Department in Chepstow in the processing of forensic information relating to recent burglaries in Devon and Cornwall. [122615]

Mr. Charles Clarke: I understand that the main involvement of the Forensic Science Service Chepstow Laboratory in these cases has been DNA analysis. The information was provided within 23 days. More generally, the average turn round time for all work in domestic burglary cases over the last six months was 34 days. This year, the Forensic Science Service aims to improve turn round times by the introduction of a classification system whereby cases identified by the customer as urgent or critical are dealt with ahead of standard case types. Further, over the next six months the number of staff is being increased by 15 per cent. to address the balance between demand and capacity in all case types.

FOREIGN AND COMMONWEALTH AFFAIRS

British Council

Mr. Wyatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the percentage increase in the number of countries in which the British Council is represented since *(a)* 1979 and *(b)* 1997, and the percentage change in real terms of the Council's grant-in-aid over the same periods. [121825]

Mr. Hain: The number of countries in which the British Council is represented increased by 38 per cent. between 1979 and 1997. During this period, the Council received a grant-in-aid from both the FCO and the DFID. The grant-in-aid from the FCO increased by 24 per cent. in real terms (from £83.9 million to £104.1 million) over this period; however, the overall increase was much smaller as the grant-in-aid funding from DFID declined by 56 per cent. in real terms over the same period.

Angola

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the UN Security Council proposal to establish an International Criminal Tribunal for Angola; and what action he is taking to pursue that policy. [122227]

Mr. Hain: There is no UN Security Council proposal to establish an International Criminal Tribunal for Angola. We do not consider that the necessary conditions exist at present for the creation of such a tribunal.

Iraq

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the revenue from sales of Iraqi oil was allocated by the UN for humanitarian supplies to Iraq in each of the last two years. [122511]

Mr. Hain: 67 per cent. of Iraq's oil revenue is allocated to the UN "oil for food" humanitarian programme. With Iraq once again among the world's five largest oil producers, and since the passage of resolution 1284, able to export unlimited amounts of oil under this programme, a potential $10 billion will be available this year for the humanitarian programme.

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the capacity of the Iraqi oil industry to pump the quantity of oil permitted by the UN Security Council. [122504]

Mr. Hain: The passage of UN SCR 1284 in December 1999 removed the ceiling on Iraq's exports under the "oil for food" programme. Together with the recent recovery in world oil prices, this has boosted Iraq's oil exports back to—if not above—their peak historical level of around $15 billion per annum, seen only briefly in 1980. Iraq's Oil Minister has also recently announced that Iraq is planning to increase further its oil exports by about 700,000 barrels per day which would put Iraq among the world's top five oil exporters. This means that an estimated $10 billion should be available for the humanitarian programme in Iraq this year.

The Iraqi oil industry needs spare parts in order to be able to sustain this level of production. The Security Council doubled to $600 million the allocation from "oil for food" for the purchase of oil spare parts earlier this year in line with the UN Secretary-General's recommendation.

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what is the Government's policy on delaying shipments of humanitarian supplies to Iraq by the UN Sanctions Committee; [122502]

(2) what steps he is taking to help expedite those shipments of humanitarian supplies for Iraq that are being delayed by the UN Sanctions Committee. [122503]

Mr. Hain: We expedite the supply of humanitarian goods to Iraq. We take very seriously our responsibility as a member of the Sanctions Committee, and scrutinise closely all applications. The Committee plays a vital role in ensuring that Iraq does not acquire prohibited goods (such as arms and weapons of mass destruction) and that Iraq spends "oil for food" money for the benefit of the Iraqi people and not the Iraqi regime. Some contracts cannot be processed because of insufficient information: lack of end-user details, or even no description of the goods to be supplied. Others are put on hold because there are dual-use concerns or because the goods in question are not humanitarian in nature. In total, we put only a tiny percentage of "oil for foods" contracts on hold (about 1 per cent. overall).

Under Security Council resolution 1284, which Britain piloted through the Council last year, Sanctions Committee procedures for approving humanitarian contracts have been streamlined to ensure that contracts are processed even more quickly than before. The Committee now reviews all "oil for food" contracts within two (instead of five) working days, and it has agreed lists of foodstuffs, medical, agricultural and educational goods which no longer need to be referred to the Committee but simply notified to the UN Secretariat. Working procedures for an expert group to approve oil spare parts contracts more speedily have also now been agreed.

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the conclusion of former UNSCOM officials that Iraq has been disarmed of its weapons of mass destruction. [122535]

Mr. Hain: Up until its withdrawal from Iraq in December 1998, UNSCOM consistently reported to the United Nations Security Council that serious gaps remained in Iraq's declarations on chemical and biological weapons and ballistic missiles. In March 1999, the United Nations Disarmament Panel confirmed UNSCOM's analysis. We therefore believe it is essential that Iraq allows United Nations weapons inspectors to resume their work.

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the value of humanitarian supplies for Iraq on hold at the UN Sanctions Committee. [122501]

Mr. Hain: As at 31 March, 12,225 contracts under the 'Oil for Food' programme, with a value of almost $15 billion had been received by the United Nations

Sanctions Committee. Of these, 1,180, with a value of $1.7 billion had been placed on hold. The UK placed holds on only about 1 per cent. of contracts received.

The UK's policy is to expedite the supply of humanitarian goods to Iraq. We scrutinise all contracts to ensure that Iraq does not acquire prohibited goods (such as arms and weapons of mass destruction), and that it spends 'Oil for Food' money for the benefit of the Iraqi people and not the Iraqi regime. Some contracts are put on hold because there are dual-use concerns or because they lack crucial information, such as end-user details or even a description of the goods to be supplied. The vast majority of holds are released once further information or assurances about end-use are provided.

Ethiopia and Eritrea

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the present hostilities between Ethiopia and Eritrea. [122922]

Mr. Hain: In its resolution 1298(2000) adopted on 17 May, the United Nations Security Council demanded that Ethiopia and Eritrea cease all military action, withdraw military forces, and reconvene proximity talks under the auspices of the Organisation of African Unity. The Security Council imposed, in relation to those two States, a mandatory arms embargo and a ban on the provision of related technical assistance or training.

The embargo is established for twelve months. At the end of this period the Security Council will decide whether the Governments of Ethiopia and Eritrea have complied with its demands and, accordingly, whether to extend the embargo for a further period. The embargo will be terminated immediately if the Secretary-General reports that a peaceful definitive settlement has been concluded.

The United Kingdom co-sponsored this resolution, which was adopted in response to the further outbreak of hostilities between Eritrea and Ethiopia. The Security Council has noted with concern the serious humanitarian implications of the fighting for the civilian population.

The European Union imposed an arms embargo against Ethiopia and Eritrea on 15 March 1999 in response to a United Kingdom proposal, following the adoption on 10 February 1999 of UN Security Council resolution 1227, which urged all States to end all sales of arms and munitions to both countries.

Kosovo

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the security and safety situation in those areas of Kosovo to which refugees are returning from the United Kingdom; and if he will make a statement. [122729]

Mr. Vaz: Since the withdrawal of FRY forces from Kosovo, the security situation for Kosovo Albanians has dramatically improved. UNHCR have indicated that there are now no protection concerns for the great majority of Kosovo Albanians. Over 930,000 refugees have now returned. Some refugees in the UK have made 'explore and prepare' visits funded by HMG. Their final decision on where to settle is however a matter for them.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121646]

Mr. Hain: The headline pay settlement for Foreign and Commonwealth Office staff was 2.5 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 3.95 per cent. The increases were not staged.

Diamond Trade

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EU counterparts concerning the Diamond High Council in Antwerp. [122705]

Mr. Hain: My right hon. Friend the Foreign Secretary discussed the issue of conflict diamonds with his Belgian counterpart in January. Officials are also in contact with the Belgian Government and the Diamond High Council on this issue. We welcome the participation of the Diamond High Council in the recent Kimberley Technical Forum on conflict diamonds which aimed to identify measures to curb the trade in conflict diamonds. The Foreign Secretary will be pressing strongly for support for such action, including the possibility of a global certification scheme for rough diamonds, at a meeting of G8 Foreign Ministers in July.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent UN report on the diamond trade in Sierra Leone. [122704]

Mr. Hain: We are not aware of any recent UN report on the diamond trade in Sierra Leone. We are however deeply concerned about the contribution of the illicit diamond trade to the conflict in Sierra Leone. My right hon. Friend the Foreign Secretary will be pressing strongly for G8 support for action on diamonds, including the possibility of a global certification scheme for rough diamonds, at a meeting of G8 Foreign Ministers in July.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with De Beers diamond company; and if De Beers have indicated the changes to their internal structures which they have made to ensure compliance with United Nations Security Council resolution 1173. [122703]

Mr. Hain: I met with De Beers in January this year and emphasised the need for the diamond industry to respond with specific measures to concerns over the trade in illicit diamonds which fuel conflict. We welcome De Beers' commitment to operate in strict compliance with United Nations Security Council resolution 1173 (1998), including through a guarantee that they will not trade in diamonds which come from any area in Africa controlled by forces rebelling against the legitimate and internationally recognised Government of the relevant country.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress he has made in persuading the United Nations Security Council to amend resolution 1173 to require all diamonds to carry a certificate of origin. [122706]

Mr. Hain: United Nations Security Council resolution 1173 (1998) deals specifically with Angola and is therefore not an appropriate means through which to pursue action to control the wider international trade in illicit diamonds. The Foreign Secretary will be pressing strongly for G8 support for action on diamonds, including the possibility of a global certification scheme for rough diamonds, at a meeting of G8 Foreign Ministers in July.

Sudan

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the UN Special Rapporteur's report on Sudan concerning the role of oil in the conflict. [122338]

Mr. Hain: We remain concerned about reports of human rights abuses associated with oil exploration in the Sudan. We regularly raise them and other human rights issues with the Government of Sudan including through the EU/Sudan dialogue. The EU made clear its concerns about human rights in the resolution it sponsored at this year's UN Commission on Human Rights.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning airstrips and roads built by oil companies being used by the Government of Sudan for the purpose of bombing raids. [122341]

Mr. Hain: We are aware of reports suggesting that airstrips in the oil areas of Sudan may also have been used for military purposes.

We have made clear to the Government of Sudan our concern about aerial bombing raids and have called on them to abstain from any attacks on civilian targets.

Human Rights

Mr. Paul Marsden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will encourage the IMF to develop a detailed audit trail for the sale of oil reserves by countries that abuse human rights; and if he will make a statement. [115721]

Mr. Andrew Smith: I have been asked to reply.

The Chancellor of the Exchequer is the UK's Governor of the IMF and is responsible for the management of UK interests at the Fund. The IMF is an International Financial Institution set up to promote a sound world financial system and broad-based economic growth through assistance to countries experiencing unsustainable external imbalances and related economic difficulties. The IMF's remit, as set out in the Articles of Agreement, emphasises that only economic conditions shall be relevant to its decisions.

The IMF's Executive Board has, in the last month, agreed to the adoption of a strengthened framework of measures to safeguard the use of Fund resources and to deter misreporting and misuse of Fund resources. A key part of this will be a requirement that all countries making use of Fund resources will be required to publish annual central bank financial statements that are independently audited in accordance with internationally accepted standards.

CULTURE, MEDIA AND SPORT

Civil Servants

Dr. David Clark: To ask the Secretary of State for Culture, Media and Sport what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121654]

Mr. Chris Smith: In my Department the headline pay settlement was 3.7 per cent. of the paybill. The average performance-related increase in salaries for staff below the Senior Civil Service was also 3.7 per cent. because there were no additional funds available from staff turnover. Other benefits increased the value of the settlement to 4 per cent.

In the Royal Parks Agency the headline pay settlement was 3.16 per cent. and, together with the additional funds from staff turnover, the average performance related increase in salary and allowances was 3.74 per cent.

The increases were not staged.

National Lottery

Mr. Alexander: To ask the Secretary of State for Culture, Media and Sport what data he has collated on National Lottery ticket sales by *(a)* constituency and *(b)* social class. [122269]

Kate Hoey: A table showing National Lottery ticket sales by constituency for the first five years of the Lottery's operation has been placed in the Libraries of the House. (This table is reproduced in House of Commons Library Research Paper 00/24.)

The National Lottery Commission supports a social research programme on participation in the National Lottery. Report No. 1 of this programme, published in May 1999, contains data on participation by social class. Copies of this report have also been placed in the Libraries of the House.

SOCIAL SECURITY

Child Benefit

Ms Kelly: To ask the Secretary of State for Social Security what is the *(a)* forecast cost of introducing the Income Support supplement to Child Benefit and *(b)* projected number of claimant families on a year by year basis. [122611]

Angela Eagle: There is no Income Support supplement to Child Benefit. However, the above inflation increases to Child Benefit from April 1999 and April 2000 were reflected in Income Support to ensure that the families on the lowest incomes benefit from the increases. The information contained in the table shows the estimated cost and number of claimant families.

	Estimated cost (£ million)	Number of claimant families
1999–2000	80	1,230
2000–01	140	1,215
2001–02	160	1,200

Notes:

1. Figures based on Budget 2000 forecast.
2. Expenditure figures rounded to nearest million.
3. Caseload figures rounded to nearest 5,000.

Ms Kelly: To ask the Secretary of State for Social Security what was the *(a)* total and *(b)* forecast level of expenditure since 1997 on increasing Child Benefit; and in respect of how many children payments were made. [122599]

Angela Eagle: The information is in the table.

Child Benefit expenditure 1997–98 to 2001–02

	Total expenditure (£000)	Amount of total expenditure attributable to increase since 1997 (£000)	Total number of children (Thousand)	Total number of children in respect of whom payment made (Thousand)
1997–98	7,088	138	12,729	12,729
1998–99	7,295	352	12,716	12,716
1999–2000	8,216	1,371	12,689	12,689
2000–01	8,531	1,724	12,763	12,763
2001–02	8,804	2,017	12,754	12,754

Notes:

1. Increased expenditure includes both Retail Prices Index and discretionary uprating.
2. Figures based on Budget 2000 forecast.
3. Caseload figures are consistent with the Departmental Report 2000.

Open Government

Dr. David Clark: To ask the Secretary of State for Social Security how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121862]

Mr. Rooker: I refer my right hon. Friend to the written answer given today by my right hon. Friend the Secretary of State for the Home Department, *Official Report*, columns 216–17W.

Green Transport

Mr. Don Foster: To ask the Secretary of State for Social Security if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122559]

Mr. Bayley: The information requested is not available in the format requested. Such information as is available is in the following lists.

Many offices submitted green transport plans covering a number of buildings in their locality which comprise the office management unit.

Offices that submitted plans

Leytonstone
Romford
Whitechapel
Stratford
Poplar
Tottenham
Walthamstow
Norwich Mountergate
Lowestoft
Peterborough
Braintree
Harlow
Ipswich
Canning Town
Clacton
Stoke Newington
Great Yarmouth
Colchester
Edmonton
Hoxton
Hackney
Basildon
Bury St. Edmonds
Ilford
Grays
Cambridge
Wood Green
Barking
Chelmsford
Southend
Edgware
Paddington
Highgate
Ealing
Acton
Euston
Glasgow Benefit Centre
Aylesbury
Watford
Lewisham
Streatham
Brixton
Balham Steel House
Balham Irene House
Peckham
Fulham
Aldershot
Andover
Basingstoke
Southampton

New Forest
Fareham
Brighton
Hastings
Worthing
Bognor
Eastbourne
Crawley
Hove
Chichester
Lewes
IRC Worthing
Haywards Heath
Sittingbourne
Tunbridge Wells
Broadstairs
Bromley
Canterbury
Chatham
Dover
Folkestone
Gravesend
Sutton
Winchester
Croydon
Guildford
Bloomsbury
Ashford
Thanet
Southwark
Bexley
Portsmouth
Kingston
Isle of Wight
Makerfield Benefit Centre
Launceston
Sutton in Ashfield
Skegness
Scunthorpe
Grimsby
Grantham
Basford
Nottingham Castlegate
Nottingham Pearson
Coventry Cofa Court
Bridgend
Llangefeni
Porth
Llanelli
Aberystwyth
Cwmbran
Morriston
Newport
Aberdare
Ammanford
Merthyr Tydfil
Caerphilly
Ebbw Vale
Tonypandy
Neath
Rhyl
Blackwood
Pontypridd
Cardiff Heron House
Porthmadog
Colwyn Bay
Pembroke
Barry
Wrexham
Gwyneddigion
Flint
Carmarthen
Swansea
West Derby
Rochdale
Middleton
Bury
Oldham
Failsworth
Sale
Stockport
Hyde
Wigan
Leigh
Bolton
Burnley
Blackburn
Chorlton
Openshaw
Longsight
Manchester Baskerville
Manchester Wilmslow
Manchester Cheetham
Manchester Wythenshawe
Wythenshawe Remote Store
Doncaster
Hull
Bradford
Mexborough
Scarborough
Rotherham
Keighley
Sheffield North-East
Bridlington
Halifax
Doncaster
Hull
Bradford
Dewsbury
Goole
Harrogate
Scarborough
Northallerton
Hull
Sheffield South-West
York Monkgate
Leeds Hume
Barnsley
Hemsworth

Sheffield South-East
Sheffield Bents Green
Leeds Century House
Leeds Park Place
Leeds East Southern
Wakefield Crown House
Pontefract Enterprise
Castleford Wheldon road
Bede House Tyneside
Wear View
Bishop Auckland
Middlesbrough
Stockton
Peterlee
Darlington
Durham
North Shields
Hexham
Wouldhave House
Blyth
Ashington
Newcastle St. James
Byker
Sexton House
Cumbernauld
Dumfries
Ayr
Glasgow Partick Benalder
Glasgow Shettleston
Glasgow South-West
Elgin
Glasgow Anniesland
Glasgow Provan
Greenock
Kilmarnock
East Kilbride
Glasgow Bridgeton
Irvine
Clydebank
Inverness
Glasgow Laurieston
Glasgow Springburn
Glasgow Maryhill
Glasgow Pitt street
Greenock Crosshore street
Renfrew
Cowdenbeath
Dunfermline
Kirkaldy
Leven
Hamilton
Bellshill
Falkirk
Stirling
Motherwell
Coatbridge
Galashiels
Edinburgh East
Edinburgh City
Peterhead
Bathgate
Leith
Arbroath
Edinburgh Argyle House
Perth
Dundee
Aberdeen Greyfriars House
Bootle DBC
Bristol DBC
Cop Lane
Glasgow DBC
Heywood DBC Store
Leeds DBC
Midlands DBC
Newcastle Arden House DBC
Preston Duchy House
Preston Elizabeth House
Preston Palatine House
Preston Red Rose House
Scholefield Mill Nelson DBC
Sutton DBC
Wales DBC
Warbreck House (Blackpool)
Wembley DBC
Hinchley Wood
Canon Park
Tyne View Park (Newcastle)
Norcoss (Blackpool)
Quarry House (Leeds)
Sutton Coptall House
Bloomsbury Whittington House
Glasgow Wellington House
Newcastle Manorview
Cardiff Oxford House
Birmingham Auchinleck
Leeds York House
Falkirk Callender Park
Falkirk Antonine House
Dudley Pedmore
Dudley Quay House
Birkenhead Great Western
Birkenhead St. Marks
Sheffield Bents Green
Sheffield Chesham
Sheffield Premier House
Liverpool CSAC
Cardiff CSAC
Basingstoke CSAC
Glasgow CSAC
Plymouth CSAC
Hastings CSAC
Peel Park
Durham House
Lytham St. Annes
Ilford Park Polish Home

Offices which did not submit plans

Hendon
Barnet
St. Albans
Wellingborough
Bracknell
Banbury
Reading
Hertford
Stevenage
Slough
Oxford
Bedford
Hounslow
Neasden
Luton
High Wycombe
Northampton
Trowbridge
Plymouth
Barnstaple
Bristol East
Gloucester
St. Austell
Swindon
Poole
Bournemouth
Bath
Weston-Super-Mare
Plymouth
Cheltenham
Salisbury
Weymouth
Taunton
Exeter
Bristol
Torbay
Truro
Yeovil
Bristol
Chippenham
Bridgwater
Penzance
Willand Blackdown
Lichfield
Chesterfield
Newcastle under Lyme
Loughborough
Leicester
Derby
Boston
Worksop
Longton
Nottingham Station street
Kings Lynn
Lincoln Orchard street
Mansfield
Hanley
Cannock
Ilkeston
Derby
Burton on Trent
Lincoln Viking House
Hereford
Smethwick
Birmingham Poplar road
Shrewsbury
Birmingham high street
Birmingham Bristol road
Birmingham St. Margarets
Telford
Wolverhampton
Birmingham Summer Row
Birmingham Soho
Birmingham Coventry road
Birmingham Ravenhurst
Walsall
West Bromich
Leamington Spa
Worcester
Dudley
Rugby
Birmingham Claredon House
Nuneaton
Birmingham Walsall road
Halesowen
Redditch
St. Helens
Lytham
Liverpool Edgehill
Liverpool Garston
Ellesmere
Widnes
Kendall
Northwich
Workington
Warrington
Liverpool
Crewe
Preston
Blackpool
Whitehaven
Carlisle
Liverpool Bootle
Barrow
Southport
Liverpool
Birkenhead
Wallasey
Lancaster
Skelmersdale
Liverpool Kirkby
Liverpool Belle Vale
Chester
Liverpool Toxteth
Preston Holborn House
Manchester Salford Quays
Leeds Trevelyan Square
Manchester Westpoint.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Social Security what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121658]

Mr. Rooker: The headline pay settlement for the Department, its agencies and its non-departmental public bodies was 2.80 per cent. on the paybill. Together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.46 per cent. The increases were not staged.

Stakeholder Pensions

Mrs. Lait: To ask the Secretary of State for Social Security what the target market is for stakeholder pensions; and what the definition of success in that market will be before the Stage 2 of the State Second Pension is introduced. [122592]

Mr. Rooker: Stakeholder pensions are primarily intended for moderate earners—those earning between about £10,000 and £20,000 a year—but many higher earners will also be able to take advantage of the lower charges, greater flexibility, and simpler tax regime which stakeholder pension schemes will introduce.

The Pensions Green Paper explains that we expect the new State Second Pension to become a flat-rate scheme for those on lower earnings when stakeholder pension schemes have established themselves as low-cost, value-for-money, funded second pensions.

Fraud

Mr. Cox: To ask the Secretary of State for Social Security how many people have been convicted of benefit fraud in the UK during the last 12 months. [122075]

Mr. Rooker: The number of people convicted of benefit fraud in the 12 months from April 1999 to March 2000 was 9,752. In the same period the Benefits Agency issued 5,594 cautions and 4,702 administrative penalties (Total 20,048).

Mr. Boswell: To ask the Secretary of State for Social Security if he will make a statement on the scale of benefit fraud attributable to disability benefits and on action being taken to combat it. [121686]

Mr. Rooker *[holding answer 15 May 2000]:* Latest figures show that 6.5 per cent. of claims to Invalid Care Allowance (ICA) and 1.5 per cent. of Disability Living Allowance (DLA) cases showed fraud.

Within the two main disability benefits—Disability Living Allowance and Attendance Allowance—securing the gateway to the benefits and dealing with some claimants' failure to report changed circumstances are crucial to cutting the level of overpayment due to fraud and error. We are seeking better sources of evidence to substantiate claims. We are also ensuring that claimants know more about the purpose of these benefits and understand their responsibilities for reporting change. We shall achieve this by making direct contact with the claimant at the start of the claim and by checking at regular intervals to ensure that entitlement remains correct.

Pensions

Mr. Peter Bottomley: To ask the Secretary of State for Social Security if he will estimate the number of pensioners who will receive basic State Pension increases *(a)* above and *(b)* below 70p a week when the next uprating of pensions takes effect. [121504]

Mr. Rooker: For a pensioner to receive an increase of greater than/less than 70p in 2001–02, based on the projected rate of inflation of September 2000, they would have to be receiving a basic State Pension of greater than/less than approximately £21 per week in 2000–01. This is 31 per cent. of the full Category A rate of basic pension.

The information is in the table.

Estimates for 2001–02

Thousand

	Above 70p	*Below 70p*	*Total*
Great Britain	10,020	130	10,150
Overseas (non-frozen)	240	140	380
Total	10,250	270	10,520

Notes:

1. Estimates based on an assumed uprating in April 2001 of 3.4 per cent.
2. Figures rounded to the nearest 10,000 and may not sum as a result.
3. Estimates have been provided by the Government Actuary Department.
4. Figures do not include an estimated 480,000 frozen rate overseas cases who will not receive an increase in their basic State Pension.

HEALTH

AIDS-HIV

Mr. Gerald Howarth: To ask the Secretary of State for Health by how much life expectancy is reduced from first diagnosis on average for those suffering from AIDS and HIV. [120673]

Yvette Cooper: The information is not available in the form requested.

For those whose deaths have been reported, the average age at HIV diagnosis and AIDS diagnosis, and the average interval between diagnosis and death (ie survival) are shown in the table.

Years

	Average age at diagnosis	*Average interval between diagnosis and death*
For men		
HIV	35.6	4.1
AIDS	38.3	1.4
For women		
HIV	29.9	3.4
AIDS	32.1	1.2

Note:

Any patient whose date of death is not known has been excluded.

Source:

United Kingdom data to the end of March 2000 from the Communicable Disease Surveillance Centre, Public Health Laboratory Service.

The HIV/AIDS figures in the table do not include the contribution to survival by those diagnosed but still living and thus represent the worst-case scenario. Factors affecting survival after an HIV or AIDS diagnosis include: (i) the level of immune depletion at the time of diagnosis; (ii) the age of the patient and (iii) the availability of treatments effective in delaying disease progression.

People living with HIV and AIDS are currently benefiting from combination drug treatments that became available in the mid-1990s. These treatments are now prolonging life and have been associated with a reduction in the number of HIV-related deaths to about one-third of their previous level.

Folic Acid

Mrs. Brinton: To ask the Secretary of State for Health which bodies he will consult concerning the conclusions and recommendations of the Committee on Medical Aspects of Food Policy in relation to folic acid and the prevention of disease; and what issues the consultation will cover. [120986]

Yvette Cooper: This will be a public consultation. The consultation document will be placed in the Library, available on the Department of Health and Food Standards Agency websites (www.doh.gov.uk and www.foodstandards.gov.uk respectively), and circulated to a wide range of public health, consumer and industry interests. The consultation will cover the full range of issues relating to the fortification of flour with folic acid.

Osteoporosis

Ms Atherton: To ask the Secretary of State for Health what provision has been made available on the National Health Service for the percutaneous vertebroplasty operation to treat osteoporosis; and if he will make a statement. [121083]

Yvette Cooper: The percutaneous vertebroplasty operation to treat osteoporosis is an expensive and relatively new procedure, the clinical effectiveness of which remains unproven. All new technologies such as this need to be fully evaluated before they can be generally recommended.

In-vitro Fertilisation

Mr. Kidney: To ask the Secretary of State for Health when he will publish the survey of IVF provision throughout the country undertaken by his Department. [121482]

Yvette Cooper: We hope to publish the results of the survey of in-vitro fertilisation provision shortly.

Skin Cancer

Ms Kingham: To ask the Secretary of State for Health what actions her Department is taking to educate the public regarding the dangers of skin cancer. [121521]

Yvette Cooper: We are taking a number of measures to educate the public regarding the dangers of skin cancer:

We are producing this summer a range of new posters and a fact sheet on sun protection which is available from Health Promotion England Customer Services, Marston Book Service, P.O. Box 269, Abingdon, Oxford OX14 4YN.

We will continue the Sun Know How website currently at: *http://www.hea.org.uk/campaigns/sun-know-how/index.html* while sun awareness information for schoolchildren is available on the Wired for Health website: *www.wiredforhealth.gov.uk*

This summer, we are continuing to fund the Meteorological Office to provide information about the Solar UV Index in forecasts tailored specifically for television and radio weather presenters.

Ultraviolet radiation can damage the skin and lead to skin cancer. Sunlight is the main source of ultraviolet radiation. The Chief Medical Officer's advice is:

Babies of all skin colours should be kept out of direct sunlight.

White skinned people (especially those whose skin burns easily) need to take great care when out in the sun. Sunburn increases the risk of skin cancer—cover up, use a sunscreen of factor 15 or more and avoid the midday sun during the summer months.

Brown skinned people have a much lower risk of sunburn in the UK but still need to take care if the sun is very strong. Cover up, seek shade and use a high factor sunscreen in hot climates.

Black skinned people are unlikely to burn and have a very low risk of skin cancer, but too much sun can cause wrinkles and premature aging for people of all skin colours.

Everybody can suffer from heat exhaustion and dehydration, so if the sun is hot drink plenty of water and moisturise dry skin.

Look out for moles that change shape or colour; become bigger, itchy or inflamed; that weep or bleed. These may be symptoms of skin cancer and should be checked.

Prostate-related Illnesses

Mr. Sarwar: To ask the Secretary of State for Health what plans the Government have to continue and develop further research into prostate-related illnesses. [121471]

Yvette Cooper: Government funding for research is provided through a number of routes. The Medical Research Council (MRC) is the main agency through which we support research on the causes and treatment of disease. The MRC receives most of its income via grant-in-aid from the office of my right hon. Friend the Secretary of State for Trade and Industry. The Department funds research to support policy development in health and social care, and to support effective practice in the National Health Service. The Department also provides NHS support funding for research commissioned by the MRC and charities that takes place in the NHS.

Since 1997 we have committed over £800,000 to new research projects on prostate cancer, through the Medical Research Council and through the Department of Health. The Department recently announced £1 million additional new funding for urgent research studies into prostate cancer as a mark of its concern over this disease.

Following the seminar last year at No.10 a "Cancer Research Funders' Forum" has been established to help improve the co-ordination of cancer research in the United Kingdom. It is being run by the MRC and includes Departmental representatives and the major cancer research charities. At the Department's request, the Forum considered the issue of prostate cancer at its first meeting

on 10 January. It agreed to set up an expert group on prostate cancer, which will identify gaps in current research and suggest ways of filling them. The expert group met for the first time on 25 February, and expects to report within months.

We have recently appointed a National Cancer Director, Professor Mike Richards, who will spearhead our concerted drive on cancer. He will work in partnership with doctors, nurses, general practitioners, other health professionals and the voluntary sector to improve prevention and modernise cancer services to help ensure equitable access to high quality cancer care. This will include a close interest in the development and progression of research.

In addition the Department is spending approximately £550,000 on research into benign prostatic hyperplasia.

Asthma

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on the health risks of asthma sufferers drinking soya milk. [121760]

Yvette Cooper: It is recognised that foods such as soya can combine with other factors such as throat and chest infections, allergies to dust mites, pollens, pets, irritants such as cigarette smoke etc. to provoke or exacerbate asthmatic attacks. However, food is seldom the only factor. For those individuals who are not allergic to soya, we are not aware of any particular risks to asthma suffers of drinking soya milk.

GP Item of Service System

Mr. Sheerman: To ask the Secretary of State for Health what assessment he had made of the benefits of adopting the system of item of service for general practitioners. [122073]

Mr. Denham: Item of service payments to general practitioners are one of the components of the national general medical services contract. The contract is under continual review to ensure it encourages delivery of the best service to patients.

Hospital Admissions

Mr. Brake: To ask the Secretary of State for Health what was the average cost of a single hospital admission in *(a)* Bromley Health Authority and *(b)* North Cumbria in the last 12 months for which figures are available. [122366]

Mr. Denham: The average cost of a single hospital admission within Bromley Health Authority was £1,154, compared with £1,269 for North Cumbria Health Authority.

NHS Reform

Mr. Swayne: To ask the Secretary of State for Health what the budget is for the current public consultation regarding the *(a)* future and *(b)* reform of the NHS. [122140]

Mr. Denham *[holding answer 15 May 2000]:* The overall cost of the public consultation will depend upon the nature of the public response, but we are meeting the costs from existing resources following reprioritisation within the Department.

All staff who are working on the National Plan have either been seconded from the National Health Service or Government. The cost of producing 1,000,000 leaflets for staff is around £55,000 and of producing 12,000,000 leaflets for the public is around £200,000. Other public involvement activity, which includes the public fora and focus groups, will cost around £85,000.

The consultation will help shape the National Plan which will underpin the way in which the additional resources for the NHS over the next four years of £4.2 billion in 2000–01, £3.7 billion in 2001–02, £4.1 billion in 2002–03 and £4.4 billion in 2003–04 will be used for the modernisation of the NHS.

National Alcohol Strategy

Mr. Corbett: To ask the Secretary of State for Health when he intends to publish the national alcohol strategy. [122390]

Yvette Cooper *[holding answer 16 May 2000]:* The Department plans to launch a consultation paper about a National Strategy to Tackle Alcohol Misuse in England later this year. After a sufficient period for comment the strategy will be published.

Female Circumcision

Ms McCafferty: To ask the Secretary of State for Health what guidance his Department issues to health authorities concerning the operation of the Prohibition of Female Circumcision Act 1985. [122493]

Yvette Cooper *[holding answer 17 May 2000]:* "Working Together to Safeguard Children" was issued to health authorities jointly by the Department of Health, the Home Office and the Department for Education and Employment in December 1999. It is also addressed to those who work in the education services, the police, social services, the probation service, and others working in contact with children. Reference to female genital mutilation highlights the importance of focusing on preventive strategies where practising populations are known to live.

Websites

Mr. Maclennan: To ask the Secretary of State for Health, pursuant to his answer of 19 April 2000, *Official Report*, column 518W, on websites, if he will list the sites under his responsibility, for which a company provides a technical service, free of charge, towards creating the site, and on which the company is mentioned; and if he will *(a)* list the company and *(b)* estimate the market value of this publicity for the company in each case. [122746]

Ms Stuart: No company providing a website technical service free of charge is mentioned on the Department's websites.

For National Health Service websites, the NHS 50th site was sponsored by British Telecom, and the NHS Direct Online website currently does not advertise the site development company. Both websites are accessible to all via the internet, including the NHS. The NHS Direct Online was visited by 1.5 million people on its first day of operation. Any market value of publicity for companies

mentioned on these, or the numerous other NHS websites, is not held centrally, and could not be collected except at a disproportionate cost.

TB Vaccination

Dr. Tonge: To ask the Secretary of State for Health what his policy is on TB vaccination for young people at school. [118774]

Yvette Cooper: I refer the hon. Member to the reply I gave the hon. Member for Brentwood and Ongar (Mr. Pickles) on 3 May 2000, *Official Report*, column 166W.

Breast Cancer

Angela Smith: To ask the Secretary of State for Health what representations he has received regarding the availability of qualified and experienced radiographers to undertake breast cancer screening. [120083]

Yvette Cooper: We are currently considering with the professional bodies the capacity and workforce of the breast screening programme, in view of the growing numbers of women eligible for breast screening as those born in the post-war years reach the age of 50.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Health what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121653]

Ms Stuart: The headline pay settlement was 2.3 per cent. on the total pay bill and, together with the additional funds from staff turnover, staff in post received performance related pay increases averaging 4 per cent. The increase was not staged.

Chemotherapy

Dr. Gibson: To ask the Secretary of State for Health what percentage of cancer patients have received chemotherapy as part of their treatment for each of the last five years. [122695]

Yvette Cooper: The information requested is not currently available. However, Professor Mike Richards, the National Cancer Director, and the Cancer Services Analysis Team are about to undertake a national survey of chemotherapy services. This survey will include data on the number of patients receiving chemotherapy and the volume of drugs used. The survey will be undertaken during the next six months and the results will be available by the end of the year.

Pharmacists

Mr. David Heath: To ask the Secretary of State for Health what representation of pharmacists there is on the NHS Modernisation Action Team. [122118]

Ms Stuart: Professor Alison Blenkinsopp of the Department of Medicine Management at Keele University is a member of the Patient Care (Empowerment) Modernisation Action Team.

Pharmacy Strategy

Mr. David Heath: To ask the Secretary of State for Health when he will publish the Government's pharmacy strategy. [122117]

Ms Stuart: I refer the hon. Member to the reply I gave my hon. Friend the Member for Edmonton (Mr. Love) on 4 April 2000, *Official Report*, column 394W.

Health Visitors

Ms Kelly: To ask the Secretary of State for Health how much has been spent on the provision of health visitors in each year since 1997; and if he will estimate how many children were seen in this period. [122558]

Yvette Cooper: The amount of expenditure on the provision of health visitors is not separable from amounts spent in other areas of the community health services. Estimates of the number of children aged under 16 seen by health visitors are contained in the table:

Number of children aged under 16 seen by health visitors

Thousand

Year	*Number*
1996–97	2,411
1997–98	2,358
1998–99	2,309

Source:
Department of Health return KC55 Statistics Division 2B

Over 90 per cent. of children seen by health visitors are aged 4 years or under.

Technicians

Dr. Tonge: To ask the Secretary of State for Health what plans he has (1) to introduce national schemes to promote the training and recruitment of prosthetic and orthotic technicians; [122340]

(2) to restore apprenticeship schemes in the NHS for prosthetic and orthotic technicians. [122342]

Mr. Denham: The training and recruitment of prosthetic and orthotic technicians are the responsibility of local National Health Service employers.

The recently published "Review of Workforce Planning" acknowledges that there are a number of staff groups playing important roles in service delivery who currently sit outside mainstream workforce planning and funding arrangements. The review states that it is important that their training and development needs are properly identified and considered.

A National Advisory Group has begun work to determine the current profile of the orthotist and prosthetist workforce and education arrangements. The analysis will include consideration of the number, training and role of orthotic and prosthetic technicians.

Death Statistics

Mr. Brake: To ask the Secretary of State for Health how many deaths were recorded in the *(a)* Bromley and *(b)* North Cumbria Health Authority area in each month for the last five years. [122367]

Miss Melanie Johnson: The information falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Brake, dated 18 May 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question about the number of recorded deaths in Bromley and North Cumbria Health Authority for the last five years. I have been asked to reply in the Director's absence.

The table below gives the number of deaths that occurred in Bromley and North Cumbria Health Authorities each month, for the last five years. The 1999 Health Authority boundaries have been used to give consistent areas over the last five years.

Numbers of deaths by month of occurrence 1994–98, Bromley and North Cumbria Health Authorities

	Bromley					*North Cumbria*				
	1994	*1995*	*1996*	*1997*	*1998*	*1994*	*1995*	*1996*	*1997*	*1998*
January	300	319	316	402	284	455	397	433	435	326
February	235	243	276	241	226	332	308	357	318	297
March	267	302	274	235	261	295	350	312	286	377
April	247	229	226	217	279	295	285	317	291	352
May	228	250	250	212	232	306	338	288	299	291
June	247	229	223	236	245	291	287	276	321	285
July	244	253	221	206	252	290	254	300	242	299
August	232	234	235	229	213	280	267	265	241	318
September	253	236	204	229	212	273	290	279	294	276
October	258	252	224	253	242	308	326	278	298	315
November	264	260	258	246	259	304	339	279	309	301
December	276	368	352	262	319	389	400	372	363	369

INTERNATIONAL DEVELOPMENT

Civil Servants

Dr. David Clark: To ask the Secretary of State for International Development what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in her Department for 1999–2000; and to what extent the pay awards were staged. [121657]

Clare Short: The headline pay settlement was 2.5 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 4 per cent. The increases were not staged.

Green Transport

Mr. Moore: To ask the Secretary of State for International Development if she will list the key buildings for which her Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122618]

Mr. Foulkes: The Department for International Development has UK offices in London and East Kilbride. In line with the target set in the Integrated Transport White Paper the Green Transport Plan for the Department's London offices (94 Victoria Street, plus annexes at 20 Victoria Street and at Glen House) was completed and published before the end of March 2000. The Green Transport Plan for the East Kilbride office was completed before the end of March, but printing problems slightly delayed its publication until April 2000.

Ethiopia

Mr. Robertson: To ask the Secretary of State for International Development what is the value of *(a)* food aid and *(b)* other aid which her Department has provided to Ethiopia during the last month; how much she expects to provide during each of the next three months; and if she will make a statement. [120214]

Mr. Foulkes: Since January 2000 we have committed over £9.0 million of bilateral food and non-food relief for Ethiopia. Food aid so far promised this year totals over 32,000 metric tonnes (MT), of which over half has been distributed or is in the process of being distributed. In addition, we contribute about 17 per cent. of the cost of EC food aid, estimated to be some 432,000 MT in 2000. 46,665 MT of EU food has already arrived in Djibouti. Non-food inputs often form part of the food aid package and have included the provision of seeds, water tankering and capacity building.

Departmental Contracts

Ann Clwyd: To ask the Secretary of State for International Development what assessment her Department makes of the human rights records of companies applying for her Department's contracts. [122146]

Mr. Foulkes: We are currently working with various bodies on ethical aspects of procurement activity. In awarding contracts, we operate within the Government's procurement policy based on value for money.

SCOTLAND

Open Government

Dr. David Clark: To ask the Secretary of State for Scotland how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121851]

Dr. Reid: I refer my right hon. Friend to the reply given today by my right hon. Friend the Home Secretary, *Official Report*, columns 216–17W.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Index of Local Deprivation

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions what weighting the geographical access to services domain has been given in the compilation of the new Index of Local Deprivation. [121576]

Ms Beverley Hughes: The consultation paper on the methodology released in December 1999 proposed that the geographical access to services domain be given a weight of 10 per cent. in the compilation of the overall index. The final weightings of the domains will be announced when the new index is published.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions on what date he plans to publish the new Index of Local Deprivation; and if he will make a statement. [121573]

Ms Beverley Hughes: The Index of Local Deprivation review is on-going. The new index will be published within the next few months.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities who have risen over 10 places in the latest Index of Local Deprivation and are now in the top 65 places. [121574]

Ms Beverley Hughes: The review of the Index of Local Deprivation is on-going. The new index will be published once it is finalised and agreed. A consultation exercise on the methodology of the new index, which included a draft index, closed in January. This draft index showed illustrative rankings of all local authorities in England if the proposals contained in the methodology document were to be adopted. The rankings in the draft index may change as a result of further data checking, further testing of the index and the outcome of the consultation.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of those regeneration funds allocated in England and Wales on the basis of the Index of Local Deprivation were allocated to London Boroughs in 1999–2000; and if he will estimate what percentage would have been allocated to London boroughs if the new Index had been used as the key determinant of the allocation of those resources. [121575]

Ms Beverley Hughes: A number of factors determine the allocation of budgets for regeneration programmes including the total amount of resources available, national priorities and the relative needs of each region. One measure used to determine the needs of each region is the Index of Local Deprivation, which is used to inform the allocation of the Single Regeneration Budget and the New Deal for Communities.

The indicative allocations of resources to regions for all rounds of SRB have been based on the following formula: 50 per cent. according to the regions' share of 1993 population in areas with above average deprivation (based on the 1991 Index of Local Conditions score for each Local Authority district); and 50 per cent. based on the district level deprivation score, for areas with above average deprivation. The SRB is a competitive programme and the final distribution of resources in each year is dependent upon the quality of bids received for new schemes, together with the pattern of commitments from earlier SRB rounds. A national target, introduced under Round 5 of the SRB in 1998, is for 80 per cent. of new money to be allocated in the most deprived areas which, for this purpose, are taken to be the local authority district areas included in the top 50 on one or more of the four measures of deprivation in the 1998 Index of Local Deprivation. The indicative SRB regional allocation for London represented 27 per cent. of total SRB resources for 1999–2000 in England.

Thirty nine areas have been identified in England in two rounds of the New Deal for Communities programme, of which ten are based in London Boroughs. 26 per cent. of NDC funding, under the first round of the programme, was allocated to London Boroughs in 1999–2000.

The Review of the Index of Local Deprivation is still on-going. The new Index will be published once it is finalised and agreed. A consultation exercise on the methodology of the new Index, which included a draft index, closed in January. This draft index showed illustrative rankings of all local authorities in England if the proposals contained in the methodology paper were adopted. The figures contained in the draft index may change as a result of further data checking, further testing of the index and the result of the consultation.

Connexions Service

Mr. Clappison: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of partnerships that have come together for the delivery of the Connexions Service. [122455]

Mr. Wicks: I have been asked to reply.

"The Connexions Service: prospectus and specification" which was published on 4 May, invites partners to come together in the 47 Learning and Skills Council areas to develop outline Partnership Proposals which should be submitted by 9 June.

Fibreglass Insulation

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 3 May 2000, *Official Report*, column 168W, concerning the carcinogenicity of fibre glass products, what advice his Department gives to local authorities about the safest materials that should be used for house insulation; and if he will make a statement. [121967]

Mr. Meacher: The Department encourages home insulation but has made no recommendation to local authorities concerning the safest material that should be used for house insulation.

The Department issued advice to local authorities on man made mineral fibres (including fibre glass) used as house insulation last year through the publication "Asbestos and man made mineral fibres in buildings, practical guidance". The publication is also available on the DETR website (www.environment.detr.gov.uk/asbestos/guide//index.htm).

This guidance updates and replaces the advice on man made mineral fibres and loft insulation issued to local authorities in England and Wales in 1987 by the Department of the Environment and the Welsh Office.

Telecommunications Sites and Masts

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions how many planning applications in England and Wales to install telecommunications masts of more than 15 metres in height were *(a)* granted and *(b)* refused in 1999. [122232]

Ms Beverley Hughes: The Government do not collect this information.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to enforce the sharing of mobile phone base station sites; and if he will make a statement. [122461]

Ms Beverley Hughes: The Government's policy is firmly to encourage mast and site sharing where that is appropriate. Conditions attached to the use of powers granted to individual mobile operators by the Secretary of State for Trade and Industry, and incorporated in their operating licences, include a requirement to investigate mast sharing before seeking to put up any new mast.

DETR Circular 4/99, "Planning for Telecommunications" makes clear our expectation that developers should provide evidence to local planning authorities that they have carefully considered the use of existing masts, buildings and other structures before seeking to erect any new mast, regardless of size. An authority may be justified in refusing prior approval or planning permission if it considers the evidence regarding the consideration of such alternative sites is not satisfactory.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the planning regulations for mobile phone masts; and if he will make a statement. [122474]

Ms Beverley Hughes: In their response to the report of the Independent Expert Group on Mobile Phones, issued on 11 May 2000, the Government said that they were minded to introduce a requirement for full planning permission for all new telecommunications masts, but would need to consult widely before doing so, including on the purpose and precise scope of any new arrangements. We shall issue a consultation paper on this and related guidance as soon as practicable.

Sustainable Development Commission

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions when the Sustainable Development Commission will hold its first meeting; and if he will make a statement. [122462]

Mr. Meacher: The Sustainable Development Commission, which will replace the UK Round Table and British Government Panel on Sustainable Development, is expected to begin work in the summer. The DETR is currently in the process of completing appointments to the Commission and hopes to make an announcement on the Chairmanship of the Commission in June. The date of the first meeting will need to be agreed with the Chair, possibly in July. It will be for the Commission to decide the frequency and timing of its meetings from that point, along with its other working arrangements.

Leasehold Residential Property

Shona McIsaac: To ask the Secretary of State for the Environment, Transport and the Regions how many leasehold residential properties there are in each electoral ward in Cleethorpes constituency. [122351]

Mr. Mullin: The Survey of English Housing provides estimates of the number of leasehold dwellings in England. The Survey of English Housing cannot produce estimates for parliamentary constituencies.

Shona McIsaac: To ask the Secretary of State for the Environment, Transport and the Regions what statutory provisions govern the rights of family members to purchase the freehold of a leasehold residential property they have inherited. [122352]

Mr. Mullin: Section 7 of the Leasehold Reform Act 1967 allows certain family members who were resident in a leasehold house at the time of the deceased's death to satisfy the residence test even where they would not normally do so. They must still have resided in the premises for at least three years in the last ten and meet the other conditions that normally apply. We are considering whether to extend these provisions as part of our leasehold reform package.

For flats, only half the group buying the freehold (enfranchising) need to satisfy the residence test (we propose to abolish the residence test as it applies to collective enfranchisement). Subsection 6(3)(b) of the Leasehold Reform, Housing and Urban Development Act 1993 allows the residence test to be satisfied even where the tenant's previous occupation of the flat was not by right of the lease. Therefore, an individual who inherits a long lease on a flat should be able to participate in enfranchisement in the usual way. Subsection 14(5) deals with the possibility that a participating tenant might die during the enfranchisement process. Section 16 makes provision in the event of the death of the nominee purchaser.

Shona McIsaac: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines his Department has issued on setting a price for the purchase of the freehold of leasehold residential properties. [122350]

Mr. Mullin: There is no set formula for deciding on the price of a freehold. The Leasehold Reform Act 1967 (as amended) sets out the basic principles to be used when deciding how much should be paid for the freehold of a house. The Leasehold Reform, Housing and Urban Development Act 1993 makes similar provision for flats.

Guidance on this point is included in our booklets "Leasehold flats: your right to buy the freehold of your building or renew your lease" and "Leasehold houses: your right to buy the freehold of your house or renew your lease". Both are available free of charge from DETR Free Literature, PO Box 236, Wetherby, LS23 7NB. This guidance is for information only—it has no legal authority.

A14

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list all casualties and accidents on the A14 involving heavy goods vehicles in the last 10 years. [122484]

Mr. Hill *[holding answer 16 May 2000]:* The data from 1995 to 1998 are given in the tables. The A14 has been in its present form only since 19 July 1994, when the A45 between Felixstowe and the M11 at Cambridge and the A604 between the M11 and the A6 at Kettering became the A14 and a new length of Road between the A6 and the M1 was opened. Previous data for the A14 are not comparable.

Road accidents involving HGVs: 1995–98

	Accident severity			
Year	*Fatal*	*Serious*	*Slight*	*Total*
1995	7	30	66	103
1996	4	25	76	105
1997	5	28	78	111
1998	4	17	92	113

Casualties in road accidents involving HGVs: 1995–98

	Casualty severity			
Year	*Fatal*	*Serious*	*Slight*	*Total*
1995	10	40	81	131
1996	7	38	94	139
1997	8	41	91	140
1998	6	26	112	144

Radioactive Waste Disposal

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions how he monitors the disposal of radioactive waste; what steps he takes to ensure that such waste is not used in household products; and if he will make a statement. [122335]

Mr. Meacher *[holding answer 16 May 2000]:* The European Directive 96/29/Euratom lays down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation. The Directive makes the disposal, recycling or reuse of radioactive substances subject to prior authorisation. It also permits member states to set levels of radioactivity at which materials for disposal, recycling and reuse may be released from this requirement for prior authorisation providing that strict radiological criteria are met. This concept is known as clearance, with clearance levels setting a threshold at or below which the levels of radioactivity are small and pose a negligible radiological risk irrespective of the fate of that material. The Radioactive Substances Act (RSA 93), which implements the relevant provisions of the Directive, is administered in England and Wales by the Environment Agency.

In support of these regulatory functions, the Environment Agency commissions independent monitoring of radioactive waste disposals and their impact on the environment. Details of the monitoring programme are published annually in a report entitled "Radioactivity in the Environment: A summary and radiological assessment of the Environment Agency's monitoring programmes". Copies of the latest report, for 1997, can be found in the Library.

Transatlantic Open Skies

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement concerning the progress of the current negotiations on the Transatlantic Open Skies proposal. [122681]

Mr. Mullin: Following earlier meetings between my right hon. Friend the Deputy Prime Minister and the US Secretary of Transportation, formal talks between the UK and the US on bilateral aviation issues resume on 13 June. The Government will continue to press for the liberalisation of air services between our two countries, in order to secure additional benefits for consumers, for the UK aviation industry and for the wider UK economy.

Civil Servants

Dr. David Clark: To ask the Secretary of State for the Environment, Transport and the Regions what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121644]

Ms Beverley Hughes: The headline pay settlement was 2.4 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance-related increases averaging 4.0 per cent. The increases, payable from 1 August 1999, were not staged.

Open Government

Dr. David Clark: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121858]

Ms Beverley Hughes: I refer my right hon. Friend to the answer given today by my right hon. Friend the Home Secretary, *Official Report*, columns 216–17W.

Green Transport

Mr. Moore: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122610]

Mr. Hill: In line with the target set in the Integrated Transport White Paper for the introduction of green transport plans for key Government buildings by March 2000, we completed 50 plans covering all of DETR's key buildings:

DETR (C)

Great Minster House, London

Eland House, London

Ashdown House, London

Seymour House (now Hempstead House), Hemel Hempstead

Driving Standards Agency

Stanley House, Nottingham

Westgate House, Newcastle

Haymarket House, Edinburgh

Cumberland House, Birmingham

Caradog House, Cardiff

Charles House, Kensington

Cardington

Driver and Vehicle Licensing Agency
Longview Road, Swansea
Trafford House, Manchester
Buckingham House, Preston
Eastgate House, Leeds
Edward House, Birmingham
Sidcup House, Sidcup
Parkway House, Chelmsford
Connect House, Wimbledon
Federated House, Dorking
City House, Leeds
Jefferson House, Leeds
5 Broadway, Birmingham
Heron House, Bedford
St. Christopher House, London
Tollgate House, Bristol
Sunley Tower, Manchester
Albion House, Bedford
Falcon Road, Exeter
Charter Court, Hemel Hempstead

Maritime and Coastguard Agency
Spring Place, Southampton
Marine House, Aberdeen

Vehicle Certification Agency
Units 1, 2 and 3 Eastgate Office Centre, Bristol

Vehicle Inspectorate
Berkley House, Bristol
Welcombe House, Swansea

Planning Inspectorate
Tollgate House, Bristol

QEII Conference Centre
QEII CC, London

Government Office for London
Riverwalk House, London

GO South West
4th and 5th Floors, The Pithay, Bristol
Mast House, Plymouth

GO South East
Bridge House, Guildford

GO North West
Sunley Tower, Manchester
Washington House, Manchester
Cunard Building, Liverpool

GO Yorkshire and Humberside
City House, Leeds
25 Queen Street, Leeds

GO Eastern
Heron House, Bedford
Vision Park, Cambridge
Building A, Westbrook Centre, Cambridge

Traffic Area Network (TANU)
Hillcrest House, Leeds.

In addition, since March 2000, we have completed a plan for The Rent Service Agency's Clifton House (it became an Executive Agency with effect from 1 October 1999).

Mobile Homes

Mr. Paice: To ask the Secretary of State for the Environment, Transport and the Regions what steps he plans to take in respect of the recommendation from the Park Homes Working Party regarding residential mobile home sites; and what is the timetable for such action. [122616]

Mr. Raynsford: My Department aims to publish the recommendations of the Park Homes Working Party by early July this year, with a deadline of 31 October for any comments interested individuals and bodies may wish to make. I will announce our conclusions in due course after that date.

HGVs

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce a night-time ban on the movement of all heavy goods vehicles in residential areas. [122337]

Mr. Hill: Responsibility for traffic management on local roads, including the question of whether or not to introduce a night-time ban on lorries in residential areas, is entirely a matter for the local traffic authority for the area concerned.

Bushmeat (Uganda)

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the trade in bushmeat in Uganda; and if he will make a statement. [122339]

Mr. Mullin: While the Government have received no specific representations on the situation in Uganda, illegal trade in bushmeat is a growing problem in many African countries, particularly in west and central Africa. I am very pleased that a United Kingdom paper on this issue, tabled by my Department for discussion at last month's Conference of the Convention on International Trade in Endangered Species (CITES), was given unanimous support. The result is the formation of a new international working group under the auspices of CITES, involving the key African countries concerned, donors such as the United Kingdom and United States, and relevant non-governmental organisations. As the issue goes beyond the strict international trade remit of CITES, the UK and Convention Secretariat are actively seeking the full participation of other international bodies such as the Convention on Biological Diversity, the United Nations Food and Agriculture Organisation and the International Tropical Timber Organisation. My Department has already made £50,000 available in the current financial year to support this initiative. I hope others will soon follow.

London Underground

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions what London Transport has spent to date on consultancy costs for the London Underground public-private partnership. [123029]

Mr. Hill: I understand from London Transport that their expenditure on external consultants from 20 March 1998 (the date the Government announced the PPP) to 31 March 2000, for work on the PPP and restructuring London Underground, was £60.3 million.

TREASURY

Research and Development

11. **Mr. Derek Twigg:** To ask the Chancellor of the Exchequer if he will make a statement on the introduction of the new tax credit for companies investing in research and development. [121381]

Mr. Timms: The new R&D tax credit was introduced in April. It will benefit 4,500 companies and support almost £1 billion of R&D per year. The enhanced relief will reduce those companies' costs for carrying out R&D by between 24 and 30 per cent., reflecting the importance the Government attach to helping small businesses succeed by reaping the benefits of our new enterprise economy.

15. **Mr. Ben Chapman:** To ask the Chancellor of the Exchequer what representations he has received on his measures to help companies with research and development. [121386]

Mr. Timms: Our new research and development tax credit, introduced on 1 April, has been warmly welcomed since its announcement a year ago. We received representations emphasising the importance of incentives for R&D in small and medium firms, and so that is where the credit is being targeted. We have also decided, responding to representations, that the credit should be available as well to companies not yet trading. The changes we have made in response to representations have increased by 1,000 the number of firms expected to benefit from the tax credit.

Charity Taxation

12. **Mr. Hope:** To ask the Chancellor of the Exchequer if he will make a statement on his policy on charity taxation. [121382]

24. **Mr. Tom Clarke:** To ask the Chancellor of the Exchequer if he will make a statement on the proposals in his Budget to increase giving to charity in Britain. [121395]

Miss Melanie Johnson: The Government are keen to encourage more people to give more to charity. A package of new taxation reliefs aimed at encouraging millions more individuals and companies to give every year to charities—"Getting Britain Giving"—is included in the current Finance Bill.

The reliefs go further than the Government's proposals in the review of Charity Taxation consultation document published a year ago and further than those announced by the Chancellor in his pre-Budget report in November. At every stage we have listened to the views of charities, those who represent them and donors. We now have a generous package of measures which we estimate will be worth £400 million a year to charities. It has been warmly received in all quarters.

National Changeover Plan

13. **Mr. Bercow:** To ask the Chancellor of the Exchequer if he will make a statement on the cost of the National Changeover Plan. [121384]

Miss Melanie Johnson: The second Outline National Changeover Plan was published in March. It showed that by the end of February 2000, the public sector as a whole had spent around £6.3 million on planning for the possibility of the UK joining the single currency, mainly in the DSS and the revenue Departments.

Without preparation, the UK would not have a practical option to join the single currency. The Government are committed to giving the British people a genuine choice.

25. **Mr. Clappison:** To ask the Chancellor of the Exchequer if he will make a statement on progress with the National Changeover Plan. [121396]

Miss Melanie Johnson: Progress on national changeover planning was reported in the Government's second Outline National Changeover Plan which was published on 9 March. Copies of the Plan are available in the Library. We are now working with our partners in the business, public and voluntary sectors to take forward the next steps set out in the Plan.

38. **Miss Kirkbride:** To ask the Chancellor of the Exchequer what representations he has received on the cost of the National Changeover Plan. [121409]

Miss Melanie Johnson: The Government work with a wide range of organisations from the private, public and voluntary sectors on changeover planning. A list of the private and voluntary sector organisations involved in Working Groups is given on page 57 of the second Outline National Changeover Plan, published on 9 March.

National Insurance

14. **Mr. Amess:** To ask the Chancellor of the Exchequer if he will make a statement on the effects of raising the national insurance upper earnings limit. [121385]

Dawn Primarolo: Given the substantial increases in the starting point for paying employees' National Insurance contributions this year and next, raising the upper earnings limit helps to maintain a fair base for such contributions.

18. **Mr. Webb:** To ask the Chancellor of the Exchequer how many women were paying reduced rate national insurance contributions in *(a)* 1988 and *(b)* 1990. [121389]

Dawn Primarolo: Around 1,060,000 and 785,000 women respectively paid National Insurance contributions at the married womens' reduced rate in 1988 and 1990.

Exchange Rate

16. **Mr. Alan W. Williams:** To ask the Chancellor of the Exchequer if he will make a statement on the impact of the value of sterling against the euro on UK manufacturing. [121387]

Miss Melanie Johnson: Exporters in general are coping surprisingly well with the weakness of the euro. In the three months to February, goods exports volumes to EU countries were up more than 6 per cent on a year earlier.

Somerset House

17. **Mr. Tyler:** To ask the Chancellor of the Exchequer if he will make a statement on the future occupancy of Somerset House by the Inland Revenue. [121388]

Dawn Primarolo: The Government will continue to keep the occupancy of Somerset House under review. For the time being, the Inland Revenue's occupancy provides the Somerset House trust with a substantial guaranteed source of income, which is needed for restoring and developing the site.

Competitiveness

19. **Mr. Forth:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of the tax changes since May 1997 on the competitiveness of British industry. [121390]

Dawn Primarolo: Details of the Budget measures can be found in the relevant tables of the July 1997, March 1998, 1999 and 2000 Red Book. Our corporation tax rate is the lowest ever and lowest among major industrialised countries. The combination of this rate and other Budget measures have enhanced the UK tax system, providing an improved environment for UK business to compete.

Currency Speculation

20. **Mr. Barnes:** To ask the Chancellor of the Exchequer what representations he has received recently concerning the taxation of international currency speculation. [121391]

Miss Melanie Johnson: This House had the opportunity to discuss the taxation of international currency transactions on 18 April, in the adjournment debate tabled by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). My hon. Friend the Financial Secretary to the Treasury set out the Government's view on that occasion.

In addition, the Treasury has received several letters from hon. Members, who raised the issue on behalf of their constituents, and several letters directly from members of the public.

Reserves

21. **Mr. Fabricant:** To ask the Chancellor of the Exchequer when he next plans to meet the Governor of the Bank of England to discuss the value of the nation's foreign currency and precious metal reserves. [121392]

Miss Melanie Johnson: The Chancellor meets the Governor of the Bank of England on a regular basis to discuss a wide range of issues.

34. **Mr. Swayne:** To ask the Chancellor of the Exchequer if he will make a statement about the current value of the Bank of England reserves. [121405]

Mr. Andrew Smith: Part 1 of the Treasury Press Notice, issued on the third working day of each month, provides details of UK foreign currency assets and liabilities. The latest figures were published on 4 May showing net reserves of $13,643 million (£8,764 million) at the end of April 2000. A more detailed breakdown is provided in the template published monthly on the Bank of England's website.

Expenditure Plans

22. **Mr. Simon Hughes:** To ask the Chancellor of the Exchequer how he intends to use the *(a)* Budget surplus of 2000–01, *(b)* income from mobile phone licence sales and *(c)* Exchequer reserves. [121393]

Mr. Andrew Smith: The Budget plans were set out in Budget 2000 (HC 346). Proceeds from mobile phone licence sales will be used to reduce public sector net debt. Reserves are used in line with the provisions of the Exchequer Equalisation Account Act 1979.

Mobile Phone Licences

23. **Mr. Llwyd:** To ask the Chancellor of the Exchequer what representations he has received proposing the division of moneys raised from the sale of the third generation mobile phone licences between the devolved administrations and central Government; and if he will make a statement. [121394]

Mr. Andrew Smith: The Chancellor has received two representations.

Small Businesses

26. **Mrs. Anne Campbell:** To ask the Chancellor of the Exchequer if he will make a statement on his plans for a tax reduction for small businesses investing in computers or e-commerce developments. [121397]

Dawn Primarolo: The Government are introducing in the Finance Bill 100 per cent. first year capital allowances for investment by small businesses in information and communications technology between 1 April 2000 and 31 March 2003. These businesses will be able to write off immediately against their taxable profits the full cost of computers, software including websites, and next generation internet-enabled mobile phones. This measure will encourage small businesses to get on line and will help make the UK the best environment in the world for e-commerce by 2002.

Advertising

27. **Mr. St. Aubyn:** To ask the Chancellor of the Exchequer what has been the cost of expenditure on advertising on behalf of his Department since 1997. [121398]

Mr. Andrew Smith: The total cost of advertising by HM Treasury from April 1997 to March 2000 has been approximately £6.5 million.

Unemployment

28. **Mr. Khabra:** To ask the Chancellor of the Exchequer if he will make a statement on the impact of his Department's policies on the levels of employment and unemployment in London. [121399]

Miss Melanie Johnson: In London, as in the rest of the UK, we have created a sound and credible platform of economic stability that will help us attain our objective of high and stable levels of growth and employment. Since the election, employment in London has risen by 150,000 and unemployment has fallen by 73,000.

Steel Industry

29. **Mr. MacShane:** To ask the Chancellor of the Exchequer what representations he has received from the steel industry about the value of sterling. [121400]

Miss Melanie Johnson: The Government regularly meet with representatives from the steel industry. The Government understand the concerns of the manufacturing industry more generally about the value of the pound.

New Deal

30. **Mr. Page:** To ask the Chancellor of the Exchequer if he will make a statement on the level of funding for the New Deal. [R] [121401]

Mr. Andrew Smith: The New Deal is being funded, for this Parliament, by the revenue received from the Windfall Tax on the excess profits of the privatised utilities. Information on the estimated allocation of the Windfall Tax receipts between different programmes is set out in Table 4.1 of the Economic and Fiscal Strategy Report of Budget 2000. Plans for future funding are being discussed in the current Spending Review.

Business Tax Reliefs

31. **Dr. Palmer:** To ask the Chancellor of the Exchequer what responses he has received from business to his plans to introduce tax reliefs for large companies that invest in growing firms to generate new jobs. [121402]

Dawn Primarolo: The Government's proposals for a Corporate Venturing Scheme which provides tax incentives for corporate investment in small higher risk trading companies were subject to two rounds of consultation. Feedback from individual businesses and representative bodies endorsed our view that corporate venturing can offer real benefits to the companies concerned and the UK economy as a whole, commented on the form and detail of the scheme, and welcomed the changes made both in the pre-Budget Report and the Budget, which reflect comments made during consultation.

Disabled People

32. **Mr. Miller:** To ask the Chancellor of the Exchequer what steps he is taking to increase the financial benefits of work for disabled people and their families. [121403]

Dawn Primarolo: The Government have set aside £195 million from the receipts of the Windfall Tax specifically to assist people with disabilities. The New Deal for disabled people has been testing a range of approaches—personal advisers, innovative schemes and benefit changes—to find out what helps people return to work. To date, over 2,500 people have been helped into work by the New Deal pilots. The Government are currently developing plans for extending the New Deal for disabled people nationwide and introducing rehabilitation and retention pilots to test different ways to help disabled people move into, and remain in, work.

In October last year, the Government introduced the Disabled Person's Tax Credit (DPTC) to replace Disability Working Allowance (DWA). The new tax credit, which is intended to help people with an illness or disability to return to, or take up, work by topping up income, was more generous than DWA and changes since October have improved it further. This April, the under-11 child tax credit in the Disabled Person's Tax Credit (DPTC) was increased by £1.10 a week over and above indexation, and from June this year, the under-16 child tax credit in DPTC will be further increased by £4.35 a week. And from October 2000, a new Fast Track gateway to the Disabled Person's Tax Credit will be introduced to help people who become sick and disabled while working, remain in work.

The numbers on DPTC have increased when compared with the Disability Working Allowance (DWA). At the end of March 2000, there were 21,800 awards of DPTC, compared with 18,500 awards of DWA at the end of July 1999. The average award of DPTC at the end of March 2000 was £70 a week compared to an average £60.50 a week under DWA.

Employment (Eastern Region)

33. **Dr. George Turner:** To ask the Chancellor of the Exchequer if he will make a statement on the impact of his Department's policies on the levels of employment in the Eastern region since May 1997. [121404]

Miss Melanie Johnson: In the Eastern Region, as in the rest of the UK, we have created a sound and credible platform of economic stability that will help us attain our objective of high and stable levels of growth and employment. Since the election, employment in the East has risen by 126,000 and unemployment has fallen by 53,000.

Capital Gains Tax

35. **Mr. Colman:** To ask the Chancellor of the Exchequer what representations he has received from business on his decision to cut capital gains tax for long-term investments. [121406]

Dawn Primarolo: Following the 1999 pre-Budget Report, we consulted widely on our proposals to improve Capital Gains Tax business assets taper relief. The respondents to the consultation supported the direction in which we were leading. The views of business on this year's Budget proposals to use taper reform to boost productivity and increase the provision of risk capital have been overwhelmingly positive.

Save-as-you-earn Scheme

36. **Mr. Dobbin:** To ask the Chancellor of the Exchequer if he will make a statement on the future of the save as you earn scheme following the start of the new all-employee shareholding scheme on 6 April. [121407]

Mr. Timms: The Chancellor of the Exchequer announced in his Budget Statement that 1.7 million people now in the 'Save As You Earn' scheme will continue to enjoy its benefits.

Give-as-you-earn Scheme

37. **Dr. Godman:** To ask the Chancellor of the Exchequer what has been the cost of the give-as-you-earn scheme in each year since its implementation. [121408]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave him on 11 November 1999, *Official Report*, columns 779–80W. The cost of the Payroll Giving scheme since it was introduced in 1986 has been published annually in Inland Revenue Statistics. The total cost of the scheme up to April 1999 was £44 million.

Commemorative Coins

Mrs. Lawrence: To ask the Chancellor of the Exchequer what plans he has to issue new commemorative coins in 2001. [123247]

Miss Melanie Johnson: Her Majesty the Queen has been graciously pleased to approve the Chancellor of the Exchequer's recommendation that in 2001:

a crown piece should be issued to mark the centenary of the death of Her Majesty Queen Victoria and the end of the Victorian era; and

a special design should be adopted for the reverse of the two-pound coin to commemorate the centenary of Marconi's first long distance wireless transmission from Cornwall to Newfoundland.

Collector versions of the two coins will be available from the beginning of the year and the coins will also be available, later in the year, at face value from most banks and post offices.

Working Families Tax Credit

Mr. Field: To ask the Chancellor of the Exchequer if he will list the average net income *(a)* before Working Families Tax Credit but with receipt of other benefits, *(b)* with the addition of Working Families Tax Credit before tapering of other benefits and *(c)* with the addition of Working Families Tax Credit following the tapering of Housing Benefit and Council Tax Benefit for (i) all recipients of the Working Families Tax Credit and (ii) families earning between (1) £4,000 and £6,000 per year, (2) £6,000 and £8,000 per year, (3) £8,000 and £10,000 per year and (4) £10,000 and £12,000 per year. [122393]

Dawn Primarolo *[holding answer 16 May 2000]*: Insufficient data on income are provided by applicants for the Working Families Tax Credit to determine their net incomes including the various benefits mentioned. Also, household survey data available for analysis do not yet cover families receiving the tax credits, and sample numbers may in any case be too small for reliable estimates to be made in the detail requested.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the *(a)* number and *(b)* percentage of claimants of Working Families Tax Credit who also claim (i) Housing Benefit, (ii) Council Tax Benefit and (iii) both Housing and Council Tax Benefit. [122518]

Dawn Primarolo: The receipt of Housing Benefit (HB) and Council Tax Benefit (CTB) cannot be determined from the information processed for applications for the Working Families Tax Credit (WFTC). The receipt of WFTC can however be determined from the information processed for claims for HB and CTB, and I understand from the Department of Social Security that estimates of the numbers requested will be available towards the end of the year. Household survey data available for analysis do not yet cover families receiving WFTC.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) what statistics he collates on the operation of the Working Families Tax Credit; [122516]

(2) when figures on the first six months of operation of the Working Families Tax Credit will be published. [122515]

Dawn Primarolo: Statistics on Working Families Tax Credit (WFTC) awards are published each quarter. The first tables were published on 11 April, in respect of awards current at the end of November 1999.

Up to the end of March 2000 there had been 1,030,200 awards made of the WFTC. The number of telephone calls handled by the WFTC helpline and the response line in each month to April 2000 was given in a reply to the hon. Member for Havant (Mr. Willetts) on 10 May 2000, *Official Report*, columns 423–24W. WFTC will be covered in the operational statistics shown in the Inland Revenue Annual Report for the year ended 31 March 2000, which is due to be published in the autumn.

Capital Modernisation Fund

Mr. Yeo: To ask the Chancellor of the Exchequer what has been the total financial value of *(a)* applications and *(b)* successful applications made by each Government Department to the Capital Modernisation Fund in each year of its operation. [121422]

Mr. Andrew Smith *[holding answer 9 May 2000]*: Allocations from the Capital Modernisation Fund by Department and year are listed in table 1.9 of Public Expenditure Statistical Analyses 2000–01 (Cm 4601). In line with the practice of successive Governments, applications for funding within Government are not published.

Civil Servants

Dr. David Clark: To ask the Chancellor of the Exchequer what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121647]

Mr. Timms: The headline pay settlement for HM Treasury was 2.5 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.7 per cent. The increases were not staged.

Contributions Agency

Mr. Sarwar: To ask the Chancellor of the Exchequer how many civil servants over the age of 60 years employed by the Contributions Agency have been required to retire following its transfer from the Benefits Agency to the Inland Revenue; and at which centres they were based. [121322]

Dawn Primarolo: Prior to the transfer of the staff and functions of the former Contributions Agency (CA) to the Inland Revenue on 1 April 1999, the CA operated a normal retirement age of 60 for all staff. As part of the transitional arrangements on moving over to this policy, extensions of service had been agreed for some staff, up to a maximum retention date of 31 July 1999.

As part of the terms and conditions package negotiated with the relevant trade unions and accepted by CA staff by way of ballot, the Revenue undertook to honour any extensions of service agreed by 31 March 1999. Thus, post transfer, any individual who had been granted an extension by that date was retained by the Revenue until the expiry of that period.

As was the case for CA, the Revenue also operated a normal retirement age of 60. The agreed terms of the negotiated package provided that, after transfer, former CA staff would be retired in line with the Revenue retirement age policy, subject to the commitment on extensions of service granted prior to 31 March 1999.

Since the transfer on 1 April 1999, the following numbers of former CA staff have been required to retire.

Location	*Normal retirement at age 60*	*Retirements over age 60*	*Total number of retirees*
BMSD	1	0	1
IR East	2	7	9
IR London	3	18	21
IR North West	1	4	5
IR Scotland	0	1	1
IR South West	2	4	6
IR South East	1	2	3
IR South Yorkshire	0	1	1
IR Wales and Midlands	1	2	3
LBO	1	0	1
NICO (Newcastle upon Tyne)	17	51	68
IR North	1	1	2
Totals	30	91	121

Tax Rates

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to his answer of 5 April 2000, *Official Report*, column 500W, on tax rates, if he will provide illustrative examples of cases where taxes and benefits can interact to produce a marginal deduction rate of *(a)* 40 per cent. and above, *(b)* 50 per cent. and above, *(c)* 60 per cent. and above, *(d)* 70 per cent. and above, *(e)* 80 per cent. and above and *(f)* 90 per cent. and above. [120381]

Dawn Primarolo: A marginal deduction rate (MDR) measures how much of an additional pound of earnings is paid in taxes or in reduced benefit or tax credit entitlement. The table gives some examples of the combinations of income tax and National Insurance for those on income-related benefits or WFTC that give rise to marginal deduction rates of 40 per cent. or more. All the examples assume that National Insurance is payable, at the contracted-in rate.

Marginal deduction rate (per cent.)	*Illustrative examples*
40 to less than 50	Basic rate taxpayer on Council Tax Benefit taper
50 to less than 60	Non-taxpayer on WFTC taper
60 to less than 70	Basic rate taxpayer on WFTC taper
70 to less than 80	Basic rate taxpayer on Council Tax Benefit and WFTC tapers
80 to less than 90	Basic rate taxpayer on Housing Benefit and WFTC tapers
90 to less than 100	Basic rate taxpayer on Housing Benefit, Council Tax Benefit and WFTC tapers

Government Payment Targets

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what Government policy is on the timing of payments of their contractors and suppliers; what length of time between delivery or invoice and payment is proposed in Government guidelines; and what action is taken to monitor whether targets are met. [122522]

Mr. Andrew Smith: The timing of payments is set out in guidance to Departments and requires payment to be made promptly to contractors and suppliers in accordance with agreed terms of contract. Where no contract exists, payments should be made within 30 days of receipt of a valid invoice.

The payment performance of Government Departments is monitored annually and reported to Parliament by the Department of Trade and Industry before the summer recess.

Open Government

Dr. David Clark: To ask the Chancellor of the Exchequer how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121857]

Miss Melanie Johnson: I refer my right hon. Friend to the answer given today by my right hon. Friend the Home Secretary, *Official Report*, columns 216–17W.

Manufacturing

Mr. Ian Taylor: To ask the Chancellor of the Exchequer if he will make a statement on his policies for promoting manufacturing business. [121375]

Mr. Andrew Smith: Manufacturing industry makes a vital contribution to the economy. We are helping its competitiveness by creating the right economic climate of stability, low inflation, and sound public finances and through policies which help firms to innovate, develop the skills of their workforce and grow.

Taxation

Mr. Gibb: To ask the Chancellor of the Exchequer if he will publish the amounts (i) in current prices, (ii) in constant 1999–2000 prices and (iii) as percentages of personal income, taken by *(a)* income taxes, *(b)* national insurance contributions, *(c)* value-added tax, *(d)* other central Government indirect taxes, *(e)* the aggregate of *(a)* to (d), (f) average council tax payments and (g) the aggregate of *(a)* to (d) and (f) for (1) a single person, (2) a married couple without children, both working and (3) a married couple with two children, husband in work, wife not working, in each case at 50, 75, 100, 150 and 200 per cent. of average earnings for the financial year 1999–2000, taking account of changes announced in his Budget Statement and previously announced changes and for each of the years (w) 1996–97, (x) 1997–98, (y) 1998–99 and (z) 1999–2000. [116508]

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what average level of income he estimates a single-earner couple will receive *(a)* gross and *(b)* net in

(i) 2000–01 and (ii) 2001–02; if he will set out the method used in making this calculation; and if he will make a statement. [118850]

Mr. Portillo: To ask the Chancellor of the Exchequer what taxes he includes in his calculation of the tax burden on the average family. [121009]

Dawn Primarolo *[holding answer 14 April and 5 May 2000]:* The available information, which shows income tax (including child benefit and working families tax credit from its first full year of implementation) and national insurance contributions, at multiples of median full-time earnings of all employees is given in the table. The figures are shown in *(a)* current prices and *(b)* as percentages of income, for (i) the years 1996–97 to 2001–02 where the figures take account of all changes announced in Budgets to date. Estimating the impact of indirect taxes is imprecise as spending patterns vary widely between households with the same composition and income. The level of council tax payments will also vary depending on where families live.

The figures use median all-employee earnings. However, the data are available only since 1983. Looking over a longer time period, using male mean earnings, the series shows that as a result of personal tax and benefit measures in the last three Budgets the tax burden on a family with two children on 100 per cent. of average earnings will fall by 2001 to the lowest level since 1972.

	Percentage				
	50	*75*	*100*	*150*	*200*
Single:					
1996–97					
£ per week					
Gross Income	153.98	230.97	307.96	461.94	615.92
Income Tax	16.58	35.06	53.53	90.49	135.94
NICs	10.52	18.22	25.92	40.62	40.62
Percentage of gross earnings					
Income Tax	10.8	15.2	17.4	19.6	22.1
NICs	6.8	7.9	8.4	8.8	6.6
Tax + NICs	17.6	23.1	25.8	28.4	28.7
1997–98					
£ per week					
Gross Income	160.37	240.55	320.73	481.10	641.46
Income Tax	16.63	35.07	53.51	90.40	137.78
NICs	11.08	19.09	27.11	41.54	41.54
Percentage of gross earnings					
Income Tax	10.4	14.6	16.7	18.8	21.5
NICs	6.9	7.9	8.5	8.6	6.5
Tax + NICs	17.3	22.5	25.1	27.4	28.0
1998–99					
£ per week					
Gross Income	166.35	249.53	332.70	499.05	665.40
Income Tax	17.22	36.36	55.49	93.75	142.81
NICs	11.52	19.83	28.15	43.38	43.38
Percentage of gross earnings					
Income Tax	10.4	14.6	16.7	18.8	21.5
NICs	6.9	7.9	8.5	8.7	6.5
Tax + NICs	17.3	22.5	25.1	27.5	28.0
1999–2000					
£ per week					
Gross Income	174.83	262.25	349.67	524.50	699.34
Income Tax	17.29	37.39	57.50	97.71	151.10
NICs	10.88	19.63	28.37	43.40	43.40

	Percentage				
	50	*75*	*100*	*150*	*200*
Percentage of gross earnings					
Income Tax	9.9	14.3	16.4	18.6	21.6
NICs	6.2	7.5	8.1	8.3	6.2
Tax + NICs	16.1	21.7	24.6	26.9	27.8
2000–01					
£ per week					
Gross Income	182.88	274.31	365.75	548.63	731.50
Income Tax	18.17	38.29	58.41	98.64	157.06
NICs	10.69	19.83	28.98	45.90	45.90
Percentage of gross earnings					
Income Tax	9.9	14.0	16.0	18.0	21.5
NICs	5.8	7.2	7.9	8.4	6.3
Tax + NICs	15.8	21.2	23.9	26.3	27.7
2001–02					
£ per week					
Gross Income	191.11	286.66	382.21	573.32	764.42
Income Tax	19.21	40.23	61.25	103.30	165.47
NICs	10.41	19.97	29.52	48.63	48.80
Percentage of gross earnings					
Income Tax	10.1	14.0	16.0	18.0	21.6
NICs	5.4	7.0	7.7	8.5	6.4
Tax + NICs	15.5	21.0	23.7	26.5	28.0
Married with two Children:					
1996–97					
£ per week					
Gross Income	153.98	230.97	307.96	461.94	615.92
Income Tax	11.41	29.89	48.37	85.33	130.78
NICs	10.52	18.22	25.92	40.62	40.62
CB	19.60	19.60	19.60	19.60	19.60
Percentage of gross earnings					
Net income tax	7.4	12.9	15.7	18.5	21.2
NICs	6.8	7.9	8.4	8.8	6.6
Net tax + NICs—CB	1.5	12.3	17.8	23.0	24.6
1997–98					
£ per week					
Gross Income	160.37	240.55	320.73	481.10	641.46
Income Tax	11.35	29.79	48.23	85.12	132.50
NICs	11.08	19.09	27.11	41.54	41.54
CB	20.05	20.05	20.05	20.05	20.05
Percentage of gross earnings					
Net income tax	7.1	12.4	15.0	17.7	20.7
NICs	6.9	7.9	8.5	8.6	6.5
Net tax + NICs—CB	1.5	12.0	17.2	22.2	24.0
1998–99					
£ per week					
Gross Income	166.35	249.53	332.70	499.05	665.40
Income Tax	11.74	30.87	50.00	88.27	137.33
NICs	11.52	19.83	28.15	43.38	43.38
CB	20.75	20.75	20.75	20.75	20.75
Percentage of gross earnings					
Net income tax	7.1	12.4	15.0	17.7	20.6
NICs	6.9	7.9	8.5	8.7	6.5
Net tax + NICs—CB	1.5	12.0	17.3	22.2	24.0
1999–2000					
£ per week					
Gross Income	174.83	262.25	349.67	524.50	699.34
Income Tax	13.50	33.61	53.71	93.92	147.31
NICs	10.88	19.63	28.37	43.40	43.40
CB	24.00	24.00	24.00	24.00	24.00

	Percentage				
	50	*75*	*100*	*150*	*200*
Percentage of gross earnings					
Net income tax	7.7	12.8	15.4	17.9	21.1
NICs	6.2	7.5	8.1	8.3	6.2
Net tax + NICs—CB	0.2	11.1	16.6	21.6	23.8
2000–01					
£ per week					
Gross Income	182.88	274.31	365.75	548.63	731.50
Income Tax	18.17	38.29	58.41	98.64	157.06
NICs	10.69	19.83	28.98	45.90	45.90
CB	25.00	25.00	25.00	25.00	25.00
WFTC	81.19	46.99	12.79	—	—
Percentage of gross earnings					
Net income tax	−34.5	−3.2	12.5	18.0	21.5
NICs	5.8	7.2	7.9	8.4	6.3
Net tax + NICs—CB	−42.3	−5.1	13.6	21.8	24.3
2001–02					
£ per week					
Gross Income	191.11	286.66	382.21	573.32	764.42
Income Tax	10.71	31.73	52.75	94.80	164.42
NICs	10.41	19.97	29.52	48.63	48.80
CB	25.85	25.85	25.85	25.85	25.85
WFTC	74.90	39.16	3.43	0.00	0.00
Percentage of gross earnings					
Net income tax	−33.6	−2.6	12.9	16.5	21.5
NICs	5.4	7.0	7.7	8.5	6.4
Net tax + NICs—CB	−41.7	−4.6	13.9	20.5	24.5
Married two earners (0 Children):					
1996–97					
£ per week					
Gross Income	153.98	230.97	307.96	461.94	615.92
Income Tax	0.00	12.07	28.96	64.95	101.90
NICs	5.64	13.34	21.04	36.43	51.83
Percentage of gross earnings					
Income Tax	0.0	5.2	9.4	14.1	16.5
NICs	3.7	5.8	6.8	7.9	8.4
Tax + NICs	3.7	11.0	16.2	21.9	25.0
1997–98					
£ per week					
Gross Income	160.37	240.55	320.73	481.10	641.46
Income Tax	0.00	11.72	28.83	64.86	101.74
NICs	6.12	14.13	22.15	38.19	54.23
Percentage of gross earnings					
Income Tax	0.0	4.9	9.0	13.5	15.9
NICs	3.8	5.9	6.9	7.9	8.5
Tax + NICs	3.8	10.7	15.9	21.4	24.3
1998–99					
£ per week					
Gross Income	166.35	249.53	332.70	499.05	665.40
Income Tax	0.00	12.16	29.88	67.23	105.49
NICs	6.40	14.71	23.03	39.67	56.30
Percentage of gross earnings					
Income Tax	0.0	4.9	9.0	13.5	15.9
NICs	3.8	5.9	6.9	7.9	8.5
Tax + NICs	3.8	10.8	15.9	21.4	24.3
1999–2000					
£ per week					
Gross Income	174.83	262.25	349.67	524.50	699.34
Income Tax	0.00	11.63	30.79	71.00	111.21
NICs	4.28	13.03	21.77	39.25	56.73

	Percentage				
	50	*75*	*100*	*150*	*200*
Percentage of gross earnings					
Income Tax	0.0	4.4	8.8	13.5	15.9
NICs	2.4	5.0	6.2	7.5	8.1
Tax + NICs	2.4	9.4	15.0	21.0	24.0
2000–01					
£ per week					
Gross Income	182.88	274.31	365.75	548.63	731.50
Income Tax	2.54	16.69	36.35	76.58	116.81
NICs	3.37	12.23	21.38	39.66	57.95
Percentage of gross earnings					
Income Tax	1.4	6.1	9.9	14.0	16.0
NICs	1.8	4.5	5.8	7.2	7.9
Tax + NICs	3.2	10.5	15.8	21.2	23.9
2001–02					
£ per week					
Gross Income	191.11	286.66	382.21	573.32	764.42
Income Tax	2.75	17.75	38.42	80.46	122.51
NICs	2.77	11.27	20.82	39.93	59.04
Percentage of gross earnings					
Income Tax	1.4	6.2	10.1	14.0	16.0
NICs	1.4	3.9	5.4	7.0	7.7
Tax + NICs	2.9	10.1	15.5	21.0	23.7

Notes:

1. Income tax payments are calculated on the basis that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay Class 1 national insurance contributions at the contracted-in rate.
2. Earnings are taken to be the median gross weekly earnings of all full-time employees on adult rates with pay unaffected by absence. (Median earnings are more representative of the population as a whole than mean male full-time earnings.)
3. A family with two children is assumed to have both children aged under 11.
4. In line with the convention in the Tax Benefit Reference Manual, Child Benefit is treated as negative income tax.
5. Working Families Tax Credit is included from its first full year of implementation in 2000–01.
6. For the two earner family it is assumed earnings are split 60 per cent.:40 per cent.

Employment Statistics

Mr. Alexander: To ask the Chancellor of the Exchequer how many people in work are *(a)* women aged between 50 and 60 years, *(b)* men aged between 50 and 60 years, *(c)* women aged between 60 and 65 years, *(d)* men aged between 60 and 65 years, *(e)* women aged over 65 years and *(f)* men aged over 65 years; and what percentage are in full-time employment in each category. [122370]

Miss Melanie Johnson: The information falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. Douglas Alexander, dated 18 May 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question on people in employment aged over 50. I am replying in the Director's absence.

The table attached shows non-seasonally adjusted estimates from the Labour Force Survey (LFS) which is the main source of labour market data on individuals. It gives the number of men and women in work by age group and the percentage that are in full-time employment in each category in the winter (December to February) quarter of 1999/2000.

People aged 16 or over are classed in employment by the LFS if they have done at least one hour of paid work (as an employee or self-employed) in the week prior to their LFS interview or if they have a job that they are temporarily away from. People who do unpaid work in a family business and people on Government-supported training and employment programmes are also included according to the International Labour Organisation convention.

Persons in employment by age group and whether working full-time, United Kingdom, Winter (December-February) 1999–2000

Thousand and percentage[1]

	Age		
In employment	*50–59*	*60–64*	*65+*
Men	2,731	644	283
Of which:			
Total in full-time employment	2,512	526	88
Percentage in full-time employment[2]	92	82	31
Women	2,297	370	179
Of which:			
Total in full-time employment	1,201	116	22
Percentage in full-time employment[2]	52	31	12
All persons	5,028	1,014	461
Of which:			
Total in full-time employment	3,712	642	110
Percentage in full-time employment	74	63	24

[1] Not seasonally adjusted

[2] People in full-time employment as a percentage of all in employment in the relevant age band.

Source:

Labour Force Survey, Office for National Statistics

Subcontractors

Dr. Tonge: To ask the Chancellor of the Exchequer what reports have been made on subcontractors registering C154 certificates; and if he will make a statement. [122707]

Dawn Primarolo: None. In terms of checks on eligibility, I refer the hon. Member to the answers I gave to the hon. Member for Brentwood and Ongar (Mr. Pickles) on 17 April 2000, *Official Report*, columns 370–71W.

Compliance Costs

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how far the Inland Revenue and Customs and Excise have progressed with their research on compliance costs to business of major taxes and duties; for which taxes and duties the review has been completed; if he will place the completed research in the Library; and if he will make a statement. [122517]

Dawn Primarolo: The Inland Revenue and Customs and Excise have embarked on a four year programme of research on business compliance costs. The joint programme starts in 2000–01 with separate research projects on the costs to business of dealing with VAT and Corporation Tax of non-financial companies.

The results of this research will enable the Revenue Departments to look for ways of making improvements in those areas. They will shortly be inviting expressions of interest in tendering for projects within the programme.

As the joint programme has just begun, no research has yet been completed.

VAT

Mr. Burstow: To ask the Chancellor of the Exchequer what estimate the Treasury has made of the VAT revenue per annum from 2001 on *(a)* tampons, *(b)* menstrual towels, *(c)* panty liners, *(d)* light use continence pads and *(e)* heavy use continence pads. [122102]

Dawn Primarolo *[holding answer 15 May 2000]:* As a result of the 2000 Budget, from January 2001 the Government are cutting VAT on all women's sanitary protection products from 17.5 per cent. to 5 per cent.—the lowest level allowed. The VAT revenue per annum from 2001 on *(a)* tampons, *(b)* menstrual towels and *(c)* panty liners is estimated to be £5 million, £5 million, and negligible, respectively. Light use continence pads and heavy use continence pads are already zero-rated when supplied to incontinent people. Data on standard-rated sales of continence products are not directly available.

WALES

Green Transport

Mr. Don Foster: To ask the Secretary of State for Wales if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122560]

Mr. Paul Murphy: The Wales Office is fully committed to measures such as the "greening" of official ministerial cars. Because the Department is principally located in central London, no members of staff routinely drive to work, instead relying on public transport. However, my Department is extremely small and controls only a single building which houses fewer than 50 staff. We have not therefore submitted a green transport plan.

Civil Servants

Dr. David Clark: To ask the Secretary of State for Wales what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121656]

Mr. Paul Murphy: Wales Office staff are seconded from the National Assembly for Wales and their last pay settlement was the same as that received by Assembly staff. The headline pay settlement applicable from August 1999 was 2.5 per cent. on the pay bill and, together with the additional funds from staff turnover, staff in post received performance related increases averaging 4.2 per cent. The increases were not staged.

Open Government

Dr. David Clark: To ask the Secretary of State for Wales how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121860]

Mr. Paul Murphy: I refer my right hon. Friend to the answer given to him today by my right hon. Friend the Home Secretary, *Official Report*, columns 216–17W.

My Department has received no such applications during this session.

AGRICULTURE, FISHERIES AND FOOD

Veterinary Medicines

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the application of EU Directive 81/851/EEC to the traceability of veterinary medicines in the United Kingdom. [105197]

Ms Quin *[holding answer 17 January 2000]:* I apologise for the long delay in responding, the result of an administrative error.

Council Directive 81/851/EEC as amended contains provisions to assist traceability of veterinary medicinal products by way of requirements on marketing authorisation holders, wholesalers and retailers to keep detailed records of purchases and sales. Regulations to implement the requirements of the Directive in relation to retail sales by pharmacies and veterinary practices were laid before Parliament on 10 January and entered into force on 1 February.

Greyhounds

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries *(a)* from which greyhounds were imported to and *(b)* to which greyhounds were exported from the United Kingdom in each of the last five years and the number of greyhounds imported and exported in each case from each of those countries in each of those years. [120584]

Mr. Nick Brown *[holding answer 3 May 2000]:* Figures on the import of dogs into Scotland, Wales and Northern Ireland are not held by my Department.

Imports

Details of the breed of commercially traded dogs imported into the UK from other member states in accordance with Article 4A of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (as amended) are not held centrally.

However, the number of greyhounds imported into England and entering quarantine from outside the British Isles during 1997, 1998 and 1999 and details of the countries they were imported from are as follows:

Country	*1997*	*1998*	*1999*
Australia	2	2	1
Cyprus	0	0	2
Germany	1	0	0
Israel	0	1	0
Italy	0	0	1
Spain	0	0	54
USA	6	3	1

Information on the number of greyhounds imported into England during the preceding two years could be provided only at disproportionate cost, as it is not computerised.

Exports

Annual figures for dog exports prior to 1997 are not readily available and could be obtained only at disproportionate cost, as they are not computerised.

Figures held on the export of dogs from the United Kingdom since 1997 are not sub-categorised by breed and it is therefore not possible to state how many were greyhounds.

Capital Modernisation Fund

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the applications made to date by his Department to the Capital Modernisation Fund giving the *(a)* purpose of the application, *(b)* intended recipients, *(c)* financial value and *(d)* outcome of each application. [120636]

Mr. Nick Brown *[holding answer 3 May 2000]:* The information requested by the hon. Member is as set out:

Capital modernisation fund

Application	*(a) Purpose*	*(b) Intended recipients*	*(c) Financial value (£000)*	*(d) Outcome*
Round 1				
National Flood Warning Project	To deliver improvements in quality and effectiveness to the flood warning service in England and Wales through public and private sector partnerships	MAFF and Environment Agency	5,000	Unsuccessful
Pilot Public Private Partnership Project for coast protection work at Scarborough	Setting-up costs of a pilot project to encourage local authorities with responsibility for coast protection to utilise long-term strategic plans in considering alternative methods of procurement	Scarborough borough council and MAFF	2,000	Unsuccessful
Electronic Data Interchange for Seed Certification	To enable efficiency and cost savings by minimising manual data entry from statutory seed certification forms, provide a speedier service to industry and gain experience in EDI application for similar services	MAFF	50	Unsuccessful
Establish managed telephone services to support delivery of schemes under Common Agricultural Policy	Seedcorn funding for installation of computerised call-handling system at MAFF Regional Service Centres on a pilot basis to improve level of customer service	MAFF	50	Unsuccessful
Fishing Capacity Rationalisation	To achieve a better balance between fishing capacity and available fishing opportunities by encouraging fishing industry to develop its own plans for restructuring	MAFF	5,000	Unsuccessful

Capital modernisation fund

Application	*(a) Purpose*	*(b) Intended recipients*	*(c) Financial value (£000)*	*(d) Outcome*
Redevelopment of Central Veterinary Laboratory at Weybridge	To update facilities	MAFF	up to 70,000	Unsuccessful

Cattle Imports

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the countries from which live cattle were imported to the United Kingdom in each of the last five years and the number of live cattle imported from each of those countries in each of those years. [120567]

Mr. Nick Brown *[holding answer 3 May 2000]:* The number of live cattle imported into the United Kingdom for the period 1995–99 is shown in the following table.

Country	*1995*	*1996*	*1997*	*1998*	*1999*
Austria	0	59	30	0	0
Belgium/Luxembourg	53	33	162	0	73
Canada	87	71	239	161	1,730
Denmark	99	35	282	177	468
France	491	247	2,232	469	216
Germany	122	113	764	98	195
Hungary	0	0	0	8	0
Ireland	22,086	12,698	7,942	7,315	23,959
Isle of Man	0	0	0	0	5
Italy	0	0	17	16	4
Jersey	0	19	0	0	0
Netherlands	1,627	2,704	12,308	1,956	1,082
New Zealand	0	0	34	0	0
Romania	0	0	59	294	0

Source:
Great Britain figures were obtained from the Ministry's computer system which issues export health certificates. Department of Agriculture Northern Ireland figures were obtained from their Veterinary Division. The figures are provisional and subject to change.

Abattoirs

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the costs incurred by farmers as a result of the recent changes in the regional distribution of over-thirty-months scheme abattoir contracts. [120559]

Mr. Nick Brown *[holding answer 3 May 2000]:* The award of 20 contracts for over-thirty-months scheme (OTMS) abattoir services in the UK followed a competitive tender and looked to ensure that sufficient slaughtering capacity was available having regard to the main production areas. Where abattoirs have changed, some individual farmer's costs have increased a little because their abattoir is now further away; but others have decreased.

Electronic Communications

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the savings to be gained as a result of the electronic provision of his Ministry's forms. [120566]

Mr. Nick Brown *[holding answer 3 May 2000]:* Savings resulting from the electronic provision of forms will arise both in relation to the time of those farmers who choose to use electronic interactive forms and in administrative time in the Department. Projects are under way to assess the technology. The pilot for electronic submission of IACS forms in Anglia Region has already had a successful start.

Consultation Exercises

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food for each formal consultation exercise solely or jointly undertaken by his Department since May 1997, what was the period allowed for submissions by the parties consulted. [121432]

Mr. Nick Brown *[holding answer 9 May 2000]:* Information on the response periods for individual consultation exercises is not collected centrally and could be made available only at disproportionate cost.

BSE

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if the Government's official scientific advisers are satisfied that the procedures routinely used in the production of gelatine in France are sufficient to destroy any trace of BSE infectivity in this product. [121416]

Mr. Nick Brown *[holding answer 9 May 2000]:* The Spongiform Encephalopathy Advisory Committee, the Government's independent scientific advisory body on BSE, has concluded that gelatine is safe for use in food given the large reduction in theoretical infectivity in the production of gelatine from raw material from which Specified Risk Materials (SRM) are excluded. In the case of France, there are controls on SRM removal both in relation to home production and to imports of raw materials for gelatine production.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he has *(a)* consulted and *(b)* been consulted by the French Minister of Agriculture over the possibility of other ways of BSE transmission. [121414]

Mr. Nick Brown *[holding answer 9 May 2000]:* Extensive discussions took place between myself, the French Minister of Agriculture and the Commission at official and ministerial level about BSE-related issues. There has been a very full exchange of scientific opinion underpinning public decision making on this issue.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food from which budget the unbudgeted expenditure on the BSE inquiry has been funded. [121424]

Mr. Nick Brown *[holding answer 18 April 2000]:* All costs of the BSE inquiry are met from within the existing budget of my Department and the budgets of the Department of Health, the Scottish Executive Rural and Agriculture Department, the National Assembly for Wales Agriculture Department and the Northern Ireland Department of Agriculture and Rural Development.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food in what instances he would seek a review of the BSE risk status of an EU member state. [121415]

Mr. Nick Brown *[holding answer 9 May 2000]:* The EU Scientific Steering Committee is nearing completion of its assessment of geographic BSE and risk in the EU and some third countries.

Regional Service Centres

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will publish estimates of the value of his Department's Regional Service Centres if they were sold for development. [121436]

Mr. Nick Brown *[holding answer 9 May 2000]:* Were any of the Regional Service Centres to be sold, this information would be commercially sensitive. Not all of the Regional Service Centres could be sold for redevelopment because some are leasehold, some are used by other Government Departments as well as ourselves, and in some cases the local planning authority might not agree to redevelopment of sites.

Organic Food Production

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what information he has collected about the national standards that apply in each EU member state regarding the duration of the conversion period required for land used to grow organic crops. [121430]

Mr. Nick Brown *[holding answer 9 May 2000]:* Council Regulation (EEC) 2092/91 requires land used to grow organic crops to be subject to a conversion period not less than two years, or three years in the case of land used to grow perennial crops other than grass. However, the regulation permits these conversion periods to be reduced in the light of previous use of the land immediately prior to conversion. It does not specify a minimum conversion period.

As we understand the current position, six member states, including the UK, require a minimum conversion period of 12 months. The other member states permit conversion periods shorter than 12 months in exceptional cases. However, the Commission is reviewing the position with the aim of achieving a greater degree of consistency of practice between the member states.

Aid Package

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food which of the components of the aid package announced on 30 March are intended to replace services discontinued as a result of the restructuring of his Department. [121428]

Mr. Nick Brown *[holding answer 9 May 2000]:* None.

Armed Services (Purchase of Supplies)

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what meetings he and his Ministers or officials have had with the Ministry of Defence to discuss the purchasing of supplies for the armed services; and if those meetings were used to encourage the purchase of British agricultural produce by the Ministry of Defence. [121431]

Mr. Nick Brown *[holding answer 9 May 2000]:* Ministers and officials regularly have meetings with the MOD to discuss how the proportion of UK sourced food for the armed forces can be increased.

Sheep Passports

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the introduction of sheep passports. [121417]

Mr. Nick Brown *[holding answer 9 May 2000]:* There are currently no plans to introduce sheep passports.

Regional Office Closures

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the net effect on his Department's budget of the planned closure of his Department's regional offices. [121427]

Mr. Nick Brown *[holding answer 9 May 2000]:* No decisions have been taken on the future of the Ministry's Regional Service Centres (RSCs) following the recent review of CAP scheme administration.

Departmental Budget

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the items in his Department's budget on which planned expenditure was reduced by over £250,000 in financial year 1999–2000 and in each of the previous three financial years. [121426]

Mr. Nick Brown *[holding answer 9 May 2000]:* The information requested by the hon. Member can be provided only at disproportionate cost.

Pig Farmer Demonstration

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the presence of the demonstration by pig farmers in Parliament Square. [121438]

Mr. Nick Brown *[holding answer 9 May 2000]:* I have received a number of representations about the current state of the pig industry, some of which made reference to the demonstrations by pig farmers in Parliament Square.

Agri-environment Schemes

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what estimates he has made of the effect on Government expenditure of changes in the level of payments under each of the agri-environment schemes to fall this year and the next as a result of his Department's reassessments of income forgone by participating farmers; and what the figures are; [121419]

(2) what estimates he has made of the effect on the grants received by farmers under each of the agri-environment schemes of his Department's re-assessments of income forgone by participating farmers; [121418]

(3) what research his Department has undertaken into the effect of reductions of payments made under agri-environment schemes, with particular reference to the South Downs Environmentally Sensitive Area scheme; and what study he has made of the impact of these reductions on the take-up of such schemes; [121437]

(4) if reductions in specific payments under the South Downs environmentally sensitive area scheme are made at the discretion of his Department. [121420]

Mr. Nick Brown *[holding answer 9 May 2000]:* Rates of payment to farmers participating in the Environmentally Sensitive Areas and Countryside Stewardship Schemes are governed by EU Council Regulation 1257/1999 and Commission Regulation 1750/1999. These provisions require payment rates to be calculated on the basis of income forgone, additional costs incurred, and an incentive not exceeding 20 per cent. of the income forgone. Following the review of payment rates in 11 ESAs in 1999, it is estimated the overall effect on grants to participating farmers in those ESAs would be a reduction of 1 to 2 per cent. Of the eight rates available in the South Downs ESA two were increased, two were reduced and the remainder were unchanged. It is estimated the overall effect will be a reduction of 5 per cent. compared with payments to farmers in that ESA in 1999.

I announced to the House on 7 December 1999 that Government expenditure on agri-environment schemes would increase to more than double the current level during the seven years of the England Rural Development Plan.

Salvage Meat

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the decision not to give the Food Standards Agency responsibility for the investigation into TB and salvage meat sold by his Department into the human food chain. [121440]

Mr. Nick Brown *[holding answer 9 May 2000]:* No such decision has been made. It would be for the Food Standards Agency to decide whether any assessment of risks to food safety should be carried out.

European Fisheries Regulations

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food what consultation the European Commission have had with Her Majesty's Government on consolidation of the European regulations relating to fisheries; what steps the Government have taken to consult user and operator interests in respect of the Commission's intentions; what steps he will be taking to ensure that in such consolidation no disadvantage will accrue to United Kingdom fishing interests; and what timetable is envisaged for publication of a draft revised regulation. [121632]

Mr. Morley: There are no current proposals before the Council of Ministers to consolidate European Fisheries legislation.

In 1999 all provisions relating to Total Allowable Catches and Quotas in 2000 were, for the first time, brought together in a single regulation (Council Regulation (EC) No. 2742/1999). The industry was fully consulted on those proposals.

Currency Fluctuation (Compensation)

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received requesting monetary compensation to farmers as a result of the change in values of the pound and euro. [121765]

Ms Quin: We have received a number of representations requesting agrimonetary compensation to farmers.

CABINET OFFICE

Penalty Clauses

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if she will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if she will make a statement. [122010]

Mr. Stringer: Since May 1997 a penalty clause has been triggered on one Cabinet Office contract, as follows:

Supplier: The Stationery Office Ltd.

Description: Provision of Printing Services

Reason for penalty: Late Delivery.

The Central Office of Information has had a number of instances where service credits were obtained from suppliers in respect of unsatisfactory performance or for breach of their contractual obligations. These instances are not recorded separately and the cost of extracting the information would involve incurring disproportionate costs.

Computer Viruses

Mrs. Lait: To ask the Minister for the Cabinet Office at what precise time her Department became aware of the computer virus known as the Love Bug. [122590]

Mr. Ian McCartney: The Cabinet Office became aware of this computer virus at 10:19am on Thursday 4 May 2000.

Open Government

Dr. David Clark: To ask the Minister for the Cabinet Office how many applications for information she received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121852]

Mr. Stringer: I refer my right hon. Friend to the answer given today by my right hon. Friend, the Secretary of State for the Home Department, *Official Report*, columns 216–17W.

Deregulation Unit

Mrs. Lait: To ask the Minister for the Cabinet Office what system is used by the Deregulation Unit for monitoring the regulatory burden on the voluntary and charitable sectors. [122818]

Mr. Stringer: Since August 1998 this Government have insisted that Regulatory Impact Assessments are carried out whenever regulations are likely to have an impact on business, charities or the voluntary sector. Lists of Regulatory Impact Assessments that affect businesses, charities or the voluntary sector are recorded in twice

yearly Command Papers which are placed in the Libraries of the House. There is no distinction made between Regulatory Impact Assessments for business and those that are purely concerned with charities and the voluntary sector.

Green Transport

Mr. Moore: To ask the Minister for the Cabinet Office if she will list the key buildings for which her Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122619]

Mr. Stringer: In line with the target set in the Integrated Transport White Paper for the introduction of green transport plans for Government buildings, by 31 March 2000 we had completed a plan which covered all of the buildings occupied or owned by the Cabinet Office and its agencies, as follows:

Cabinet Office

Downing street, 70 Whitehall, Great Smith street, Admiralty House, 36 Whitehall, Government Offices Great George street, 53 Parliament street, 10 Great George street, 4 Matthew Parker street, Hepburn House, Queen Anne's Chambers, Ashley House (all central London), Grosvenor House (Basingstoke), Sovereign House (Norwich), St. Clement's House (Norwich).

Agencies

Civil Service College (Sunningdale and 11 Belgrave road, London), GCDA (Ponton road, London), CCTA (Rosebery Court, Norwich), TBA (Royal Liver Building, Liverpool), PACE (Trevelyan House, London; 28 Thistle street, Edinburgh; Lawnswood Park, Leeds; West Point, Manchester; 38 George road, Birmingham; Beaufort Court, Bristol; Steel House, London), plus the CoI (Hercules House, London).

On 1 April 2000, CCTA, TBA and PACE transferred to the Office of Government Commerce, and the Civil Service College was fully integrated into the Centre for Management and Policy Studies within the Cabinet Office.

Task Forces

Mr. Pickles: To ask the Minister for the Cabinet Office what has been the total cost to the Exchequer of Government task forces since May 1997. [121383]

Mr. Stringer: I refer the hon. Member to my answer to the right hon. Member for Wells (Mr. Heathcoat-Amory) on 9 December 1999, *Official Report*, column 634W.

Civil Servants

Dr. David Clark: To ask the Minister for the Cabinet Office what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in her Department for 1999–2000; and to what extent the pay awards were staged. [121650]

Mr. Stringer: The headline pay settlement (excluding Agencies) was 2.5 per cent. on the paybill, together with the additional funds from staff turnover and staff in post received performance-related increases averaging 3.6 per cent. The increases were not staged.

Written Answers to Questions

Friday 19 May 2000

HOUSE OF COMMONS

Ministerial Statements

Mr. Burns: To ask the President of the Council what the Government's policy is on the release of the text of ministerial statements to Government backbenchers before the statement has been made, with particular reference to the oral statement on Defence procurement on 16 May 2000, *Official Report*, columns 149–51. [122932]

Mrs. Beckett: Ministerial statements are embargoed until the Minister has completed the statement. I have been advised that the Ministry of Defence did not release copies of the statement to Government backbenchers until my right hon. Friend the Secretary of State concluded his statement.

CABINET OFFICE

Call Centre Guidelines

Ms Coffey: To ask the Minister for the Cabinet Office if she will make a statement on progress towards publishing the revised guidelines for Government call centres. [123273]

Mr. Stringer: I am publishing the revised guidance to take into account significant new sections on Staffing Issues and Procurement. Copies have been placed in the Libraries of the House and on the Information Age Government website at www.iagchampions.gov.uk.

Civil Service Guidance

Ms Coffey: To ask the Minister for the Cabinet Office what plans the Government have to update the index to Civil Service guidance, Guidance on Guidance. [123275]

Mr. Stringer: The Government has published today the directory of Civil Service Guidance. Copies are being distributed to Departments, and have been placed in the Libraries of the House. The Directory is also available on the internet at www.cabinet-office.gov.uk/guidance.

GM Food and Crops

Joan Ruddock: To ask the Minister for the Cabinet Office which *(a)* individuals and *(b)* organisations she met during her recent US discussions concerning GM food and crops; what was discussed; and what action she plans to take following those meetings. [122512]

Marjorie Mowlam: The Chief Scientific Adviser, Sir Robert May, and I held a series of meetings on biotechnology in Washington on 1 and 2 May. We met US Government representatives, including Dan Glickman, US Secretary of State of Agriculture; Mike McCabe, Deputy Administrator, Environmental Protection Agency; and Sharon Smith Holston, Deputy Commissioner, Food and Drug Administration. We also met congressmen Dennis Kucinich and Calvin Dooley, representatives of interested non-governmental organisations and representatives from the Biotechnology Industry Organisation, in order to hear views from across the debate. In all these meetings I made clear the UK's commitment to a science-based approach to biotechnology which protects public health and the environment, explained developments in the biotechnology debate in the UK (including reform of our regulatory system and improved food labelling), and discussed American concerns in order to build a common understanding of the ways forward. As a result, in advance of the next G8 summit, we are taking forward discussions with G8 partners and developing countries on the recommendation of the OECD conference on GM food safety in Edinburgh for an international scientific advisory panel on GM food and environmental safety.

CULTURE, MEDIA AND SPORT

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Culture, Media and Sport how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122263]

Mr. Chris Smith *[holding answer 17 May 2000]:* The Department for Culture, Media and Sport does not operate any vehicles directly but relies on the Government Car and Despatch Agency to supply official cars and drivers. The Royal Parks Agency operates 33 cars manufactured as shown in the table.

Manufactured	*Cars*	*Commercial vehicle*
In the UK	29	0
In the EU	1	0
Elsewhere	3	0

Open Government

Dr. David Clark: To ask the Secretary of State for Culture, Media and Sport how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121848]

Mr. Chris Smith *[holding answer 18 May 2000]:* I refer my right hon. Friend to the answer given by my right hon. Friend the Home Secretary on 18 May 2000, *Official Report*, columns 216–17W.

English Heritage

Ms Coffey: To ask the Secretary of State for Culture, Media and Sport when he expects to receive English Heritage's report on heritage policies; and what issues he expects to see covered. [123373]

Mr. Alan Howarth: I wrote to the Chairman of English Heritage on 17 May on behalf of myself and my hon. Friend the Minister for Housing and Planning, agreeing that the submission to Government of English Heritage's report on the review that it is leading of

policies on the historic environment can be put back by two months to 30 November 2000. This extension acknowledges the view which has been expressed in some quarters that English Heritage requires more time to prepare public discussion papers, analyse the responses to those papers and work up its final report. The Government now intends to issue its own statement on the historic environment by mid March 2001. In addition to setting out a strategy and action programme for the immediate future, I have agreed that this first part of the review being conducted by English Heritage should extend to considering how relevant policies might be developed over the longer term. I am laying copies of my letter in the Libraries of the House.

HOME DEPARTMENT

Police

Mr. Hope: To ask the Secretary of State for the Home Department what plans he has to review the Police Negotiating Board and Police Advisory Board. [123375]

Mr. Charles Clarke: I have today written to the bodies represented on the Police Negotiating Board, and the Police Advisory Board for England and Wales, for comments on how we can improve the effectiveness with which these bodies carry out their functions. This is in accordance with sections 61 and 63 of the Police Act 1996, which provide that these bodies will be constituted in accordance with such arrangements, made after consultation with the relevant bodies, as appear to the Secretary of State to be satisfactory.

Hunting With Hounds

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what is the estimated cost to date of the Burns Inquiry. [122830]

Mr. Mike O'Brien: The approximate cost to date of the Burns Inquiry is £530,000.

HEALTH

Deafblind People

Mr. Andrew George: To ask the Secretary of State for Health if deafblind users of domiciliary care services were involved in the *(a)* steering group, *(b)* reference group and *(c)* user forum developing the draft national minimum standards for domiciliary services. [122791]

Mr. Hutton: Deafblind organisations were not represented on the two groups developing standards but an organisation representing deaf people attended the user forum held in January this year. A draft version of the standards should be available for consultation later this year. The aim of the proposed regulatory framework for home care is that standards reflect the needs of all users of personal home care services.

Mr. Andrew George: To ask the Secretary of State for Health if the consultation document on draft national minimum standards for domiciliary services will include standards relevant specifically to deafblind people, with particular reference to essential communicator-guide and intervenor services. [122790]

Mr. Hutton: We are currently developing standards around the provision of home care, to be given force through the Care Standards Bill. We want these to reflect the needs of all users of personal home care services. Proper training and supervision for staff providing personal care will lie at the heart of the new regulatory arrangements.

Correspondence

Mr. Winnick: To ask the Secretary of State for Health when the hon. Member for Walsall, North will receive a reply to his letter of 30 March regarding a constituent. [122935]

Mr. Denham: I replied to my hon. Friend on 18 May.

Hospital Beds

Mr. Gill: To ask the Secretary of State for Health, pursuant to his answer of 2 May 2000, *Official Report*, column 44W, on hospital beds, if he will list the acute and community based beds available across Worcestershire broken down by the categories in paragraph 3.8.8 of annexe C of Sources, Notes and Definitions, Department of Health Statistical Bulletin NHS Hospital Activity Statistics. [121293]

Yvette Cooper: Bed data are not available in the format requested. Bed availability is grouped by sector rather than by individual speciality.

The request concerning acute and community beds requires classification of the trusts within Worcester health authority. Kidderminster Healthcare National Health Service Trust is not classified as acute or community but is included to complete data for Worcester health authority.

Bed availability data for Worcester HA 1998–99

Trust type	*Acute*	*Geriatric*	*Mental Illness*	*Learning Disabilities*	*Maternity*	*Total*
Acute	543	127	0	0	78	748
Community	83	157	86	0	0	326
Multi-service	190	42	71	0	10	313
Worcester HA	816	326	157	0	88	1,387

In addition, 61 learning disability beds are provided to Worcester HA by North Warwickshire NHS Trust.

Parliamentary Questions

Mr. Gill: To ask the Secretary of State for Health when he will answer the question tabled for answer on 4 May from the hon. Member for Ludlow (ref. 121293). [122838]

Yvette Cooper: I replied to the hon. Member's question tabled on 4 May today.

INTERNATIONAL DEVELOPMENT

Bilateral Debt

Mr. Ben Chapman: To ask the Secretary of State for International Development if she will make a statement on the steps she is taking to *(a)* reduce and *(b)* cancel the bilateral debt of poor countries. [122587]

Mr. Foulkes: We have already cancelled our aid debts for all of the poorest countries, not just for countries who qualify for relief under the Heavily Indebted Poor Countries (HIPC) Initiative. Their remaining bilateral debts to the UK are owed to the Export Credits Guarantee Department. These are being reduced under the enhanced HIPC Initiative. However, last December, it was announced that the UK will go further and provide 100 per cent. debt relief on all bilateral export credits for qualifying HIPC countries. This action will free up more resources in HIPC countries for investment in poverty reduction programmes.

LORD CHANCELLOR'S DEPARTMENT

Vaccine Damage Compensation

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if the Government will review the recommendation of the 1978 Royal Commission on Civil Liability and Compensation for Personal Injury on making a change in the law of tort so that parents of children who suffer brain damage following vaccination can take action for compensation on a balance of probabilities. [122912]

Mr. Lock: The Royal Commission recommended that the Government, or the local authority concerned, should be strictly liable in tort for severe damages suffered by anyone (adult or child) as a result of vaccination which has been recommended in the interests of the community. Following the work of the Commission, the Vaccine Damage Payments Scheme, which is administered by the Department of Social Security, was established in 1978. Under the scheme, one-off payments of £40,000 are made to people severely disabled by vaccination against certain diseases. The Government have no plans to make changes to the liability rules that apply to compensation claims through the courts for these cases.

TRADE AND INDUSTRY

Parental Leave

Mr. Alexander: To ask the Secretary of State for Trade and Industry what is the estimate of the gross cost to the Exchequer on an annual steady rate basis of paying parental leave at *(a)* full earnings, *(b)* 90 per cent., *(c)* 50 per cent. and *(d)* 30 per cent. of earnings replacement value assuming that the take up of (i) fathers is 100 per cent., and mothers is 100 per cent. and (ii) fathers is 50 per cent., and mothers is 90 per cent. [120393]

Mr. Alan Johnson: Estimates of the annual costs to the Exchequer of paid parental leave for each of these options are set out in the table.

£ million

Assume rate of payment	*Case (i) Mothers 100% Fathers 100%*	*Case (ii) Mothers 90% Fathers 50%*
Full earnings replacement	3,440	2,050
90 per cent.	3,095	1,845
50 per cent.	1,720	1,025
30 per cent.	1,035	615

Earnings replacement

The assumptions on which these calculations have been made are:

1. That the Exchequer meets the full costs of the paid parental leave.
2. That the 13 weeks of parental leave are spread evenly over the first five years of the child's life.
3. That every parent has only one child in the age group.
4. That no qualifying periods by length of service are taken into account.

Part-time Employees Regulations

Mr. Derek Foster: To ask the Secretary of State for Trade and Industry when he intends to reply to the Third report from the Education and Employment Committee, Session 1999–2000, HC297, the Draft Part-time Employees (Prevention of Less Favourable Treatment) Regulations 2000. [122478]

Mr. Alan Johnson *[holding answer 16 May 2000]:* The Government's response was sent to the Clerk of the Committee on 18 May 2000.

Statutory Paid Holiday

Ms Kelly: To ask the Secretary of State for Trade and Industry what was the cost of increasing the statutory paid holiday from three weeks to four weeks; and how many workers have benefited. [122604]

Mr. Alan Johnson *[holding answer 18 May 2000]:* The estimated cost of the increase in the paid annual leave entitlement to four weeks, on 23 November 1999 as required by the Working Time Directive, was £0.4 billion per annum. It is further estimated that the rise benefited 3.1 million employees. A full Regulatory Impact Assessment is held in the Library of the House.

Open Government

Dr. David Clark: To ask the Secretary of State for Trade and Industry how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121847]

Dr. Howells *[holding answer 18 May 2000]:* I refer to the reply given by my right hon. Friend the Secretary of State for the Home Department on 18 May 2000, *Official Report*, columns 216–17W.

Environmental Technology

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what assessment he has made of the POST report number 136, published in April, entitled "Cleaning Up? Stimulating Innovation in Environmental Technology", and what use his Department's Joint Environmental Market Unit plans to make of the report. [122815]

Ms Hewitt: I believe that the report provides a good and balanced review of the issues surrounding the importance of stimulating innovation in the field of environmental technologies. As it has only just been published, my Department, including the Joint Environmental Markets Unit, has not yet been able to discuss with others how best to take forward the recommendations in the report, but it will do so.

Wilton Research and Technical Centre

Dr. Kumar: To ask the Secretary of State for Trade and Industry what plans his Department has to provide help and support to Wilton Research and Technical Centre on Teesside. [122985]

Ms Hewitt: The Department of Trade and Industry is aware of the importance of the Wilton Centre as an integral part of the chemical cluster in the North-East. We look forward to seeing the outcome of the current consideration by the Regional Development Agency and others of its future development. My hon. Friend the Minister for Competitiveness plans to visit the Wilton Centre during a tour of Teesside on 15 June to hear more about these plans and the scope for DTI involvement.

Technology Clusters

Dr. Kumar: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress made by his Ministerial Group to promote technology clusters. [122986]

Ms Hewitt: Since the Government announced its intention to review clusters policy in November 1999, it has commissioned a mapping study, to be completed by June, of existing cluster activity to inform the work of a new Clusters Policy Steering Group (CPSG) chaired by my noble Friend the Minister for Science. Membership of this group includes other Ministers, RDAs, the private sector, the CBI, TUC, academia, local government and cluster experts. The Group has an open remit to look at all aspects of cluster-related activity and recommended to Cabinet new policy initiatives intended to remove any barriers to the growth and the development of clusters. The Group will look at all cluster activity and will not concern itself exclusively with technology clusters. It will nevertheless take due account of the recommendations made by my noble Friend the Minister for Science's separate group which looked at bio-technology clusters and reported in August 1999.

PRIME MINISTER

Ministerial Code

Mr. Loughton: To ask the Prime Minister what mechanism exists for Parliament to hold to account Ministers who have breached the Ministerial Code. [120641]

The Prime Minister *[holding answer 4 May 2000]:* As the Ministerial Code makes clear, Ministers are accountable to Parliament for their decisions and actions. It is for Parliament to determine how it holds Ministers to account.

Mr. Norman: To ask the Prime Minister if he will make a statement on his responsibilities for ensuring the compliance of Ministers with the Ministerial Code of Conduct. [121273]

The Prime Minister *[holding answer 8 May 2000]:* The Ministerial Code itself sets out the responsibilities of individual Ministers and of the Prime Minister.

Ministers (Trade Union Financial Support)

Mr. Norman: To ask the Prime Minister if he will list the Ministers who are in receipt of financial support from a trade union, indicating the nature of that support. [121209]

The Prime Minister *[holding answer 8 May 2000]:* The information requested is not held centrally. There is no requirement for Ministers to inform me of the handling of their private interests.

Correspondence

Mr. Norman: To ask the Prime Minister (1) which Minister in the Department of the Environment, Transport and the Regions has been invited to reply to the letter sent to him on 5 April by the hon. Member for Tunbridge Wells concerning the Ministerial Code; and when a reply will be sent; [121201]

(2) pursuant to his answer of 4 April 2000, *Official Report*, column 390W, on correspondence, *(a)* whether the advice from the Parliamentary Commissioner for Standards has been received and *(b)* when the letter to him of 13 March from the hon. Member for Tunbridge Wells will receive a reply. [121212]

The Prime Minister *[holding answer 8 May 2000]:* I replied to the hon. Member on 17 May. A copy of my reply has been placed in the Library of the House.

European Federation of Retired and Elderly Persons

Mr. Bercow: To ask the Prime Minister what representations he has received from the European Federation of Retired and Elderly Persons on *(a)* the forthcoming Intergovernmental Conference and *(b)* developments in European Union policy since 1997. [121502]

The Prime Minister: The Government are in regular contact with a wide range of non-governmental organisations on European issues. I last received representations from the European Federation of Retired and Elderly Persons in a letter of 28 February on the IGC.

My hon. Friend the Minister of State, Foreign and Commonwealth Office, replied to this letter on my behalf on 11 May.

Hunting with Hounds

Mr. Baker: To ask the Prime Minister if he will make a statement on the Government's policy in respect of a ban on hunting with hounds. [122528]

The Prime Minister: I refer the hon. Member to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Worcester (Mr. Foster) on 11 November 1999, *Official Report*, columns 787–88W.

DEFENCE

HMS Fearless and HMS Intrepid

Dr. Julian Lewis: To ask the Secretary of State for Defence what are the annual running costs of HMS Fearless and HMS Intrepid. [121702]

Mr. Spellar: The average annual running costs for HMS Fearless and HMS Intrepid (in her present standby role) are approximately £24.66 million and £2.61 million respectively. This includes repairs and maintenance, manpower, fuel and other costs (such as port and harbour dues) where applicable.

Type 45 Destroyers

Mr. Key: To ask the Secretary of State for Defence when and where the first two Type 45 destroyers will commence construction; and what will be their in-service dates. [122465]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Robert Key, dated 19 May 2000:

I am replying to your question to the Secretary of State for Defence about the first two Type 45 destroyers. This matter falls to me to answer within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

As you are aware, the contract to complete Preparation for Demonstration (PFD) for the Type 45 was placed with Marconi Electronic System (MES, now BAE SYSTEMS) on 23 November 1999. BAE SYSTEMS was also appointed as the Prime Contractor for the Type 45 Programme. We are keen to ensure that we retain our ability to conduct effective competition for follow-on Type 45 destroyers. To this end, both BAE SYSTEMS Marine (YSL) Ltd and Vosper Thornycroft are involved in the PFD contract so that, from the outset, we have a design that has evolved with the active participation of both yards, enabling the efficient construction of Type 45s at either yard.

It is currently planned to place the Demonstration and First-of-Class Manufacture (DFM) contract with the Prime Contractor later this year, to meet an in-service date for the first-of-class ship of 2007. The detailed contractual arrangements for the DFM contract remain under consideration with the Prime Contractor but out plans are that the first of class is assembled and launched at the BAE SYSTEMS Marine (YSL) yard on the Clyde. The timing of the contract for the second ship of the class and where it will be built are still under consideration but value for money will be the key factor.

Advanced Amphibious Assault Vehicle

Mr. Hancock: To ask the Secretary of State for Defence what plans he has for the development of an advanced amphibious assault vehicle; and if he will make a statement. [122377]

Dr. Moonie: While we continue to keep our amphibious requirements under review, we have no plans at present to develop an advanced amphibious assault vehicle capability.

Rapier Contract

Mr. Hancock: To ask the Secretary of State for Defence what is the *(a)* timescale for the delivery and *(b)* total cost of the contract for the support system for the Rapier FS132 surface-to-air missile system; if the contract was for a fixed price; and if he will make a statement. [122376]

Dr. Moonie: The Rapier FSB2 surface-to-air missile system came into service in 1988. A contract for the support of the Rapier FSB2 system was signed with Matra British Aerospace (MBD) on 1 April 2000. Under the contract MBD will assume responsibility from MOD for the management, storage, repair and distribution of Rapier FSB2 spares until 2006–07 when the FSB2 goes out of service. The transfer of responsibility will take 12 months as the new arrangements are put in place. The contract was let for a maximum price of approximately £24 million (including VAT) and includes an incentive arrangement whereby any savings made by MBD are shared with MOD.

Armed Services (Egg Suppliers)

Mr. Gill: To ask the Secretary of State for Defence, pursuant to his answer of 10 May 2000, *Official Report*, column 390W, if the eggs referred to as being of British origin were laid in the United Kingdom. [122741]

Dr. Moonie: Yes.

Asbestos (Millbay Dock)

Mr. Sanders: To ask the Secretary of State for Defence what compensation has been given to civilian dockyard workers for work-related asbestosis at Millbay Dock, Plymouth, in the last 10 years. [122693]

Dr. Moonie: No work-related compensation has been paid by the Ministry of Defence in respect of workers at Millbay Docks, Plymouth, as these Docks are not, and never have been, the responsibility of the Ministry of Defence or the Royal Navy.

Operation Danish Bacon

Mr. Baker: To ask the Secretary of State for Defence what is the Government's policy on Operation Danish Bacon; and if he will make a statement. [122700]

Dr. Moonie *[holding answer 18 May 2000]:* UK participation in Surgical Training Exercises in Denmark was suspended in 1998 and an internal review of MOD surgical training methods was set in hand. As a result of that review, an independent study by eminent representatives from appropriate fields was commissioned. They investigated the suitability and effectiveness of other training methods and witnessed a complete Surgical

Training Exercise. The study team were satisfied that the treatment of the animals was entirely humane and appropriate steps were taken to avoid suffering during all phases of the exercises. They could identify no equally effective alternative to the use of live animal models in order to prepare our surgical teams for the treatment of trauma under battlefield conditions. They concluded that to ensure the best possible treatment for injured Service personnel and civilians during conflict, it is entirely appropriate and necessary for our military surgical teams to resume participation in the Surgical Training Exercises. On the basis of this advice, we have decided that UK participation in the Danish Surgical Training Exercises should resume when we are invited.

Open Government

Dr. David Clark: To ask the Secretary of State for Defence how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121850]

Dr. Moonie *[holding answer 18 May 2000]:* I refer my right hon. Friend to the answer given to him on 18 May 2000, *Official Report*, columns 216–17W by my right hon. Friend the Secretary of State for the Home Department.

Pay and Personnel Agency

Mr. Jim Cunningham: To ask the Secretary of State for Defence what performance targets have been set for the Pay and Personnel Agency for 2000–01. [123431]

Dr. Moonie: The Chief Executive of the Pay and Personnel Agency (PPA) is responsible for providing pay and personnel information services for the Ministry of Defence as defined in the agency framework document. During 2000–01 the PPA will be set the following challenging key performance targets:

1. To make 100 per cent. of all payments to staff by the due date (excluding late payments caused by invalid claims or late notification outside the control of the Agency).
2. To keep error rates within the following limits:

   6 per 1,000 payments of weekly industrial pay

   6 per 1,000 payments of monthly non-industrial pay

   20 per 1,000 awards of pension

   15 per 1,000 payments of expenses
3. By 31 March 2001 to demonstrate a 3 per cent. increase in customer satisfaction.
4. To meet the Department's requirement for implementing agreed pay and grading changes.
5. By 31 March 2001 to complete training of 100 per cent. of all staff in leadership or change management or customer service as appropriate.
6. To establish "centre of excellence" operations for pensions administration by 31 March 2001.
7. To deliver the financial objectives resulting from the PPA Efficiency Review and included in the Agency's service level agreement with the owner.

Procurement (Fraud)

Mr. Menzies Campbell: To ask the Secretary of State for Defence what the Government's policy is on identifying fraud in procurement contracts; what safeguards exist to protect against fraud; and what steps have been taken as part of the Smart Procurement initiative to combat fraud. [122754]

Dr. Moonie: The MOD adopts a 'zero tolerance' policy on all types of fraud and following Treasury guidance seeks to reduce risk, including that applying to procurement contracts, through effective controls and prompt investigation. Safeguards created to deter procurement fraud, including collusion and corruption, cover separation of duties, rotation of staff, hospitality books and quality checks. Good procurement practices are employed, such as effective competition, avoidance where possible of single source 'cost plus' arrangements, providing clear specifications, avoiding changes to requirement after contract award and authorising payment only when requirements have been met. These safeguards also naturally apply to the Smart Procurement process during the introduction of which the amount of fraud awareness training to procurement staff increased. Moreover, full guidance on fraud deterrence and detection is now available to all procurement staff on internal electronic mail systems as part of a Project Manager's toolkit. These specialist aspects of the procurement process are part of a wider range of fraud deterrence initiatives already in place or about to be introduced, including the creation in February 1999 of a Defence Fraud Analysis Unit. This unit now acts as the focus for MOD fraud matters including the promotion of risk awareness and uses the latest data mining and fraud detection techniques in a proactive response to fraud risk.

Mr. Menzies Campbell: To ask the Secretary of State for Defence on how many occasions in the past five years his Department has investigated allegations of fraud in procurement contracts; on how many occasions allegations were upheld; and on how many occasions prosecution followed, indicating in each case the contract and project concerned. [122755]

Dr. Moonie: I will write to the right hon. and learned Member and a copy of my letter will be placed in the Library of the House.

Heavy Airlift Capability

Mr. Brazier: To ask the Secretary of State for Defence if he will list the *(a)* armoured vehicles and *(b)* helicopters (i) in service and (ii) shortly to enter service in the armed forces which (A) the C17 can carry, (B) the A400M can carry, (C) the C130J can carry and (D) none of the above can carry; and in the case of helicopters if he will specify in each case whether carriage requires partial dismantling. [122914]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Hoyle: To ask the Secretary of State for Defence if the Airbus A400M is the preferred supplier for the long-term strategic heavy lift aircraft. [122933]

Mr. Hoon: I refer my hon. Friend to the statement I made to the House on Tuesday 16 May in which I announced the Government's intention to procure

25 A400M aircraft, to be developed and produced by Airbus Military Company, to meet the strategic airlift needs of our armed forces in the medium to long-term.

Strategic Export Controls

Mr. Wigley: To ask the Secretary of State for Defence if he will ensure that, for future years, the Annual Report on Strategic Export Controls includes full information on the number and type of weapons exported. [121925]

Mr. Hain: I have been asked to reply.

We are considering the content and format of future Annual Reports in the light of comments on the first two Reports, in particular the joint Report by the Defence, Foreign Affairs, International Development and Trade and Industry Committees, to which the Government will respond as soon as possible.

EDUCATION AND EMPLOYMENT

Departmental Initiatives

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list for each *(a)* area-based and *(b)* other regeneration-related initiative for which his Department is responsible (i) the amount budgeted and (ii) the total expended in each financial year for the planned lifetime of each initiative. [119792]

Mr. Wills *[holding answer 20 April 2000]:* The Department's aim is

> to give everyone the chance, through education, training and work to realise their full potential and thus build an inclusive and fair society and a competitive economy.

To achieve that, programmes must reach and impact effectively on people who are suffering from disadvantage. While not directly focused on regenerating deprived areas, DfEE initiatives offer crucial support for those individuals most affected by deprivation. The steps which the Department is taking to widen participation in learning, particularly targeting those who traditionally drop out or have low levels of achievement, will also contribute to the regeneration of local areas. These include Excellence in Cities, piloting Education Maintenance Allowances and introducing the Connexions Service. In addition a substantial proportion of New Deal For Schools funding benefits schools in disadvantaged areas. We have also made available £16 million for improving the quality and developing the range of adult basic skills provision in 1999–2000 and 2000–01.

The table includes sums already expended and planned budgets for the current and next financial years for those initiatives which could most easily be described as *(a)* area-based, and *(b)* regeneration-related. Planned budgets may change and expenditure plans beyond March 2002 will be determined by the current spending review.

£ million

	Outturn		*Estimated outturn*	*Forecast budget*	
	FY 1997–98	*FY 1998–99*	*FY 1999–2001*	*FY 2000–01*	*FY 2001–02*
Education Action Zones (Rounds 1 and 2)	—	10.2	29.2	50.0	60.0
Employment Zones (prototypes from 1998–2000—fully fledged from 2000–02)	1.0	5.0	16.0	56.0	56.0
Neighbourhood Support Fund	—	—	20.0	20.0	20.0
Sure Start[1]	—	—	[2]19.0	184.0	184.0
Excellence in Cities	—	—	32.0	200.0	[3]—
Early Excellence Centres	0.12	1.9	4.1	10.0	10.0
Early Years Nursery Education Grant funding for education places for three-year-olds	—	—	38.0	110.0	250.0
New Start	0.93	3.85	5.6	5.0	[4]—
Millennium Volunteers[5]	—	0.4	4.0	15.0	15.0
Community Champions	—	—	0.46	1.0	—
Adult and Community Learning Fund	—	[6]5.46	6.1	6.5	5.0
New Deal for Schools[7]	78.077	223.710	282.355	500.400	293.400

[1] Sure Start is a cross-departmental programme, which is overseen by a steering group involving Ministers from the Departments of Education and Employment, Health, Social Security, Environment, Transport and the Regions, Culture, Media and Sport and the Home Office, the Lord Chancellor's Department and the Treasury.
[2] Spending in the first year was lower than originally planned; the underspend will be carried forward and used to meet the costs of programme activity in future years.
[3] The final figure for the third year of this initiative is dependent on the Year 2000 Review.
[4] To be decided in the light of the phased introduction of the Connexions Service which will build on the New Start partnership working from April 2001.
[5] These figures do not include a total of £12.75 million from the Windfall Tax which has been made available as start-up funding for the programme in England over the lifetime of this Parliament.
[6] This figure includes £3.27 million on Laptop Programme for Adult and Community Learning Tutors.
[7] These are total funding figures. A substantial proportion is spent in schools serving disadvantaged areas.

School Budget Deficits

Mr. Wray: To ask the Secretary of State for Education and Employment (1) what estimate he has made of the number of schools that are operating with a budget deficit; [122719]

(2) what assessment he has made of the main causes of budget deficit within schools; [122720]

Ms Estelle Morris: Returns received from 145 of the 150 Local Education Authorities in England show that of 21,542 schools in those Authorities, 2,470 schools

reported a budget deficit at 31 March 1999, leaving 19,072 without deficit. At 31 March 1998, schools in deficit numbered 2,753.

While it is not possible to give a definitive answer on the cause of deficits, it is clear that historic underfunding has led schools to attempt to protect services in the anticipation of the kind of improved funding which is in evidence in the current financial year.

Green Transport

Mr. Moore: To ask the Secretary of State for Education and Employment if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122620]

Mr. Wills *[holding answer 18 May 2000]:* By the end of March 2000, Effective Travel Plans had been submitted for all the Department's main buildings.

Learning and Skills Council

Mr. Pound: To ask the Secretary of State for Education and Employment if he will make a statement on his plans for the location of the local arm of the Learning and Skills Council in West London. [123402]

Mr. Wicks: My right hon. Friend the Secretary of State has decided that the local arm of the West London Learning and Skills Council (LSC) should initially be located in Hounslow. In taking this decision he has taken into account the suitability and availability of premises in other West London locations as well as the need to get best value for money. My noble Friend the Minister of State has written to the hon. Members whose constituencies are in West London, and copies of the letter have been placed in the Libraries of the House.

Middlefield Primary School

Mr. Winnick: To ask the Secretary of State for Education and Employment what weaknesses were found by the Ofsted inspection agency in the Ofsted inspection carried out at Middlefield primary school; and if a teacher was criticised during the inspection in front of pupils. [122936]

Ms Estelle Morris: These are matters for Her Majesty's Chief Inspector of Schools, Chris Woodhead, and I am satisfied that they have been fully investigated by Ofsted. I have asked the Chief Inspector to write to my hon. Friend and to place a copy of his letter in the Library.

Holocaust Education Day

Mr. Gareth R. Thomas: To ask the Secretary of State for Education and Employment what action he is taking to encourage schools and local education authorities to participate in the Holocaust Education Day in January 2001. [122835]

Jacqui Smith: We are contributing fully to the Government's general programme of support for Holocaust Memorial Day, on 27 January. We are working with a range of organisations involved in holocaust education to develop educational materials for schools, youth and community groups and local education authorities. In June this year we will issue a resource pack for schools which will show how holocaust education can be built into the programmes of study for History at Key Stage 3 and identify connections with other areas of the curriculum, including Citizenship. We will also encourage schools to hold special events, for example, special school assemblies, poetry readings, workshops and seminars.

TREASURY

Poverty (Children)

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his speech to the Child Poverty Action Group on 15 May, if he will disaggregate the £7 billion additional spending in 2001 relative to 1997 on children's financial support. [122983]

Dawn Primarolo: I refer my right hon. Friend to Chart 5.2 in the March 2000 Economic and Fiscal Strategy Report, HC 346.

Mr. Field: To ask the Chancellor of the Exchequer on what basis he made the statement that many poorer families are now £50 per week better off in his recent speech to the Child Poverty Action Group. [122836]

Dawn Primarolo: I refer my right hon. Friend to paragraph 1.31 of the EFSR which stated that "By 2001, when personal tax and benefit changes measures from this and previous Budgets have come into effect—a single-earner family with two children earning £12,500 a year will be £2,600 a year or £50 a week better off".

Mr. Field: To ask the Chancellor of the Exchequer if he will set out the measurement he used to determine which children live in poverty when he described Government policies as having taken more than one million children out of poverty in his speech to the Child Poverty Action Group on 15 May. [122981]

Dawn Primarolo: The estimate that 1.2 million children will be lifted out of poverty is based upon the number of children in low-income families who will no longer be living in households below 60 per cent. of median income after the combined effect of the personal tax and benefit changes announced in the four Budgets since May 1997. The calculation includes those households classified as self-employed and measures income after allowing for housing costs, as explained in Box 5.1 of the March 2000 Economic and Fiscal Strategy Report, HC 346. Consistent with the indicators chosen in "Opportunity for all", Box 5.1 also presents estimates of the number of children lifted above a number of low-income thresholds.

Mr. Field: To ask the Chancellor of the Exchequer if he will set out the basis of the calculation made in his speech to the Child Poverty Action Group on 15 May that the poorest 20 per cent. of families receive 50 per cent. of the additional £7 billion per year spent on children's financial support. [122982]

Dawn Primarolo: This calculation is based on analysis of the distributional impact of the main children's measures announced by the Government. The analysis is consistent with the chart in Box 5.1 of the EFSR. The measures included are the introduction of and increases in the Working Families Tax Credit, increases in Child Benefit and the child premia in income-related benefits, and the new Children's Tax Credit. The estimates are

based on data from the Family Expenditure Surveys from 1996–98 uprated to estimated 2000–01 levels of prices and earnings.

VAT (Disability)

Mr. Oaten: To ask the Chancellor of the Exchequer (1) what plans he has to review the composite rate of VAT on equipment supplied to the visually impaired; [122937]

(2) when he expects to report on the review of VAT in relation to disability equipment; [R] [122931]

(3) what regional variations exist in the application of VAT to disability equipment. [122938]

Dawn Primarolo: Customs and Excise have looked at the application of the composite rate of VAT on equipment supplied to the visually impaired, but there are no plans to change this concession. There has been no broader review of VAT relief on disability equipment.

Customs are unaware of regional variations in the application of VAT to disability equipment, but would be glad to look into this if cases are drawn to their attention.

Working Families Tax Credit

Ms Kelly: To ask the Chancellor of the Exchequer (1) what was the *(a)* total and *(b)* forecast level of expenditure on the Working Families Tax Credit; how many families have claimed the Working Families Tax Credit; and what estimate he has made of the projected number of claimants on a year by year basis; [122601]

(2) what is the *(a)* forecast cost of introducing the childcare tax credit and *(b)* number of projected claimants of the credit; [122613]

Dawn Primarolo *[holding answers 18 May 2000]:* The total expenditure on Working Families Tax Credit (WFTC) and the Disabled Persons Tax Credit (DPTC) in 1999–2000, and the Budget projections of expenditure on these credits for 2000–01 and 2001–02, are shown at Table C12 of the March 2000 Financial Statement and Budget Report. Most of this relates to WFTC. Up to the end of March 2000 there had been 1,030,200 awards made of the WFTC.

It is estimated that the extra expenditure in 2000–01 due to the childcare tax credit element of WFTC will be about £200 million, and that about 125,000 families will benefit. Projected figures for other years are not available.

Alcohol and Tobacco Duties

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate *(a)* the retail value of goods purchased and *(b)* the tax, broken down between excise duty and VAT, lost through (i) cross-border shipping and (ii) cross-border smuggling of (1) alcohol products and (2) tobacco products for each year since 1996. [119217]

Dawn Primarolo *[holding answer 14 April 2000]:* The tables show the revenue lost through cross-border shopping and cross-Channel smuggling, and the estimated retail value of equivalent goods bought through legitimate UK retail outlets. Cross-border shopping estimates for 1999 are not yet available.

Table 1: Cross-border shopping

£ million[1]

	1996	1997	1998
Alcohol			
Excise	130	170	200
VAT	55	75	90
Total Tax	190	245	290
Retail Value	375	505	585
Tobacco			
Excise	35	50	70
VAT	10	10	15
Total Tax	45	60	85
Retail Value	60	80	115

Table 2: Cross-channel smuggling[2]

£ million[1]

	1996	1997	1998	1999
Alcohol				
Excise	140	120	155	140
VAT	60	60	75	70
Total Tax	200	180	230	215
Retail Value	395	395	505	485
Tobacco				
Excise	540	625	750	840
VAT	140	155	185	215
Total Tax	680	780	935	1,055
Retail Value	925	1,040	1,410	1,440

[1] Components are rounded to the nearest £5 million and therefore may not sum to the totals shown.

[2] The figures exclude any amounts for alcoholic drink and tobacco products smuggled in freight consignments. Customs' assessment of the overall revenue lost from all forms of tobacco smuggling, including that in freight, is £2.5 billion in 1999. No comparable assessment of the overall revenue lost from all forms of alcohol smuggling is available.

ENVIRONMENT, TRANSPORT AND THE REGIONS

RMT Union Flat Tenancy

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions when he consulted the Permanent Secretary at his Department about his controlled rent tenancy of a flat owned by the RMT, in accordance with paragraph 123 of the Ministerial Code. [120586]

Mr. Prescott *[holding answer 4 May 2000]:* It has been the practice of successive Administrations not to disclose information relating to internal opinion, advice, recommendation, consultation and deliberation, consistent with Section 2 of Part II of the Code of Practice on Access to Government Information.

Public Bodies

Mr. Steinberg: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the (i) executive agencies, (ii) non-departmental public bodies and (iii) local public spending bodies within his Department's remit and *(b)* the contractors employed by his Department whose work (1) has been transferred

since 1992 and (2) is planned to be transferred in the next 12 months (y) to and (z) from the Northern Region. [121052]

Ms Beverley Hughes: The executive agencies and non-departmental public bodies which fall within the Department's remit are listed. The only local public spending bodies which fall within the Department's remit are registered social landlords (RSLs). There are approximately 2,100 RSLs, which are registered with the Housing Corporation. These are listed in the Housing Corporation's "Directory of Registered Social Landlords 2000", a copy of which is in the House Library. No executive agencies or non-departmental public bodies have been transferred from the Northern Region since 1992 or are planned to be transferred in the next 12 months. Information on local public spending bodies could be obtained only at disproportionate cost.

The information requested on contractors is not held centrally and could be obtained only at disproportionate cost.

Executive Agencies

- Driving Standards Agency
- Driver Vehicle Licensing Agency
- Highways Agency
- Maritime and Coastguard Agency
- Planning Inspectorate
- Queen Elizabeth II Conference Centre
- Rent Officers Service Agency
- Vehicle Inspectorate
- Vehicle Certification Agency

Non-departmental Public Bodies

- Audit Commission for Local Authorities in England and Wales
- Countryside Agency
- Docklands Light Railway
- English Nature (Nature Conservancy Council for England)
- English Partnerships (Urban Regeneration Agency and Commission for the New Towns)
- Environment Agency
- General Lighthouse Authorities:
  - Northern Lighthouse Board
  - Trinity House Lighthouse Board
- Health and Safety Commission
- Health and Safety Executive
- Housing Action Trusts:
  - Castle Vale (Birmingham)
  - Liverpool
  - Stonebridge (Brent)
  - Tower Hamlets
  - Waltham Forest
- Housing Corporation
- Joint Nature Conservation Committee
- Local Government Commission for England
- London Pensions Fund Authority
- London Regional Passengers' Committee
- National Forest Company
- Regional Development Agencies:
  - East Midlands (East Midlands Development Agency)
  - Eastern (East of England Development Agency)
  - North East (One North East)
  - North West (North West Development Agency)
  - South East (South East England Development Agency)
  - South West (South West of England Regional Development Agency)
  - West Midlands (Advantage West Midlands)
  - Yorkshire and Humber (Yorkshire Forward)
- Rural Development Commission
- Traffic Director for London.

Correspondence

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the letter from the hon. Member for Tunbridge Wells to the Prime Minister of 13 March regarding enforcement of the Ministerial Code, which has been passed to him for reply. [121210]

Mr. Prescott *[holding answer 8 May 2000]:* I refer the hon. Member to the reply given to him by my right hon. Friend the Prime Minister today (PQ121212), *Official Report*, column 286W.

VAT (Building Renovations and Conversions)

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has made in the past six months to the Chancellor of the Exchequer about reducing the level of value added tax levied on building renovations and conversions; what plans he has to make such representations in the next six months; and if he will make a statement. [122100]

Mr. Raynsford: The Secretary of State for the Environment, Transport and the Regions has discussions with the Chancellor of the Exchequer on many issues throughout the year. These discussions are confidential. Final decisions on taxation are a matter for the Chancellor. The Secretary of State has no plans to make a statement.

Skipton to Leeds Line

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions when he expects new rolling stock to be introduced by Northern Spirit on the Skipton to Leeds line; and if he will make a statement. [122740]

Mr. Hill: It is anticipated that new rolling stock will be operating on the Skipton to Leeds line by the end of this year.

Motor Insurers Bureau

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of his review of the Motor Insurers Bureau agreements. [122810]

Mr. Hill: The Uninsured Drivers Agreement is subject to a Judicial Review as a result of an application by the Motor Accident Solicitors Society. When the result of that is known we will be considering whether any changes are necessary. A consultation exercise on proposals to amend

the separate Untraced Drivers Agreement will start in the next few days. We shall be consulting widely among representatives of the legal profession, consumer groups and the motor insurance industry.

Housing Debt (Local Authorities)

Mrs. Fyfe: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will estimate the total of housing debt owed by local authorities; [123015]

(2) if he will estimate the total of housing debt owed by local authorities in Great Britain. [123014]

Mr. Mullin: Local authorities manage their debt corporately so there are no separate figures for debt in respect of housing. We do, however, make estimates of notional housing debt for the purposes of revenue subsidy calculations. The England total estimated housing debt for subsidy purposes for 2000–01 is £19.3 billion. With regard to these matters in Scotland and Wales, the responsibility has been passed to the Scottish Parliament and the Welsh Assembly.

Firework Storage

Mr. Page: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the limits on the weight of fireworks which may be stored at private premises and the length of time they may be so stored. [R] [122631]

Mr. Meacher: The Health and Safety Executive is in the advanced stages of a review of the legal controls on the manufacture and storage of fireworks and other explosives. This includes a review of limits on the storage of fireworks in private premises. The Health and Safety Commission plans to consult publicly on its proposals towards the end of the year.

Mr. Page: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment has been carried out by his Department of the proximity of the locations of storage and manufacture of fireworks and explosives to private dwellings. [R] [122624]

Mr. Meacher: The Health and Safety Executive is in the advanced stages of a review of the legal controls on the manufacture and storage of explosives, including fireworks. This includes a thorough and expert re-examination of the distances currently specified for separation from inhabited buildings, and related work on the location of existing sites. The Health and Safety Commission plans to consult publicly on its proposals towards the end of the year.

Chiltern Railways

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions if there is an exemption order for the fleet of new Class 168/1 trains to be introduced into service by Chiltern Railways Ltd. in respect of any of the provisions of the Rail Vehicle Accessibility Regulations 1998; and if he will make a statement. [123276]

Mr. Hill: As my predecessor explained in her answer to my hon. Friend the Member for Harrow, East (Mr. McNulty) on 9 March 1999, *Official Report*, column 167W, we are expecting to receive a number of exemption applications from train operating companies whose designs for new rail vehicles were well advanced prior to the 1998 Regulations coming into force.

We have received an application from Chiltern Railways Ltd. relating to the new Class 168/1 trains they wish to introduce into service. The exemptions have been discussed with our statutory advisers the Disabled Persons Transport Advisory Committee. An exemption order relating to the exemption of these trains has been laid in Parliament today.

The exemptions will not prevent disabled people from using the new trains. Indeed, we believe that their introduction will make a significant contribution to improving mobility opportunities for disabled people.

FOREIGN AND COMMONWEALTH AFFAIRS

Joint Environmental Markets Unit

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will second staff to work for the Government Joint Environmental Markets Unit. [121490]

Mr. Hain: We have agreed FCO funding for an initial six month secondment to DTI/DETR's Joint Environmental Markets Unit (JEMU). We are currently discussing with JEMU specific opportunities for later this year and are in the process of identifying suitable officers for secondment.

Treaty of Montreux

Mr. Gummer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will assess the benefits of reconvening the conference which led to the Treaty of Montreux to reconsider the provisions of that Treaty. [121473]

Mr. Hain: The UK keeps all Treaties to which it is a signatory under review. We do not believe there is a need for changes to the Montreux Convention at present. No other party to the Convention has asked for the conference to be reconvened.

Diplomatic Relations

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the grounds on which the United Kingdom breaks off diplomatic relations with other countries. [122476]

Mr. Hain: The establishment of diplomatic relations between States takes place by mutual consent, and if either State withdraws that consent diplomatic relations are broken. There are no legal limitations on the right of a State to break diplomatic relations with another, but the action is now almost invariably taken for political reasons. A break in diplomatic relations often follows a sequence of reciprocal or retaliatory moves between two States to downgrade their relations or a collective political decision by a number of States directed against another State whose conduct is regarded as unacceptable. The reasons for the United Kingdom deciding to break off diplomatic relations in any particular instance depend very much on the circumstances of each case.

Abdullah Ocalan

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Turkish Government regarding the case of Abdullah Ocalan; and if he will make a statement. [122382]

Mr. Vaz: I refer to my reply to my hon. Friend on 17 April 2000, *Official Report*, column 395W.

The conviction and sentencing of Mr. Ocalan are principally a matter for the Turkish courts. When the opportunity arises, we continue to make clear to the Turkish authorities our opposition to the death penalty as a matter of principle.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* meetings attended and *(b)* people met by Sir David Hannay since 1 January in relation to Cyprus. [122383]

Mr. Vaz: Sir David Hannay is in regular contact with all those interested in a settlement of the Cyprus problem.

During the period in question, Sir David attended the second round of UN proximity talks in Geneva from 31 January to 8 February, in the course of which he had numerous contacts with all those present (including the Greek and Turkish Cypriot leaders, the UN Secretary-General and his Special Adviser on Cyprus, Alvaro de Soto, representatives of the Greek and Turkish Governments and representatives of other Permanent Members of the Security Council, of other EU member states and of the European Commission).

Sir David visited Cyprus on 13–15 March, when he held discussions with the Greek and Turkish Cypriot leaders. He is planning to re-visit Cyprus in early June.

Sir David has also visited New York twice for discussions with the UN Secretary-General and his Special Adviser on Cyprus: Brussels for discussion with the High Representative for Common Foreign and Security Policy, Javier Solana, and the Commissioner for Enlargement, Gunter Verheugen, and Commission officials; Strasbourg for discussions with Jacques Poos, European Parliament Rapporteur on Cyprus, and other members of the European Parliament; Lisbon for discussion with the Portuguese EU Presidency; Paris for discussion with the incoming French EU Presidency; Athens (twice) for discussion with representatives of the Greek Government; and Ankara for discussion with representatives of the Turkish Government.

Sir David also attended the call by President Clerides on the Prime Minister on 10 April and the call by Cyprus Foreign Minister Cassoulides on the Foreign Secretary on 16 May.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he proposes to have with the Government of Turkey prior to the next round of talks on Cyprus; and if he will make a statement. [122372]

Mr. Vaz: We are in regular contact with the Government of Turkey on the UN Cyprus process and will remain so. We continue to urge Turkey, and all those with an interest in the Cyprus settlement process, to continue to cooperate with the UN Secretary General in a constructive and flexible manner.

Balkans

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Bosniac refugees have returned to Zepa and Srebrenica since the signing of the Dayton Peace Agreement. [122316]

Mr. Vaz: Since the signing of the Dayton Peace Agreement in November 1995, there have been 15 Bosniac returns to the town of Zepa, and 123 Bosniac returns to the Zepa municipality. There has been one Bosniac return to Srebrenica.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what final date has been set for the Kosovo municipal elections. [122315]

Mr. Vaz: No final date has been set for Kosovo's municipal elections. However, they are expected to take place in the autumn of this year.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of pre-war Bosniac inhabitants have returned to Eastern Bosnia since the signing of the Dayton Peace Agreement. [122313]

Mr. Vaz: The UNHCR (United Nations High Commission for Refugees) do not have on record any figures for the percentage of Bosniac returns to Eastern Bosnia. However since the signing of the Dayton agreement in November 1995, 247,228 Bosniacs have returned to the Federation.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Serb refugees have returned to the Federal Republic of Yugoslavia since the signing of the Dayton Peace Agreement. [122317]

Mr. Vaz: There have been no significant outflows of ethnic Serb refugees from the Federal Republic of Yugoslavia (Serbia and Montenegro) during the last decade.

UNHCR figures put the number of Serb refugee returns to Bosnia and Herzegovina since 1 January 1996 (shortly after the Dayton agreement) at 33,470.

According to UNHCR statistics, there were 200,900 refugees from Bosnia and Herzegovina and 296,600 refugees from Croatia present in the Federal Republic of Yugoslavia (FRY) at the end of 1998 (the latest figures available). In addition the number of internally displaced persons from Kosovo present in other parts of the FRY has been estimated provisionally at 180,000.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Bosniac and Croat refugees have returned to the territory described as Republika Sprska since the signing of the Dayton Peace Agreement. [122319]

Mr. Vaz: UNHCR figures state that between 1 January 1996 and 31 March 2000, there were 2,729 Bosniac returns and 1,021 Croat returns to Republika Sprska. (The General Framework Agreement for Peace was signed at Dayton in November 1995).

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress in establishing an effective judiciary in Kosovo. [122314]

Mr. Vaz: The development of an effective judiciary remains a matter of priority for the UN Mission in Kosovo (UNMIK). In addition to the recruitment of local judges and prosecutors, the UN has asked the international community to consider seconding legal professionals of their own. We have received a number of registrations of interest from prosecutors and are seeking to identify judges for short-term detachments to Kosovo to work with UNMIK.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress in preparations in advance of municipal elections in Kosovo, of regulations to define the function, powers and terms of, and limitations on, the municipal offices there; and what stage has been reached in the approval of these regulations by the UN. [122318]

Mr. Vaz: The Secretary General's Special Representative in Kosovo, Bernard Kouchner, is, with the co-operation of the Council of Europe, in the process of preparing a draft regulation entitled "Self-Government of Municipalities in Kosovo" which will set out the status, responsibilities and powers of Kosovo's municipalities. The document is in its second draft and is subject to continuing discussion.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of progress in the electoral registration of Kosovar Serbs resident in Serbia. [122312]

Mr. Vaz: Registration for the forthcoming municipal elections in Kosovo is the responsibility of the Joint Registration Task Force (JRTF) of the UN Mission in Kosovo (UNMIK). The International Organisation for Migration (IOM) is handling out-of-area registration on behalf of the JRTF.

The JRTF is making strenuous efforts to ensure that displaced Kosovo Serbs are able to register. Three registration centres have been set up inside Kosovo, close to the internal boundary with Serbia for those Serbs wishing to register.

The task will be all the easier if Belgrade agrees to the registration process, which so far it has not. UNMIK are hoping however that Belgrade can be persuaded to give its agreement.

European Security

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how associate members and associate partners of the WEU will participate in European Union decisions and actions in the framework of the European Security and Defence Policy. [122321]

Mr. Vaz: I refer the right hon. Member to the answer he received on 16 May 2000, *Official Report*, columns 112–13W.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future of the WEU Assembly. [122322]

Mr. Vaz: The question of parliamentary oversight of European defence is one we must get right in putting into practice the new defence arrangements within the EU. We are still considering the options.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the WEU Assembly proposal to transform the Assembly into a European Security and Defence Assembly. [122320]

Mr. Vaz: The WEU Assembly's Lisbon Initiative has made an important contribution to the discussion of the appropriate parliamentary framework to support the new defence structures.

Angola

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on encouraging another country to offer Jonas Savimbi political asylum and immunity from arrest. [122443]

Mr. Hain: We have not at this stage encouraged any country to offer Savimbi political asylum or immunity from arrest. We do, however, regard Savimbi as the major obstacle to a resolution to the conflict in Angola.

EU Expansion

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the EU's policy on the eligibility of Tunisia, Morocco and Libya for membership of the European Union. [122446]

Mr. Vaz: Article 49 of the Treaty on European Union sets out the eligibility criteria for membership of the EU.

Entry Waiting Times (Sub-continent)

Mr. Ian Stewart: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 April 2000, *Official Report*, column 414W, on entry waiting times, what plans he has to reduce the waiting times in each queue for entry to the United Kingdom in Islamabad and Dhaka. [122576]

Mr. Vaz: The High Commission in Islamabad has made good progress this year in reducing waiting times. The Post now has a full complement of entry clearance staff, which will be supplemented by additional temporary staff during the busy summer season. New reception arrangements, about to be introduced, should speed the processing of applicants. A high level review team will visit the Post in June to consider working practices.

In Dhaka, one entry clearance officer vacancy is being filled, and two additional entry clearance officer slots have been created. Dhaka will also receive temporary seasonal relief staff.

Ireland

Mr. Fallon: To ask the Secretary of State for Foreign and Commonwealth Affairs what price was realised by the sale of the Ambassador's Residence in Dublin; and what proportion of this sum has so far been paid. [122954]

Mr. Battle: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) on 5 May 2000, *Official Report*,

column 239W, in respect of the Diplomatic estate in Dublin. Because they are sensitive, it is not our policy to reveal details of price and other terms agreed in such transactions.

I will write to the hon. Member shortly about this matter.

Macedonia (Mr. Richard Hudson)

Mr. Todd: To ask the Secretary of State for Foreign and Commonwealth Affairs, further to the answer of 11 April 2000, *Official Report*, column 112W, on Mr. Richard Hudson, whether drivers working on behalf of KFOR other than Mr. Hudson have been prosecuted for *(a)* road traffic offences and *(b)* other offences in Macedonia; and if NATO has offered assistance in their cases. [121577]

Mr. Spellar: I have been asked to reply.

Aside from Mr. Richard Hudson, we are not aware of any cases of civilian contractors (British or otherwise) working for KFOR being charged with any criminal offences by the authorities of the Former Yugoslav Republic of Macedonia.

Mr. Hudson was working for a company contracted by the British armed forces in the Former Yugoslav Republic of Macedonia. He was not directly employed by NATO or by KFOR.

NORTHERN IRELAND

Executive Agencies (Performance Targets)

Ms Osborne: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Valuation and Lands Agency in 2000–01. [123403]

Mr. Ingram: For 2000–01 the following key performance targets have been set for the Agency:

Rating Revision Casework

To complete 89 per cent. of rating revision casework within three months of receipt.

Unit Cost

To achieve a Rating Unit Cost of £234 which represents an 8 per cent. reduction in real terms on projected outturn of £247 for 1999–2000.

Rating Valuation Standards

To achieve a standard in all rating valuations such that 90 per cent. of those determined on appeal are within plus or minus 10 per cent. of the initial assessment.

Rating Backdated Certificates

To issue 93 per cent. of certificates for continuous revision cases subject to retrospective backdating within 12 months of the event giving rise to this revision.

Rating Appeal Timeliness

To achieve a turnaround of 15 weeks on average for all rating appeals.

Client Service Level Agreements

To establish baseline performance and set an improvement target for 2001–02 using the new Client Satisfaction Survey information.

Financial Performance

To demonstrate the ability to achieve full cost recovery in respect of Client Services.

People Development

To achieve Investors in People accreditation by 30 September 2000.

Full details are set out in the Agency's Corporate and Business Plan, copies of which have been placed in the Library of the House.

Ms Osborne: To ask the Secretary of State for Northern Ireland what plans he has to publish details of the targets for the Northern Ireland Child Support Agency; and if he will make a statement. [123404]

Mr. George Howarth: The Northern Ireland Child Support Agency will publish its 2000–01 Strategic and Business Plan today. Copies will be placed in the Library.

The targets that I have set for the Child Support Agency for 2000–01 are set out:

Case Compliance

That in at least 74 per cent. of cases, non-resident parents are paying child maintenance;

Cash Compliance

That at least 72 per cent. of the total amount of child maintenance which is due for payment is actually being paid;

Accuracy

That the level of maintenance assessed is correct in at least 80 per cent. of all cases checked;

Customer Complaints

That the number of complaints received are reduced to less than 0.1 per cent. of the current caseload;

Customer Service Standards

Payments—that 98 per cent. of payments to the parent with care (or their bank or building society) are made within 10 working days of receipt from the non-resident parent;

Accounts—when requested, the majority of account breakdowns are issued within 40 working days;

Office Interviews—that 98 per cent. of clients are seen within 10 minutes of the time of a pre-booked appointment;

Customer Helpline—that 80 per cent. of telephone calls to the Customer Helpline are answered first time;

Correspondence—that 90 per cent. of letters received are answered within 10 working days of receipt;

Customer Satisfaction—that 95 per cent. of customers surveyed on quality call backs (following contact with Customer Helplines and face to face interviews) are at least satisfied with the service received;

Complaints—that the majority of customer complaints are resolved within 20 working days of receipt; and

Outstanding Work

To be reduced to a prescribed level in all key business areas by 31 March 2001. This target will focus attention on the need to address or eliminate backlogs, which is the key to the delivery of other improvements in performance and to the successful implementation of Child Support Reform.

The targets in the Business Plan present the Agency with a challenging but attainable objective which should lead to improvements both in customer service and performance in the lead-up to Child Support Reform.

Ms Osborne: To ask the Secretary of State for Northern Ireland what performance targets have been set for Construction Service in 2000–01. [123405]

Mr. Ingram: For 2000–01, the following performance targets have been set for Construction Service:

Quality of Service

1. To achieve a 90 per cent. compliance in customer assessments of Agency performance against Service Level Agreements.

2. To obtain a 95 per cent. satisfaction rate in customer assessments of project work.

3. To place 82 per cent. of orders in response to requests for reactive maintenance work within seven days and to place 95 per cent. within 14 days.

4. To place 76 per cent. of orders in response to requests for supplies work within seven days and to place 95 per cent. within 14 days.

5. To respond to 88 per cent. of customer advisory inquiries within six weeks and to respond to 97 per cent. within 10 weeks.

Efficiency

6. To achieve 3 per cent. efficiency gains on running cost expenditure.

7. To ensure that actual costs as a percentage of agreed target costs on project work do not exceed the agreed percentage.

8. To ensure that staff costs as a percentage of construction spend for maintenance work do not exceed the agreed percentage.

9. To ensure that staff costs as a percentage of construction spend for supplies work do not exceed the agreed percentage.

Financial Performance

10. To maintain expenditure within cash limits and to approved budgetary plans.

11. To recover the full cost of Agency Operations from customers with a tolerance of +2 per cent.

Ms Osborne: To ask the Secretary of State for Northern Ireland what performance targets have been set for 2000–01 for the Northern Ireland Health and Social Services Estates Agency. [123406]

Mr. George Howarth: The targets which have been set for 2000–01 are based on the corporate aims and objectives of the Agency as set out in Section 5 of its Corporate and Business Plan. The targets are in line with the Government's policy of seeking to improve the service provided to clients in terms of both quality and value for money, and I am satisfied that they present a demanding challenge for the Agency. A copy of the Corporate and Business Plan will be placed in the Library.

The targets are as follows:

Delivery of Services

1. Progress the percentage of completed Firecode Audits from 52 per cent. to 73 per cent. of all HSS Trusts, Boards and Agencies by 31 March 2001.

2. Work with Trusts to progress the Government's green agenda and provide an Energy/Environment report for the Minister on the progress the DHSSPS and HPSS are making towards meeting the Government's targets on green issues by November 2000.

3. Assess and advise the Department on 65 per cent. of capital investment business case submissions within 20 working days, subject to a maximum 24 business cases per annum.

4. Provide the consultation draft of the Review of the Key Management Document in the Firecode suite 'Policy and Principles' by March 2001.

5. 82 per cent. of clients to regard the Agency's Client Support and Project Management Services as satisfactory or better in respect of:

   Two projects being procured by the PFI/PPP process with an estimated capital value of £60 million.

   Preparation and completion of one outline Business Case with an estimated value of £3.7 million.

   Management of one project during the design stage with an estimated capital value of £16.6 million.

   The completion of the tendering and contract award stages of three projects with an estimated capital value of £2.1 million.

   Five projects during the construction/completion stages with an estimated capital value of £136.75 million.

6. Complete testing and issue Test Reports to the Authorised Person for 90 per cent. of periodic specialist sterilizer equipment tests within six weeks of the programme test commencement date and the remainder within 10 weeks, subject to a maximum requested for this service of 600 man days.

7. Complete 95 per cent. of inspections, acceptance testing and issue of request for inspection by Radiation Protection Advisor (Medical Physics Agency) of diagnostic equipment within four weeks of written request and remainder within 10 weeks.

8. Complete 95 per cent. laboratory equipment acceptance tests and mains analysis tests and issue report within four weeks of written requests and remainder within 10 weeks.

9. Complete 80 per cent. of environmental monitoring tests within six weeks of the agreed test date and the remainder within 10 weeks.

10. Complete 95 per cent. of the initial evaluations for Diagnostic Imaging Equipment Projects within four weeks of receipt of written request and the remainder within 10 weeks. Complete Diagnostic Imaging Equipment Projects within 10 months of clients providing their instructions to proceed.

Financial Management

11. Ensure that the Agency lives within its running cost allocation and demonstrates that its full costs are recovered, on a notional basis, through Service Level Agreements with clients.

Ms Osborne: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Land Registers of Northern Ireland in 2000–01. [123407]

Mr. Ingram: For 2000–01, the following performance targets have been set for LRNI:

1. To achieve a customer satisfaction rate, measured against complaints, of at least 98.5 per cent.

2. To achieve a registration accuracy rate of at least 98.5 per cent.

3. To process regular Land Registry dealings in an average of 20 days.

4. To process regular Registry of Deeds dealings in an average of 10 days.

5. To process regular Statutory Charges Registry dealings in an average of 15 days.

6. To process pre-completion land information applications in an average of five days.

7. To achieve a weighted unit cost target of £22.3 (net of PFI costs) and £31.5 (inclusive of PFI costs).

8. To process 130 application units per member of staff per month.

9. To cover Agency costs out of fee income.

SOCIAL SECURITY

Sub-post Offices

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he will list those sub-post offices that *(a)* he and *(b)* other Ministers have visited since May 1997. [121626]

Mr. Rooker: Department of Trade and Industry Ministers exercise Government responsibility for sub-post offices. Accordingly, neither I nor any of the Ministers have visited sub-post offices in an official capacity. However, like the rest of the population, we all make regular use of sub-post offices.

Burial Costs

Mr. Kidney: To ask the Secretary of State for Social Security if he will review the level of financial support that the Benefits Agency gives towards burial costs. [122323]

Angela Eagle: We do not plan any changes to financial support towards burial costs in the immediate future but will continue to keep the scheme under review.

Pensioners

Mr. Simon Hughes: To ask the Secretary of State for Social Security how many pensioners there are in each London borough, broken down by age, indicating the total number aged *(a)* 75 to 79 and *(b)* 80 and older, in each of those areas. [122711]

Mr. Rooker: The precise information requested is not available. Estimates of the numbers of people of pensionable age, broken down by the age bands requested, are given in the table.

Mid-1998 estimates of the number of people of pensionable age, by London borough

	65+ male/ 60+ female	*75–79*	*80+*
City of London	1,100	200	300
Barking and Dagenham	28,200	5,700	5,900
Barnet	51,900	9,500	13,400
Bexley	38,800	7,000	8,400
Brent	32,900	5,100	6,300
Bromley	57,800	10,900	13,200
Camden	27,400	4,900	6,800
Croydon	49,700	8,800	10,800
Ealing	40,500	7,100	9,100
Enfield	43,300	7,800	11,100
Greenwich	32,800	6,500	7,600
Hackney	23,700	3,900	5,300
Hammersmith and Fulham	20,100	3,500	4,800
Haringey	27,000	4,500	6,000
Harrow	33,500	5,900	9,000
Havering	44,500	8,600	8,600
Hillingdon	40,100	7,500	9,300
Hounslow	29,800	5,200	7,000
Islington	24,000	4,200	5,200
Kensington and Chelsea	22,500	3,800	5,500
Kingston upon Thames	23,200	4,400	5,900
Lambeth	32,800	5,800	7,100
Lewisham	35,000	6,400	8,200
Merton	27,200	5,000	7,000
Newham	27,000	5,000	5,700
Redbridge	38,000	7,100	9,300
Richmond upon Thames	30,000	5,700	8,200
Southwark	31,700	6,000	6,600
Sutton	29,700	5,500	7,400
Tower Hamlets	23,800	4,200	4,600
Waltham Forest	31,700	5,800	8,200
Wandsworth	36,100	6,800	9,100
Westminster	31,900	5,300	7,500

Notes:
1. Mid-1998 population estimates supplied by the Office for National Statistics, rounded to the nearest 100 persons.
2. The numbers of the population of pensionable age are not necessarily the same as the numbers of the population that are pensioners.
3. 'Pensionable age' represents males aged 65 and over and females aged 60 and over.

Guillain-Barré Syndrome

Mr. Andrew George: To ask the Secretary of State for Social Security what plans he has to ensure that examining medical practitioners and adjudicating officers of the Disability Benefits Unit of the Benefits Agency consult the records of the family doctor and relevant consultant when assessing the claim of an applicant suffering from Guillain-Barré syndrome. [122628]

Mr. Bayley: The decision makers from the Disability Benefits Unit of the Benefits Agency have access to guidance in the Disability Handbook. This is written by the Department's Medical Policy Group and contains guidance on the care and mobility needs likely to arise from a range of medical conditions. It contains a specific section on Guillain-Barré syndrome which indicates that a factual report from the relevant hospital is likely to be important in establishing the severity of the condition. For this particular disease, the hospital is likely to be able to provide more relevant information than that normally contained in family doctor records. The examining medical practitioners also have access to this guidance. However, their role is usually to provide an independent professional assessment of the care and mobility needs and they are unlikely to need to have access to information from the claimant's medical records for this particular purpose in this particular type of case.

Written Answers to Questions

Monday 22 May 2000

CABINET OFFICE

Information Technology

Ms Coffey: To ask the Minister for the Cabinet Office when the report on the handling of major Government IT projects will be published. [123285]

Mr. Ian McCartney: We are publishing the report "Successful IT: Modernising Government In Action" today, and have placed copies in the Libraries of the House.

This Government are committed to delivering improvements and avoiding the mistakes of the past. The report makes a series of recommendations to put in place the pillars that support successful IT projects. They include measures to:

Make sure all projects have a single person who is responsible for delivery and for making sure new IT is seen as part of a wider process of business change.

Improve skills particularly in project management.

Reduce risks by using modular and incremental approaches to projects.

Put in place systems for monitoring the progress of projects and learning lessons from experience.

Establish peer reviews of high risk projects.

The Government will implement all the recommendations and the report sets out a plan for achieving this. The E-Envoy will own the report and inform me of progress towards putting the recommendations into practice.

Medals

Mr. Healey: To ask the Minister for the Cabinet Office (1) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in Northern Ireland between 14 August 1969 and a date to be agreed; [122550]

(2) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in Kuwait between 8 March 1991 and 30 September 1991; [122538]

(3) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for military service in Air Operations Iraq between 16 July 1991 and a date to be agreed; [122542]

(4) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in Lebanon between 7 February 1983 and 9 March 1984; [122543]

(5) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in Kuwait between 8 March 1991 and 30 September 1991; [122546]

(6) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in the Gulf between 17 November 1986 and 31 October 1998 and for continuing mine counter measures operations within the Gulf between 1 November 1998 and 28 February 1999; [122547]

(7) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the Clasp Dhofar for service between 1 October 1969 and 30 September 1976; [122552]

(8) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in the Gulf of Suez between 15 August 1984 and 15 October 1984; [122545]

(9) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in Northern Ireland between 14 August 1969 and a date to be agreed; [122549]

(10) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the award of a clasp to the General Service Medal for military service in Kuwait between 8 March 1991 and 30 September 1991; [122537]

(11) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in Air Operations Iraq between 16 July 1991 and a date to be agreed; [122541]

(12) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in the Gulf between 17 November 1986 and 31 October 1988 and for continuing mine counter measures operations within the Gulf between 1 November 1998 and 28 February 1999; [122548]

(13) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in Northern Iraq and Southern Turkey between 6 April 1991 and 17 July 1991; [122540]

(14) if she will *(a)* place in the Library and *(b)* publish the papers prepared for the Committee for Honours, Medals and Decorations in its consideration of the case for the award of the General Service Medal for service in Lebanon between 7 February 1983 and 9 March 1984; [122544]

(15) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a Clasp Dhofar for military service between 1 October 1969 and 30 September 1976; [122551]

(16) if she will publish the minutes of the meeting of the Committee for Honours, Medals and Decorations at which it agreed the case for the award of a clasp to the General Service Medal for military service in Northern Iraq and Southern Turkey between 6 April 1991 and 17 July 1991. [122539]

Dr. Moonie: I have been asked to reply.

The Committee on the Grant of Honours, Decorations and Medals is a committee established at the request of The Sovereign that reports directly to The Queen. I have therefore asked the Chairman of the Committee, Sir Richard Wilson, to write to my hon. Friend. A copy of the letter will be placed in the Library of the House.

PRIME MINISTER

Ministerial Meetings

Mr. Spring: To ask the Prime Minister what requests he has received from overseas Governments for meetings in Britain between himself and representatives of these Governments between 19 May and 12 June; and which such meetings will take place. [122792]

The Prime Minister *[holding answer 19 May 2000]:* It is established practice under exemption 1(c) of the Code of Practice on Access to Government Information not to disclose information received in confidence from foreign Governments. As with previous Administrations, it is not our practice to provide information on calls until they are announced officially, both here and in the visitor's home country.

Mr. Spring: To ask the Prime Minister if he will list the official visits to Britain by senior representatives of overseas Governments which are due to take place between 19 May and 12 June. [122793]

The Prime Minister *[holding answer 19 May 2000]:* The Foreign and Commonwealth Office is organising the following official visits to Britain by senior representatives of overseas governments which are due to take place between 19 May and 12 June:

President of Italy (31 May-1 June)
President of the Philippines (1–5 June)
State Secretary for Water, Hungary (29 May-2 June)
Minister for Higher Education, Uzbekistan (5–8 June)
Minister of Defence, Tanzania (1–3 June)
Minister of the State Environmental Protection Administration, China (20–25 May)
Vice Minister of Construction, China (22–28 May)
Minister of the State Administration for Radio, Film and Television, China (28 May-1 June)
Minister of Labour and Social Security, China (28 May-1 June)

INTERNATIONAL DEVELOPMENT

Zambia

Ms Oona King: To ask the Secretary of State for International Development what assessment she has made of progress in the establishment of community schools in Zambia. [121778]

Clare Short: Community schools in Zambia provide an important service for disadvantaged children. They have grown rapidly, from 53 in 1996 to 373 last year. My officials are working with the Ministry of Education and other donor partners to ensure that their needs are reflected in a joint education sector support programme.

EC Programmes

Mr. Robathan: To ask the Secretary of State for International Development, pursuant to the Annual report of the Department for International Development, Cm 4610, para 4.22, relating to the part of DFID's budget spent through EC programmes, what procedures were used in accounting for this money by her Department. [121837]

Clare Short: The UK contribution to the European Union Budget, including development spending, is paid from the Consolidated Fund to an EC account held in the UK. These payments are administered by the Treasury.

For our European Development Fund (EDF) payments, which are made quarterly, my Department is notified by the EDF of the required amount shortly before payment is required. It is made to DFID's euro account at the Bank of England. When the EDF need to call down these funds, they notify my Department, which writes to the Bank of England authorising transfer to the EDF account.

Audit of all EC expenditure, including development programmes, is carried out by the Court of Auditors. I have access to their report, which is also scrutinised by the National Audit Office.

Rwanda

Mr. Alexander: To ask the Secretary of State for International Development what her Department's priorities are in Rwanda for the financial year 2000–01. [122691]

Clare Short: Last week I made my third visit to Rwanda and saw for myself the progress being made by the Government and the people to overcome the legacy of genocide. I also saw evidence of the severe challenges which Rwanda must overcome if the Government's objectives for poverty elimination, peace and reconciliation are to be achieved. My Department's main priority in Rwanda for 2000–01 is to work with Government in a collaborative effort to meet these challenges.

We will support Government's own efforts to develop the poverty reduction strategies needed to secure HIPC debt relief. We will provide flexible recurrent budget support to facilitate increased social sector spending, particularly on education and will expand our capacity building support to help Government strengthen its social sector planning and delivery mechanisms. We will be supporting Government's efforts to improve skills at all levels and will be helping Government take full advantage of new opportunities in the field of information and communications technology.

We plan to hold development talks with Government later this year to discuss the detail of future UK support and to develop further the positive dialogue already established on a range of economic, social and political challenges facing Government.

India (Dalit Community)

Mr. McDonnell: To ask the Secretary of State for International Development what assistance is provided by her Department for the Dalit community in India. [120299]

Clare Short: The Indian constitution provides dalits (scheduled castes) with a range of guarantees of equality and affirmative action. Yet, while policies and a wide range of government schemes exist to provide them with services, patchy implementation and discriminatory social attitudes continue to retard progress. DFID is working with government to improve services and to demonstrate and replicate systems to promote access for scheduled castes and other marginalised groups.

For example, DFID supports the District Primary Education Programme (DPEP), which is designed to increase access to quality primary education for all, with special measures to reach scheduled castes and other marginalised groups such as scheduled tribes.

We also support efforts to empower individuals and groups from scheduled castes and other marginalised communities. DFID's Poorest Areas Civil Society Programme aims to support civil society initiatives which empower poor people in the poorest districts to realise their rights. Scheduled castes will be a major target group for this programme which will support initiatives in five areas: self-governance; women's empowerment; policy advocacy; social cohesion; and self help to meet basic needs.

SOLICITOR-GENERAL

Opinion Research

Mr. Garnier: To ask the Solicitor-General how much his Department spent on opinion research in the financial year 1999–2000. [123251]

The Solicitor-General: Nothing was spent on opinion research, by which is understood opinion research for marketing purposes, in the financial year 1999–2000.

Mr. Garnier: To ask the Solicitor-General if he will list opinion research projects undertaken on behalf of his Department in the financial year 1999–2000 itemising *(a)* focus group research, *(b)* quantitative surveys and *(c)* other market research surveys and in each case stating when and where the results were published. [123252]

The Solicitor-General: No opinion research projects were undertaken by my Department during the financial year 1999–2000.

DEFENCE

Naval Vessels

Dr. Julian Lewis: To ask the Secretary of State for Defence what was the planned service life of *(a)* HMS London, *(b)* HMS Beaver, *(c)* HMS Boxer and *(d)* HMS Brave; and what was the forecast date for withdrawal from Royal Navy service, prior to the decision in the Strategic Defence Review to dispose of them. [121704]

Mr. Spellar: The planned service for each ship was 18 years. The additional information is given in the table.

Ship	*Pre-SDR date for withdrawal*
HMS London	28 February 2005
HMS Beaver	31 December 2002
HMS Boxer	31 January 2002
HMS Brave	29 February 2004

Dr. Julian Lewis: To ask the Secretary of State for Defence what have been the running costs of each of the Royal Navy's Type 42 destroyers for each of the past five years. [121706]

Mr. Spellar: The running costs of each of the Royal Naval's Type 42 destroyers for each of the past five years are contained in the following table. This includes repair and maintenance, manpower, fuel and other costs such as port and harbour dues. Year-on-year variations are largely attributable to refit periods.

£ million

Ship	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
HMS Birmingham	32.28	16.92	17.38	13.38	10.39
HMS Cardiff	19.86	41.20	28.86	13.20	17.87
HMS Newcastle	32.60	31.60	18.57	13.90	13.73
HMS Glasgow	14.70	29.47	26.36	13.61	12.65
HMS Exeter	19.46	15.72	40.83	12.76	14.48
HMS Southampton	16.53	20.37	17.91	35.09	18.79
HMS Nottingham	18.70	17.24	19.08	13.08	32.74
HMS Liverpool	16.92	20.75	14.59	14.79	14.63

£ million

Ship	1995–96	1996–97	1997–98	1998–99	1999–2000
HMS Manchester	17.99	19.40	14.58	12.22	12.69
HMS Gloucester	19.33	19.40	13.89	21.49	15.77
HMS Edinburgh	35.27	19.29	22.50	13.00	12.28
HMS York	20.48	19.79	17.50	11.78	21.88

DERA

Mr. Hancock: To ask the Secretary of State for Defence under what terms and conditions staff from the DERA workforce will be transferred to a new organisation after the split of DERA; if the conditions of service for those who remain will stay the same; and if he will make a statement. [122380]

Mr. Hoon: Staff transferring to the NewDERA organisation would have their terms and conditions protected under the Transfer of Undertakings (Protection of Employment) (TUPE) regulations. This means that staff transferring to the private NewDERA organisation would transfer with their existing terms and conditions. The Cabinet Office "Statement of Practice on Staff Transfers in the Public Sector" covers the conditions of service for staff remaining in the Ministry of Defence. The principle is that these staff should be treated no less favourably than if TUPE regulations had been applied to them. These matters are part of the consultation process on DERA PPP which is currently underway and which is scheduled to be completed on 9 June 2000.

Mr. Hancock: To ask the Secretary of State for Defence (1) if he will list the name, size and location of DERA-owned sites within the United Kingdom; and if he will make a statement; [122378]

(2) what plans there are to sell part of the land held by the DERA estate before the part sell-off of DERA; and if he will make a statement. [122386]

Mr. Hoon: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Mike Hancock, dated 22 May 2000:

I am replying to your parliamentary questions about the Defence Evaluation and Research Agency (DERA) estate as responsibility for operational matters such as these fall to me as the Chief Executive of the agency.

I attach at annex a list showing the name, size and location of DERA owned sites within the United Kingdom. These sites where the freehold of either all or part of the land has been vested to DERA. You ask what plans there are to sell part of this land before the privatisation of the agency. As you know, the future of DERA is currently the subject of a consultation document. MOD's proposals envisage that around three quarters of DERA would be turned into a company (for planning purposes this is referred to as NewDERA) which would be floated on the stockmarket as soon as its potential is judged to be suitably developed. This could be during 2001, though the precise timing has yet to be determined and will be influenced by the results of the consultation process.

In parallel to this process, as part of our normal strategic planning, the estate, as you would expect, is kept under continuous review. This process is expected to continue regardless of any privatisation considerations. As the precise transaction point for NewDERA has yet to be decided, I cannot say whether any currently planned land sales would take place before or after any flotation. We have, however, been planning to sell off the Chertsey and Bromley (Aquila) sites since 1997; these announcements were first made public in the 1998 Strategic Defence Review. The timing of these disposals will depend on progress with respect to the relocation of our staff and our negotiations with the local authorities. In addition, two smaller sites (West Drayton and Farnborough Queen's site) are to be closed in May and September, respectively, of this year. Whilst they are likely to be sold, no firm dates have been fixed for this disposal. Thus, the total number of sites that potentially could be sold prior to any proposed flotation of DERA is four.

I hope the above explains the situation.

List of DERA owned sites

Name	Size[1]	Location
Cody Site	150	Farnborough, Hants
Queen's Gate Site	2	Farnborough, Hants
Engine Test Facilities	230	Pyestock, Hants
Communication Station	75	Cobbet Hill, Guildford, Surrey
Boscombe Down Airfield	585	Boscombe Down, Salisbury, Wiltshire
Chemical and Biological Defence (CBD)	2,620	Porton Down, Salisbury, Wiltshire
DERA Fort Halstead	135	Sevenoaks, Kent
DERA Chertsey	120	Chertsey, Surrey
The Maultway	100	Bagshot, Surrey
Aquila	10	Bromley, Kent
DERA Bedford	70	Clapham, Bedford
Christchurch[2]	3	Christchurch, Dorset
DERA Portsdown	13	Portsdown, Hants
DERA Bincleaves	3	Weymouth, Dorset
DERA Fraser	1	Eastney, Portsmouth, Hants
DERA Funtington	16	Chichester, West Sussex
DERA Haslar[2]	30	Gosport, Hants
DERA West Drayton	2	West Drayton, Middx
DERA Malvern	30	Malvern, Worcs
Angle	20	Pembrokeshire
Hutton Moor	6	North Somerset
DERA Aberporth	170	Aberport Ceredigion
DERA Pershore	130	Pershore, Worcs
Applecross	2	Highland
Kyle of Lochalsh	2	Highland
Loch Fyne	1	Argyll and Bute
Loch Goil	3	Argyll
Clyde Barons Point	1	Argyll and Bute
Clyde Rosneath	3	Rosneath
Drunmore Harbour pier	0.3	Dumfries and Galloway
DERA Eskmeals[2]	1,600	Cumbria
DERA Pendine	2,240	Carmarthenshire
Portpatrick	0.1	Dumfries and Galloway
Portland Bill	10	Weymouth
Portland Grove Point	0.1	Weymouth
Rona Ranges	60	Kyle of Lochalsh, Ross-shire
DERA Shoeburyness	17,270	Southend-on-Sea, Essex
Potton Island	400	Essex
Foulness Island	70	Essex
West Freugh	1,850	Dumfries and Galloway
DERA Hurn	260	East Dorset
Llanbedr	465	Llanbedr, Gwynedd

[1] Approximate hectares
[2] These sites are a mixture of freehold and leased land
Note:
Sizes are approximate and have been rounded

Mr. Hancock: To ask the Secretary of State for Defence (1) what assessment he has made of the extent to which the part-privatisation of DERA will lead to *(a)* compulsory and *(b)* voluntary redundancies; and if he will make a statement; [122978]

(2) what arrangements have been put in place to meet the costs of possible redundancies at DERA following the part-privatisation. [122979]

Mr. Hoon: It has never been an objective of the Public Private Partnership for DERA to reduce staff numbers and indeed the opportunities provided by this process to develop new markets for DERA's products should have a positive effect on job prospects.

Staff numbers within DERA have varied in response to customer requirements and changes in the funding available for defence research. There has been such rebalancing in DERA over the last seven to eight years. This process is independent of PPP and would be expected to continue. As a general rule we would seek to avoid compulsory redundancies wherever possible. However, this would be subject to the need to ensure that the organisation can continue to meet the requirements placed by the Ministry of Defence and other customers.

Aircraft Carriers

Mr. Hancock: To ask the Secretary of State for Defence what is the latest position in respect of the two new aircraft carriers planned for the Royal Navy; what is his assessment of the costs of the programme; if the programme is up to date; and if he will make a statement. [122975]

Mr. Hoon: I refer the hon. Member to the answer I gave to my hon. Friends the Members for Ilford, North (Ms Perham) and for Plymouth, Sutton (Mrs. Gilroy) on 17 April 2000, *Official Report*, columns 678–80.

Gulf Veterans

Mr. Todd: To ask the Secretary of State for Defence what progress has been made on the Gulf Veterans Medical Assessment Programme; and if he will make a statement. [122928]

Mr. Spellar: The Gulf Veterans Medical Assessment Programme (GVMAP) was established in 1993 to provide as full a diagnosis as possible to UK veterans of the 1990–91 Gulf conflict who are concerned about their health. The GVMAP continues to see new patients and to date 2,991 veterans have been seen. GVMAP offer patients an appointment within four to six weeks of referral.

A management audit of the GVMAP was undertaken by King's Fund Health Quality Service in late 1998. This was concerned with all aspects of patient care and the service provided. The auditors were impressed with the organisation of the GVMAP and the enthusiasm and commitment of the staff to the provision of a high quality service. However, the auditors made a number of specific recommendations for improving the service. In January the Gulf Veterans Illnesses Unit published a report detailing the progress made by GVMAP in implementing the auditors' recommendations. The Royal College of Pathologists are in the process of reporting on the clinical procedures used at the GVMAP.

A paper describing the clinical findings from the first 1,000 patients examined at the GVMAP was published in the British Medical Journal in January 1999. A follow-up paper on the next 1,000 patients will be submitted for publication shortly.

In its continuing support of research into Gulf veterans illnesses, the GVMAP is providing anonymised medical data relating to UK Gulf veterans, for a study by King's College, London on war syndromes in British and American veterans of wars from 1900.

Joint NBC Regiment

Mr. Key: To ask the Secretary of State for Defence what is *(a)* the cost of and *(b)* the handover date for the new buildings at HQ Joint NBC Regiment at Winterbourne Gunner. [123117]

Mr. Spellar: The new buildings at Winterbourne Gunner are to house the Defence NBC Centre. The approximate cost of these is £7 million and the handover date will be 12 June.

Mr. Key: To ask the Secretary of State for Defence what consultations he held with *(a)* the county councils and *(b)* the district councils concerned before deciding to locate the Joint NBC Regiment at RAF Honington. [123115]

Mr. Spellar: The appropriate local authorities for the areas concerned were informed at the end of March 1999 that a study was under way to determine the best long term location for the Joint NBC Regiment. We did not receive any representations from the local authorities following these letters. Had we done so, we would of course have given them due consideration. The appropriate local authorities are also being informed following my recent announcement.

Mr. Key: To ask the Secretary of State for Defence what new buildings will be constructed at RAF Honington, at what cost and over what time scale, to accommodate the Joint NBC Regiment; and if will make a statement. [123118]

Mr. Spellar: It is likely that a new office block, training complex and hangar works will be required. Additional single living accommodation will also need to be built. The estimated maximum cost of these works is £9 million.

Mr. Key: To ask the Secretary of State for Defence if the Joint NBC Regiment based at RAF Honington train at *(a)* DERA-CBD Porton Down, *(b)* Salisbury Plain Training Area and *(c)* elsewhere; and if he will make a statement. [123121]

Mr. Spellar: The Joint NBC Regiment trains at Porton Down, Salisbury Plain and elsewhere, for example, on Stanford Training Area, close to RAF Honington.

Mr. Key: To ask the Secretary of State for Defence if *(a)* secure voice communications and *(b)* secure information technology networks are in place between RAF Honington and Defence NBC Centre at Winterbourne Gunner. [123120]

Mr. Spellar: Yes.

Asylum Seekers

Mr. Burstow: To ask the Secretary of State for Defence what plans he has to release the Farringdon House Territorial Army Centre in North Cheam for use as accommodation for asylum seekers. [122840]

Mr. Spellar: There are no plans for Farringdon Territorial Army Centre (TAC) in North Cheam to be used as accommodation for asylum seekers.

TRADE AND INDUSTRY

Electricity Industry

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry how many job losses have been announced in the past 12 months in the electricity generating and distributing industry; and what is his estimate of the impact on jobs in *(a)* the industry and *(b)* the Electricity Association that will arise as adjustments are made following changes brought about by the Utilities Bill and the new electricity trading arrangements. [122488]

Mrs. Liddell *[holding answer 16 May 2000]:* No central figures are available on the number of job losses announced in the electricity industry over the past 12 months, nor is it possible to attribute any changes in the levels of employment which may occur in the future to either the Utilities Bill or the new electricity trading arrangements.

Oil and Gas

Mr. David Stewart: To ask the Secretary of State for Trade and Industry if he will list the oil fabrication yards in the UK which have access to *(a)* Objective 1 European funding, *(b)* Objective 2 European funding, *(c)* Objective 3 European Funding, *(d)* special programme funding and *(e)* assisted area status. [122834]

Mrs. Liddell *[holding answer 19 May 2000]:* All of the main UK oil fabrication yards are in areas where European Structural Funds are available in the programming period beginning this year. The Objectives these areas qualify under are listed:

Harland and Wolff, Belfast is in the Northern Ireland special PEACE programme area.

Lewis Offshore, Stornoway and Barmac at Nigg and Ardersier are in the Highlands and Islands special transitional Objective 1 area.

Consafe Burntisland, Fife is in a transitional Objective 2 area.

UIE, Clydebank and Greenock, Kvaerner Methil, Fife, Aker McNulty, South Shields, AMEC, Wallsend, Heerema, Hartlepool, Kvaerner, Teesside, Odebrecht, Teesside and SLP, Lowestoft are all in Objective 2 areas.

The new assisted areas are currently under discussion with the European Commission.

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what were the employment levels in each of the UK's oil fabrication yards broken down by individual site in May *(a)* 1998, *(b)* 1999 and *(c)* 2000. [122833]

Mrs. Liddell *[holding answer 19 May 2000]:* The employment level at each of the UK's fabrication yards is set out in the table.

Fabrication yard	*May 1998*	*May 1999*	*May 2000*
Aker McNulty Ltd.—Tyne & Wear	4,589	503	316
Amec Process & Engineering Ltd.—Tyne & Wear	818	1,478	87
Barmac—Nigg & Ardersier	3,379	4,255	2,954
Consafe—Fife	802	236	104
Hereema—Hartlepool	253	364	102
Kvaerner Oil & Gas—Fife	278	485	805
Kvaerner Oil & Gas—Teeside	800	1,700	0
Lewis Offshore—Stornoway	314	136	14
Odebrecht-SLP Engineering—Teeside	267	168	148
SLP 2000—Lowestoft	537	244	216
UiE Clydebank—Glasgow	3,150	1,100	50

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Entrepreneurs

Mr. Woodward: To ask the Secretary of State for Trade and Industry what research his Department has undertaken into discrepancies between the numbers of *(a)* white entrepreneurs and *(b)* ethnic minority entrepreneurs obtaining business loans and other forms of financial assistance. [123085]

Ms Hewitt: The experiences of ethnic minority businesses in the UK in raising finance are extremely varied and the nature of the problems they face are very complex. This is why the DTI, together with the Bank of England and the British Bankers Association is supporting an extensive new study into the finance needs of ethnic minority businesses.

The study, which began in January, will survey 1,000 business owners from five ethnic groups in London, Birmingham, Leicester and Strathclyde over a two year period. It will address issues of perceived and actual discrimination.

This high quality research over an extended time scale will provide the banks and the DTI with a solid foundation upon which to help all ethnic minority business to succeed.

Sellafield

Mr. McNamara: To ask the Secretary of State for Trade and Industry what representations he has received in the past year from *(a)* citizens and *(b)* representatives of other EU member states concerning operations of the Sellafield nuclear plant. [121819]

Mrs. Liddell: My right hon. Friend the Secretary of State for Trade and Industry has received representations from *(a)* three citizens and *(b)* four representatives, ie those holding an elected or Ministerial post, of other EU member states concerning operations at Sellafield in the past year.

Employment Tribunals

Ms Julie Morgan: To ask the Secretary of State for Trade and Industry, pursuant to his answers of 13 April 2000, *Official Report*, columns 273–76W and 8 May 2000, *Official Report*, column 282W, concerning

employment tribunal claims, if he will provide the requested data *(a)* for Scotland and *(b)* separately for each employment tribunal region in England and Wales. [123124]

Mr. Alan Johnson: Some of the information is not available in the format requested. As the available information is contained in a number of detailed tables, I have asked the Chief Executive of the Employment Tribunals Service to write to my hon. Friend and place a copy in the Library of the House.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Accidents (A40)

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions how many accidents there have been on the A40 over the last three years *(a)* in total and *(b)* between Witney and Oxford. [121817]

Mr. Hill: The following numbers of inquiry road accidents occurred on the total length of the A40 in the last three years for which national records are available: 1,303 in 1996, 1,374 in 1997 and 1,290 in 1998. On the single carriageway section of the A40, between the Wolvercote roundabout in Oxford and the eastern end of the Witney bypass at Hill Farm, there were 27 in 1996, 45 in 1997 and 27 in 1998.

Wolverhampton/Shrewsbury/Chester Railway

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to support a bid to give the Wolverhampton/Shrewsbury/Chester railway line a priority Trans-European Network status. [122739]

Mr. Hill: The Commission, in discussion with member states, is currently reviewing the need for revisions to the TEN guidelines which were adopted in 1996. We agree with the emerging conclusions that no major alterations should be made to the guideline maps at this stage other than those necessary to ensure consistency with the transport network maps that have been developed for the countries seeking accession to the EU. There is also a consensus that no changes to the list of 14 Priority TEN projects adopted by the European Council at Essen in December 1994 should be made at this time. There will be another review of the guidelines in 2005 and that might be the appropriate moment to look afresh at the guideline maps and the list of priority projects.

Subject to parliamentary approval of the Transport Bill, future proposals for TEN status of railway lines in Great Britain will become the responsibility of the Strategic Rail Authority.

Euro

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions which *(a)* local authorities and *(b)* other organisations for which his Department has budgetary responsibility (i) have set up and (ii) are setting up projects to prepare for the UK adopting the euro; what these projects are costing each organisation; what the total cost to the Department is; and from which budget sums already spent have come. [122811]

Ms Beverley Hughes: An update on changeover planning in the public sector was given in the second Outline National Changeover Plan published on 9 March.

Airports Policy

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the Government's policy on airports; and if he will make a statement. [123156]

Mr. Mullin: We intend to produce an Air Transport White Paper which will provide a framework for the future of aviation and airports in the UK.

The White Paper will not be produced until after we have taken a decision on the planning application for Terminal 5 at Heathrow. The planning inquiry concluded in March 1999 and the Inspector indicated that he expects to submit his report to the Secretary of State within two years. The Secretary of State will then need to consider the report and the Inspector's recommendations carefully before making decisions.

The White Paper will also be preceded by a wide-ranging consultation document on aviation and airports; and by public consultations on the findings of the studies the Department is undertaking on air services and airports in all parts of the UK.

London Transport Policy

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Mayor of London about Government transport policy in London. [123155]

Mr. Hill: My right hon. Friend the Secretary of State, my right hon. Friend the Minister for Transport and I met the Mayor on 16 May. We had a wide-ranging discussion of issues of mutual interest including transport. I look forward to following this up with a further meeting with the Mayor later this week.

Local Authorities (Executive Structure)

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the local authorities in England and Wales which have instituted changes to their executive structure since May 1997; and what new arrangements they have put in place. [123146]

Ms Beverley Hughes: We do not hold centrally any comprehensive listing of those councils which are changing their constitutions within the restrictions of current legislative framework. Until the Local Government Bill [*Lords*], currently before the House, is enacted, councils cannot adopt executive arrangements within the terms of the Bill.

Ministerial Visit (Washington D.C.)

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what was the *(a)* itinerary for, *(b)* purpose of and *(c)* cost of his recent visit to Washington D.C. [123135]

Mr. Prescott: I visited Washington on 25–27 April in order to give a speech on climate change at the Pew Centre. I also met vice-president Al Gore, Environment Secretary Frank Loy, Transport Secretary Rodney Slater, several Senators, Dutch Environment Minister Jan Pronk and Australian Environment Minister Robert Hill. On 27 April I travelled from Washington to New York for a meeting of the United Nations Commission on Sustainable Development where I also met Jan Szysko the Polish Chair of the Climate Change Convention and Dr. Hassan Adamu the Nigerian Environment Minister and current chair of the G77 group of developing countries. I returned to the UK overnight on 27–28 April. All travel was in accordance with the Ministerial Code and my costs for the trip were approximately £6,000.

Groundwater Regulations

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the disparity between groundwater regulation charges in England and Scotland. [123018]

Mr. Mullin: In England and Wales, where the Environment Agency is responsible for authorisations under the Groundwater Regulation 1998 a single charge, equivalent to the initial £85 application charge payable at the inception of the scheme, will cover the first four-year period of groundwater authorisation. In Scotland, where the Scottish Environmental Protection Agency is the competent authority, charges under the Groundwater Regulations are a matter for the devolved Administration.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many discounted tickets have been issued to visitors to the Millennium dome each week since 1 January. [121949]

Janet Anderson *[holding answer 12 May 2000]:* Of the total number of tickets issued to date (10 May 2000), Group discount tickets account for 36 per cent. of the total. Further discounted tickets, relating to children, senior citizens and students account for 9.3 per cent. of the total tickets sold to date. The Millennium dome, like any other major visitor attraction, has an extensive ticket pricing structure incorporating a variety of attractive discounts for groups and individuals.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the number of overseas visitors to the dome during the year from *(a)* EU countries, *(b)* the USA and *(c)* the rest of the world. [121951]

Janet Anderson *[holding answer 12 May 2000]:* On the basis of a recent exit poll conducted at the dome, approximately 10 per cent. of visitors were from overseas. On the basis of information collected from call centres and web sales, these visitors have come from the following countries: European Union—73 per cent., Europe (non EU)—3 per cent., North America—19 per cent. and rest of the world—5 per cent. Of the EU countries, NMEC estimates that the top sellers are Benelux, France, Scandinavia, Germany and Ireland. There are certain to be additional overseas visitors who buy tickets direct from the dome upon arrival. NMEC does not at present ask these visitors their country of origin.

Green Transport

Mr. Moore: To ask the Secretary of State for Culture, Media and Sport if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122606]

Janet Anderson *[holding answer 18 May 2000]:* The Department for Culture, Media and Sport submitted a green transport plan (or more properly transport plan) for all its key buildings in June 1999. The buildings, all in London, are: 2–4 Cockspur Street; Grove House; 7 St. James' Square; Oceanic House; 179a Tottenham Court Road: Also included were Haymarket House and Novello House, but these have since been vacated by DCMS. The Royal Parks Agency did not submit a formal transport plan, but have published measures for promoting green transport initiatives in their Green Housekeeping Policy.

FOREIGN AND COMMONWEALTH AFFAIRS

Schuman Declaration

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* publications and *(b)* events funded by the European Union to celebrate the 50th anniversary of the Schuman declaration. [121512]

Mr. Vaz: I refer the hon. Gentleman to the office of the European Commission in London.

"Your Britain, Your Europe"

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the "Your Britain, Your Europe" campaign includes visits to schools; and what legal advice he took prior to such visits taking place. [121500]

Mr. Vaz: I have visited several schools during the cross-party "Your Britain, Your Europe" campaign to exchange views with students about Europe and to meet staff and pupils involved in European projects. We saw no need to take legal advice prior to such visits.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the parliamentary constituencies to be visited in the future by the "Your Britain, Your Europe" roadshow. [123092]

Mr. Vaz: We have not yet finalised the itinerary for all my various forthcoming city visits. But I will invite MPs and MEPs of all parties to participate in events which take place within their constituencies.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what definition of the term eurosceptic was used by the Minister for Europe in speeches made during the "Your Britain, Your Europe" roadshow. [123094]

Mr. Vaz: In various speeches, I have employed the term "eurosceptic" as the widely used description for certain sections of the media, NGOs and political parties which are opposed to the UK engaging constructively with EU partners or making a positive contribution to EU discussions.

Overseas Defence Sales

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people his Department employs *(a)* in the United Kingdom and *(b)* abroad to facilitate overseas defence sales. [122247]

Mr. Hain *[holding answer 16 May 2000]:* Government support for defence equipment exports is co-ordinated by the Defence Export Services Organisation of the Ministry of Defence. Overseas, this work is normally carried out by Defence Attaches and Defence Sales Sections. Although FCO staff contribute towards this work in a number of ways there are no staff directly employed to facilitate overseas Defence Sales.

The role of FCO departments in London is to provide advice to the Department of Trade and Industry on applications for export licences for defence equipment sales overseas.

Open Government

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary Session; and how many were granted. [121856]

Mr. Battle *[holding answer 18 May 2000]:* I refer my right hon. Friend to the answer given by my right hon. Friend the Home Secretary on 18 May 2000, *Official Report*, columns 216–17W.

Green Transport

Mr. Don Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122563]

Mr. Hain *[holding answer 18 May 2000]:* The FCO submitted green transport plans for all key buildings in the UK including Old Admiralty Building, Old Public Offices and Hanslope Park.

Europe Day

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of hosting the Europe Day Open Day at the Foreign and Commonwealth Office on 9 May. [123088]

Mr. Vaz: The Foreign and Commonwealth Open Day on 9 May, "Europe Day", was the first of a series of 12 open days the Foreign and Commonwealth Office is holding between May and July this year as part of the London String of Pearls Millennium Festival. The costs of the Foreign and Commonwealth Office's participation in the Festival will be spread over the 12 open days and it is therefore not possible to calculate the cost of individual open days.

The Diplomatic Missions in London of almost all the EU member states and all the applicants participated in the event and met their own costs.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the non-parliamentarians invited to participate in Europe Day events; for what reason they were invited; and if he will make a statement. [123089]

Mr. Vaz: We invited several celebrities to join Europe Day events, including Tony Robinson and Frank Bruno. We also invited several MEPs drawn from each of the main parties to join our celebration of Europe's cultural diversity.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the *(a)* nature and *(b)* substance of the European Debate which took place during the Europe Day Open Day at the Foreign and Commonwealth Office on 9 May. [123091]

Mr. Vaz: The schools debate held at the FCO's "Europe Day" was a parliamentary-style debate. Six students, each from a different school, spoke for or against the motion: "This House believes there will never be a United States of Europe".

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria were used in the selection of schools invited to participate in the Europe Day Open Day at the Foreign and Commonwealth Office on 9 May. [123090]

Mr. Vaz: In deciding which schools to invite to our Open Europe Day at the Foreign and Commonwealth Office we took a number of practical considerations into account, such as ease of travel and distance from the FCO. On that basis we contacted all secondary schools in Greater London and the Home Counties.

Serbia and Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on holding seminars for hon. Members; and if he will hold policy seminars on *(a)* Serbia and *(b)* Iraq. [123066]

Mr. Vaz: We are happy to hold policy seminars for hon. Members where there is clearly a strong wish on the part of sufficient Members that we should do so. If my right hon. Friend would care to write to me with details of what he proposes we will give it due consideration.

I and my right hon. Friend the Foreign Secretary and my hon. Friend the Minister of State frequently debate Iraq and Serbia in this House. My hon. Friend the Member for Neath (Mr. Hain) also has regular contacts with bodies with an interest in Iraq, including the UN, NGOs, members of the Iraqi opposition and religious bodies. As Minister for Europe, I am in regular contact with similar organisations with an interest in Serbia.

Nuclear Non-proliferation Treaty

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a

statement on the outcome of the Nuclear Non-Proliferation Treaty Review Conference held at the United Nations in New York. [122839]

Mr. Hain: We are delighted with the very positive outcome. It reaffirms the importance of the NPT as the cornerstone of global non-proliferation and disarmament efforts.

The key elements from the final document are:

(a) The nuclear-weapon States have given "an unequivocal undertaking . . . to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI."

(b) The nuclear-weapon States will take the following steps "leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally.

Increased transparency by the nuclear-weapon States with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.

Concrete agreed measures to further reduce the operational status of nuclear weapon systems.

A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination.

The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons."

The UK delegation played an active and pivotal role throughout the Conference. We worked hard to bridge the gaps between the Nuclear Weapon States and influential Non-Nuclear Weapon States, in particular those belonging to the New Agenda Coalition. Our constructive role has been widely recognised and welcomed. We have clearly demonstrated our commitment to further international progress on non-proliferation and disarmament.

Many people feared that this Conference would not be able to reach agreement, but the constructive attitude all sides have shown has demonstrated the continuing importance the international community attaches to non-proliferation and disarmament.

We now look forward to translating this agreement into concrete international progress.

I will arrange for the final documents from the Review Conference to be put in the Library of the House when they are available.

NORTHERN IRELAND

Listening Device (Police Investigation)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what was the result of the police investigation of a listening device found in the vicinity of St. Jarlath's Church, near Blackwater, County Armagh. [118979]

Mr. Ingram: It is not Government policy to comment on claims of this nature.

RUC Crest

Mr. William Ross: To ask the Secretary of State for Northern Ireland when the Guidelines on Health and Safety regarding the dimensions of the Royal Ulster Constabulary crest displayed on police vehicles came into force; when they were to be implemented; and by which Government Department these guidelines were prepared. [121256]

Mr. Ingram: I refer the hon. Member to the reply given on 23 March 2000, *Official Report*, column 628W.

There are no specific Health and Safety guidelines on the dimensions of the Royal Ulster Constabulary crest on police vehicles.

Powdered Milk Tokens

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many powdered milk tokens were provided by the Western Health and Social Services Board in the last 12 months for which figures are available and *(a)* what was their face value in (i) Limavady Council District, (ii) Londonderry Council District and (iii) Strabane Council District and *(b)* how many (i) chemists and (ii) other outlets provided this service in each of the council districts; and what checks he has carried out to determine whether only those chemists authorised to do so have returned such tokens for payment by the Board. [121254]

Mr. George Howarth: The Foyle HSS Trust and Sperrin Lakeland HSS Trust within the Western Health and Social Services Board area accepted 109,821 powdered milk tokens in the 12 month period 1 January 1999 to 31 December 1999, which are the latest figures available.

(a) Powdered milk tokens are reimbursed at the same face value in the Limavady Council District, Londonderry Council District and Strabane Council Districts by Foyle HSS Trust and Sperrin Lakeland Trust. The face values reimbursed at December 1999 were as follows:

	£
SMA White & Gold	5.99
Cow and Gate Plus and Premium	5.69
Farleys 1 & 2	5.61
Milupa Milumil	5.87
Milupa Aptamil & Aptamil Extra	6.58

(b) (i) The number of chemists authorised to accept milk tokens in each Council District are as follows:

District	
Limavady Council District	4
Londonderry Council District	26
Strabane Council District	14

(ii) No other outlets within these Council Districts are authorised to accept powdered milk tokens.

Foyle HSS Trust and Sperrin Lakeland HSS Trust accept powdered milk tokens only from those chemists authorised to participate in the NI Welfare Foods Scheme.

Criminal Justice Review

Mr. McGrady: To ask the Secretary of State for Northern Ireland when he will implement the conclusions of the Criminal Justice Review; and if he will make a statement. [120701]

Mr. Ingram: On 30 March the Secretary of State announced that there would be a six-month consultation on the recommendations contained in the report of the Review of the Criminal Justice system in Northern Ireland. An announcement of the Government's decisions on implementation, and a detailed timetable, will be made as soon as possible after the consultation period has ended.

Punishment Beatings

Mr. Field: To ask the Secretary of State for Northern Ireland how many punishment beatings have been reported to the RUC in each month since April 1997. [121838]

Mr. Ingram: The following tables show the recorded number of paramilitary style assaults and shootings by calendar year from January 1997.

Casualties as a result of paramilitary style assaults 1997–2000
Monthly Breakdown

Month	*1997*		*1998*		*1999*		*2000*[1]	
	Loy	*Rep*	*Loy*	*Rep*	*Loy*	*Rep*	*Loy*	*Rep*
January	7	12	5	3	1	12	9	1
February	12	14	7	8	13	5	4	3
March	7	11	6	3	11	2	8	4
April	5	6	6	1	3	4	3	7
May	7	4	8	3	7	1	2	2
June	2	1	8	11	8	6	—	—
July	8	5	7	7	2	6	—	—
August	4	4	12	2	10	1	—	—
September	5	7	9	2	4	2	—	—
October	6	4	8	4	7	4	—	—
November	8	7	6	5	2	1	—	—
December	7	3	7	6	6	—	—	—
Total	78	78	89	55	90	44	26	17

[1] 1 January-9 May

Casualties as a result of paramilitary style shootings 1997–2000
Monthly Breakdown

Month	*1997*		*1998*		*1999*		*2000*[1]	
	Loy	*Rep*	*Loy*	*Rep*	*Loy*	*Rep*	*Loy*	*Rep*
January	8	1	5	7	6	5	3	—
February	3	—	—	4	6	1	4	—
March	8	—	1	4	—	4	11	6
April	4	1	3	4	2	2	6	9
May	2	1	4	1	4	4	6	4
June	6	2	4	9	5	5	—	—
July	2	11	4	1	5	—	—	—
August	5	1	4	1	8	3	—	—
September	3	1	2	—	4	—	—	—
October	1	1	—	1	—	2	—	—
November	2	2	4	3	5	—	—	—
December	2	5	3	3	2	—	—	—
Total	46	26	34	38	47	26	30	19

[1] 1 January-9 May

Biodiversity

Mr. Öpik: To ask the Secretary of State for Northern Ireland what estimate he has made of the cost of implementing the Draft Northern Ireland Biodiversity Strategy; how the Government intend to fund the delivery of the strategy; and if he will make a statement. [122098]

Mr. George Howarth: The Draft Northern Ireland Biodiversity Strategy was published for consultation in June 1999 by the Government's advisory body, the Northern Ireland Biodiversity Group.

No final conclusions on the Strategy, including costs, can be reached until the Group has presented its recommendations to Government.

I understand that the Group expects to be able to do so within the next few months.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what percentage of the 1994–1999 round of Structural Funds for Northern Ireland was spent on nature conservation projects; what type of projects were funded; and if he will make a statement. [122096]

Mr. George Howarth: Responsibility for the subject in question has been delegated to the Environment & Heritage Service under its acting chief executive, Mr. J. R. Lamont. I have asked him to arrange for a reply to be given.

Letter from J. R. Lamont to Mr. Lembit Öpik, dated 17 May 2000:

As Acting Chief Executive of the Environment & Heritage Service, I am responsible for operational aspects of protection of the natural heritage on behalf of the Department of Environment for Northern Ireland. I am responding to the Parliamentary Question you put down on 11 May 2000 about what percentage of the 1994–1999 round of Structural Funds for Northern Ireland was spent on nature conservation projects and what type of projects were funded.

The amount spent on nature conservation projects from the Structural Funds for Northern Ireland for the 1994–1999 round was £171,000. This represented 0.018% of the total Funds. The schemes involved were environmental enhancement works at Whitespots, Newtownards, Tyrella Beach near Newcastle, the ECOS Centre, Ballymena and Waterfoot Beach on the east Antrim Coast.

I trust you will find this helpful.

RUC Barracks (West Belfast)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what use is being made of the RUC barracks building in West Belfast; what options are being considered as future uses for the building; and what plans he has to consult local residents about its use. [121869]

Mr. Ingram: At present all police buildings in West Belfast are being used operationally and will continue to be used in this capacity for the foreseeable future. There are no plans at the moment to consult with local residents regarding the future use of these buildings.

Public Representatives will be consulted over any future plans for policing in West Belfast.

EDUCATION AND EMPLOYMENT

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Education and Employment how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122261]

Mr. Wicks *[holding answer 17 May 2000]:* The DfEE, including the Employment Service, operates 543 cars and 22 commercial vehicles. All vehicles are manufactured in the EU. No record is kept of which EU country the vehicle is manufactured in. The Department occasionally uses cars provided by the Government Car and Despatch Agency (GCDA). These are not included in the above figures. For information on cars provided by the GCDA, I refer my hon. Friend to the answer given on 17 May 2000, *Official Report*, column 141W, by my right hon. Friend the Minister of State, Cabinet Office.

Higher Education (Ethnic Minorities)

Dr. Gibson: To ask the Secretary of State for Education and Employment what plans he has to ensure members of ethnic minority groups are not discriminated against in entry to universities. [122787]

Mr. Wicks: We are taking a range of measures to widen participation in Higher Education. The Higher Education Funding Council for England provides £18 million to Higher Education institutions through a 5 per cent. premium for students from disadvantaged areas. In his speech of 10 May 2000 to the AUT Conference, my right hon. Friend the Secretary of State announced a further £4 million for this fund and set out a series of steps which we will be taking to put in place a coherent package of support in order to widen participation. We hope to make further announcements in the autumn. Many of the ethnic communities who need help most will benefit from these measures.

We are also tackling the under-representation of ethnic minorities among teaching staff in Higher Education. In his letter of 23 November 1999 to the Funding Council, my right hon. Friend the Secretary of State expressed his deep concern about the present position on equal opportunities for HE staff. He also stated that all institutions are expected to have acted upon the National Committee of Inquiry into Higher Education recommendations to have equal opportunities policies in place, that barriers to recruitment and progression should be removed and that institutions should be fully accountable for the implementation of these changes.

Dr. Gibson: To ask the Secretary of State for Education and Employment what assessment he has made of the study by the Higher Education Funding Council on the likelihood of graduates from ethnic minority groups finding employment. [122788]

Mr. Wicks: I am aware that the Higher Education Funding Council for England's preliminary work for the development of performance indicators confirms our own understanding that graduates from ethnic minorities are less likely to be in employment than white graduates with similar qualifications. This is not acceptable. The Government are actively committed to equal opportunity in employment and to tackling racial discrimination in the workplace.

Graduates (Employment)

Dr. Gibson: To ask the Secretary of State for Education and Employment what performance indicators he will use to measure the employment of graduates. [122789]

Mr. Wicks: I will consider a range of measures of employment outcomes for graduates. I will pay particular attention to the institutional-level performance measure being developed, on the advice of a working group chaired by the Higher Education Funding Council for England, which relates to full-time home students with a first degree who have newly entered the job market. The measure will be based on the percentage of these students who are unemployed at 3 January of the academic year following their graduation.

Ms Pamela Relf

Mr. Winnick: To ask the Secretary of State for Education and Employment if he will make a statement on the contribution which Ms Pamela Relf made to teaching in state schools. [122939]

Ms Estelle Morris *[holding answer 19 May 2000]:* We learned with great regret of the death of Pamela Relf, who had been teaching for 36 years, and we extend our condolences to her family and colleagues.

Foundation Stage (Curriculum Guidance)

Mr. Fallon: To ask the Secretary of State for Education and Employment for what reason the Curriculum Guidance for the Foundation Stage launched by the Parliamentary Under-Secretary of State the hon. Member for Barking (Ms Hodge), on Thursday 11 May, accompanied by a Departmental Press Notice, was not available in the Library on Tuesday 15 May; when he expects a copy to be deposited; and to whom the guidance has so far been made available. [R] [122953]

Ms Hodge *[holding answer 19 May 2000]:* I announced on 11 May the publication of the "Curriculum Guidance for the Foundation Stage". This product, which addresses the early education of children, was produced jointly by my Department and the Qualifications and Curriculum Authority. It is intended primarily for early years practitioners and has been distributed widely to around 35,000 early years settings in the private, voluntary and maintained sectors. It has also been distributed to all other key stakeholders, including: Early Years Development and Childcare Partnerships (EYDCPs) and local education authorities; teacher training and NVQ training organisations; other Government Departments including the Scottish, Welsh and Northern Ireland Offices; and a range of early years and teacher associations and early years professionals. The delay in making the guidance available to hon. Members in the House of Commons was a result of an administrative oversight, which was remedied as soon as it was brought to my attention. Copies of the guidance were placed in the Library two days later on 17 May.

Sure Start

Mr. Webb: To ask the Secretary of State for Education and Employment if, for the second wave of the Sure Start programme, he will list *(a)* the areas selected, *(b)* the basis upon which each of the areas was selected and *(c)* when each of the new schemes is due to commence. [123063]

Yvette Cooper: A list of the local authority districts selected for the second wave of Sure Start is given. These were selected using DETR's Index of Local Deprivation augmented with two further measures: low birth weight

babies and births to teenage mothers. The catchment area for the local Sure Start programme is chosen by partnerships formed by all those working with young children within the district. The criteria for selection are set out in the guidance for second wave programmes, a copy of which was placed in the Library, and include high levels of need for support services among local families. Second wave Sure Start partnerships have been asked to submit their final plans by 23 May. Most of these are expected to receive approval during the summer and be running in the early autumn.

Areas (69) invited to submit applications for the second wave of Sure Start (England):

Ashfield
Barking and Dagenham
Barnsley
Birmingham
Blyth Valley
Bolsover
Bolton
Boston
Bournemouth
Bradford
Bristol
Burnley
Calderdale
Cannock Chase
Coventry
Croydon
Derwentside
Dover
Dudley
Ealing
Easington
Gateshead
Gloucester
Hammersmith and Fulham
Harlow
Hartlepool
Hounslow
Hyndburn
Ipswich
Isle of Wight
Islington
Kensington and Chelsea
Kerrier
Kingston-upon-Hull
Leeds
Leicester
Lewisham
Lincoln
Liverpool
Manchester
Medway Towns
Newcastle upon Tyne
Nottingham
Nuneaton and Bedworth
Pendle
Peterborough
Portsmouth
Preston
Reading
Redbridge
Rochdale
Sedgefield
Sefton
Sheffield
Slough
Solihull
South Tyneside
Stockton-on-Tees
Sunderland
Tameside
Torbay
Wakefield
Walsall
Wandsworth
Wansbeck
Wear Valley
Westminster
Wigan
Wirral

Mr. Webb: To ask the Secretary of State for Education and Employment if, for the third wave of the Sure Start programme, he will list the areas which have so far been selected; when he expects the remainder of these areas to be selected; and when each of these new schemes is due to commence. [123064]

Yvette Cooper: The districts for the third phase of Sure Start local programmes will be announced later this year. In the first and second waves it has taken local programmes about six to eight months to develop their plans.

Ofsted

Mr. Winnick: To ask the Secretary of State for Education and Employment (1) what complaints were made against an Ofsted inspector following the Ofsted inspection of Middlefield Primary School; [123109]

(2) if Mr. Piers Bilston is to be allowed to work as an Ofsted inspector. [123110]

Ms Estelle Morris: These are matters for Her Majesty's Chief Inspector of Schools, Chris Woodhead. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Teachers (Early Retirement)

Mr. Drew: To ask the Secretary of State for Education and Employment if he will list for each local education authority *(a)* if it has an early retirement scheme for teachers and *(b)* if such a scheme has been terminated, the last year of its operation. [123111]

Mr. Wicks: The framework within which local education authorities can offer early retirement to teachers is contained in the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 (as amended). It is a matter for each local education authority to determine how best to make use of these arrangements in the light of local circumstances. No information is held centrally on the early retirement policies of individual local education authorities, but our records show that in 1998–99 all local education authorities, with the exception of the City of London and the Isles of Scilly, granted some early retirements.

Mr. Drew: To ask the Secretary of State for Education and Employment if he will list for each local education authority the *(a)* minimum age at which a teacher can be offered an early retirement package and *(b)* maximum enhancement that can be offered to individual teachers. [123112]

Mr. Wicks: The provisions governing the early retirement arrangements for teachers are contained in the Teachers (Compensation for Redundancy and Premature Retirement) Regulations 1997 (as amended). The earliest age at which a teacher can be offered early retirement is 50; and the maximum enhancement payable is 10 years. These provisions apply to all local education authorities.

Mr. Drew: To ask the Secretary of State for Education and Employment how many male teachers are still working at age 65 and female teachers at age 60 years in each local education authority as a percentage of the teachers employed by the local education authority.

[123114]

Ms Estelle Morris: The number and percentage of teachers in the maintained nursery, primary, secondary and special sector in England at March 1998 (provisional) are contained in the following table:

	Teachers aged 65 and over	*Men Percentage aged 65 and over*	*Teachers aged 60 and over*	*Women Percentage aged 60 and over*
City of London	0	0	0	0
Camden	0	0	20	2.2
Greenwich	0	0	16	1.3
Hackney[1]	4	0.3	14	1.8
Hammersmith and Fulham	2	0.8	8	1.4
Islington	0	0	7	0.8
Kensington and Chelsea	0	0	8	2.5
Lambeth	0	0	24	2.5
Lewisham[1]	0	0	7	0.6
Southwark	1	0.3	14	1.5
Tower Hamlets	0	0	14	1.5
Wandsworth	1	0.2	20	1.9
Westminster	1	0.3	11	1.5
Barking and Dagenham	0	0	7	0.8
Barnet	2	0.3	28	1.7
Bexley	2	0.4	9	0.8
Brent	0	0	23	1.9
Bromley	0	0	21	1.5
Croydon	2	0.3	32	1.9
Ealing	1	0.2	13	0.9
Enfield	0	0	14	0.8
Haringey	2	0.4	18	1.5
Harrow	0	0	14	1.5
Havering	0	0	21	1.8
Hillingdon	0	0	9	0.7
Hounslow	0	0	16	1.2
Kingston upon Thames	0	0	9	1.4
Merton	0	0	7	0.9
Newham	0	0	9	0.7
Redbridge	0	0	16	1.2
Richmond upon Thames	0	0	1	0.2
Sutton	0	0	7	0.8
Waltham Forest	0	0	20	1.6
Birmingham	1	—	50	0.8
Coventry	1	0.1	23	1.3
Dudley	0	0	11	0.6
Sandwell	0	0	9	0.6
Solihull	1	0.2	2	0.2
Walsall	0	0	10	0.7
Wolverhampton	0	0	8	0.6
Knowsley	0	0	6	0.6
Liverpool	0	0	36	1.3
St. Helens	1	0.2	9	0.9
Sefton	1	0.1	15	0.9
Wirral	0	0	8	0.4
Bolton	0	0	9	0.6
Bury	2	0.5	6	0.7
Manchester	2	0.2	37	1.5
Oldham	1	0.1	10	0.7
Rochdale	0	0	7	0.6
Salford	0	0	7	0.5
Stockport	0	0	10	0.7
Tameside	0	0	12	1.0
Trafford	0	0	19	1.5
Wigan	1	0.1	7	0.4
Barnsley	0	0	4	0.4
Doncaster	0	0	8	0.5
Rotherham	1	0.1	9	0.6
Sheffield	0	0	14	0.6
Bradford	0	0	19	0.7
Calderdale	0	0	7	0.7
Kirklees	0	0	12	0.6
Leeds	0	0	25	0.7
Wakefield	1	0.1	5	0.3
Gateshead	0	0	4	0.4
Newcastle upon Tyne	0	0	11	0.8
North Tyneside	0	0	5	0.5
South Tyneside	1	0.2	10	1.2
Sunderland	0	0	15	0.9
Isles of Scilly	0	0	0	0
Bath and North East Somerset	0	0	5	0.6
City of Bristol	0	0	8	0.5
North Somerset	1	0.2	7	0.8
South Gloucestershire	0	0	5	0.4
Hartlepool	0	0	1	0.2
Middlesbrough	0	0	10	1.1
Redcar and Cleveland	1	0.3	2	0.2
Stockton on Tees	0	0	7	0.6
City of Kingston-upon-Hull	0	0	7	0.6
East Riding of Yorkshire	1	0.1	7	0.5
North East Lincolnshire	0	0	3	0.4
North Lincolnshire	0	0	4	0.5
North Yorkshire	0	0	19	0.8
York	0	0	5	0.7
Bedfordshire	1	0.1	24	1.1
Luton	1	0.2	11	1.1
Buckinghamshire	0	0	27	1.1
Milton Keynes	0	0	7	0.6
Derbyshire	0	0	15	0.5
City of Derby	0	0	10	0.8
Dorset	0	0	7	0.4
Poole	0	0	2	0.3
Bournemouth	0	0	8	1.3
Durham	0	0	22	0.8
Darlington	0	0	4	0.8
East Sussex	0	0	18	0.9
Brighton and Hove	0	0	11	1.3
Hampshire	0	0	39	0.7
Portsmouth	0	0	7	0.8
Southampton	0	0	10	1.0
Leicestershire	0	0	22	0.8
Leicester City	0	0	8	0.5
Rutland	0	0	1	0.7
Staffordshire	0	0	31	0.8

	Teachers aged 65 and over	Men Percentage aged 65 and over	Teachers aged 60 and over	Women Percentage aged 60 and over
Stoke-on-Trent	0	0	7	0.6
Wiltshire	0	0	17	0.9
Swindon	0	0	6	0.7
Berkshire	0	0	52	1.3
Cambridgeshire	1	0.1	11	0.3
Cheshire	0	0	32	0.6
Cornwall	0	0	23	1.1
Cumbria	1	0.1	7	0.3
Devon	0	0	29	0.6
Essex	2	0.1	82	1.0
Gloucestershire	1	0.1	16	0.6
Hereford and Worcester	0	0	13	0.4
Hertfordshire	3	0.1	52	0.9
Isle of Wight	0	0	7	1.2
Kent	1	:	94	1.2
Lancashire	0	0	37	0.5
Lincolnshire	1	0.1	22	0.7
Norfolk	1	0.1	36	1.0
Northamptonshire	0	0	10	0.3
Northumberland	0	0	6	0.4
Nottinghamshire[1]	1	:	24	0.5
Oxfordshire	0	0	21	0.8
Shropshire	0	0	13	0.6
Somerset	0	0	15	0.7
Suffolk	0	0	22	0.7
Surrey	2	0.1	57	1.1
Warwickshire	1	0.1	9	0.4
West Sussex	1	0.1	33	1.0
England	50	:	2,043	0.8

[1] 1997 figures are shown for Hackney, Lewisham and Nottinghamshire due to incomplete annual returns in 1998.

: means percentage is less than 0.05 per cent.

Further Education Funding Council

Mr. Boswell: To ask the Secretary of State for Education and Employment what is the staffing complement of the Further Education Funding Council, broken down into *(a)* those operating at or from headquarters, *(b)* regional staff and *(c)* overall full-time equivalents. [122736]

Mr. Wicks: The staffing complement of the Further Education Funding Council is:

(a) Coventry Head Office: 294.03 FTE;

(b) Regions: 252.06 FTE (including 54 home based inspectors);

(c) Overall full-time equivalents: 546.63 FTE.

Training and Enterprise Councils

Mr. Boswell: To ask the Secretary of State for Education and Employment what is the *(a)* total staff and *(b)* full-time equivalent staff of the Training and Enterprise councils. [122737]

Mr. Wicks: We do not collect information on TEC staff numbers centrally. However, their statutory accounts as of March 1999 showed that they employed 10,249 staff in total. Where TECs have subsidiaries, the figure is extracted from consolidated accounts and therefore will include staff engaged in Business Link and other activities.

Asylum Seekers

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will publish *(a)* guidance to local education authorities on the education of the children of asylum seekers and *(b)* details of the distribution of moneys to local education authorities earmarked by his Department for this purpose. [122738]

Jacqui Smith: Local education authorities have a legal duty to ensure that education is available for all children of compulsory school age in their area appropriate to age, abilities and aptitudes and any special education needs they may have. This duty applies irrespective of a child's immigration status or rights of residence in a particular area, and so it includes children of asylum seekers. This Department has provided funding to the Refugee Council to support a range of publications on the education of asylum seeker children. We are also in discussion with the Refugee Council and the Local Government Association about whether or not further guidance on the education of asylum seeker children would be helpful to local education authorities.

Local education authorities receive funding for the children of asylum seekers in the same way as for other children on their school roll through the Standard Spending Assessment. The Ethnic Minority and Traveller Achievement Grant, which is worth £162.5 million in 2000–01, provides resources to help with the acquisition of language skills among asylum seeker children. In addition, we recently provided a grant of £175,000 to the Local Government Association which was used to provide additional help to some local education authorities towards the increased education costs of asylum seeker children.

On 7 April, the Secretary of State announced that additional funding of £1.5 million will be available in this financial year to support the educational costs of asylum seekers dispersed to cluster areas under the Immigration and Asylum Act. We are currently considering how best to use this additional resource and plan to make an announcement shortly.

The overall amount spent specifically on the education of asylum seeker children is not held centrally, and could be obtained only at disproportionate cost.

Connexions Service

Ms Ward: To ask the Secretary of State for Education and Employment if he will list the locations of the pilot projects for the Connexions Service; and if he will make a statement. [120848]

Mr. Wicks *[pursuant to his reply, 16 May 2000, c. 101W]:* One of the pilot areas was inadvertently omitted. The correct response is as follows.

I am pleased to announce the extension of the Connexions Service pilots. New pilots are to be established in Lincolnshire, Durham, Hertfordshire, Central London, Oldham, Merseyside, South Yorkshire, and at the Huntercombe Youth Offenders Institution in Oxfordshire. These are additional to the pilots announced by the Secretary of State on 3 February.

HEALTH

Vaccine Use

Mr. Hunter: To ask the Secretary of State for Health when the current review into vaccine usage, including wastage, which his Department has commissioned will be completed; if he will publish its findings; what the precise terms of reference of the review are; and if the review will receive representations from manufacturers of equipment for storing vaccines. [117635]

Yvette Cooper: We are currently conducting a review into vaccine usage, including wastage.

The terms of reference of the review are:

to examine and report on the distribution, storage and handling of vaccines in samples of mixed rural/urban areas; to determine as far as possible the extent of vaccine wastage; to consider what changes in procedures might be desirable and recommend accordingly.

We will then publish a code of good practice and guidance on the handling of vaccines at local level.

We have a list of suppliers of equipment suitable for storage and transport of vaccines and if the review group is agreeable this list will be updated and added as an appendix to the code of good practice.

Hospital Waiting Times (Essex)

Mr. Jenkin: To ask the Secretary of State for Health how many people had waited 26 weeks for an outpatient appointment at Essex Rivers Healthcare Trust on *(a)* 31 March 1997 and *(b)* 31 March 2000. [121459]

Mr. Denham *[holding answer 10 May 2000]:* The number of patients waiting over 26 weeks for a first outpatient appointment at Essex Rivers Healthcare National Health Service Trust on 31 March 1997 was 404 and for 31 December 1999 (the latest date for which figures are available) it was 1,336.

Source:

Form QM08 quarterly waiting times return

Mr. Jenkin: To ask the Secretary of State for Health how many people had waited 13 weeks or more for an outpatient appointment at Essex Rivers Healthcare Trust on *(a)* 31 March 1997 and *(b)* 31 March 2000. [121458]

Mr. Denham *[holding answer 10 May 2000]:* The number of patients waiting over 13 weeks for a first outpatient appointment at Essex Rivers Healthcare National Health Service Trust on 31 March 1997 was 1,821 and 31 December 1999 (the latest date for which figures are available) it was 3,916.

Source:

Form QM08 quarterly waiting times return

Mr. Jenkin: To ask the Secretary of State for Health how many people had been waiting *(a)* in total and *(b)* for 12 months or more for hospital treatment at Essex Rivers Healthcare Trust on (i) 31 March 1997 and (ii) 31 March 2000. [121460]

Mr. Denham *[holding answer 10 May 2000]:* The information requested is shown in the table.

Total number of patients waiting for hospital treatment and the number of patients waiting over 12 months at Essex Rivers Healthcare National Health Service Trust on 31 March 1997 and 29 February 2000

	31 March 1997	*29 February 2000*
Total number of patients waiting	6,737	6,212
Number of patients waiting over 12 months	6	534

[1] The latest date for which figures are available

Source:

Form KH07 quarterly waiting times return
Monthly waiting times return

Man-made Insulin

Mr. Sanders: To ask the Secretary of State for Health what assessment he has made of the risks from man-made insulin; and if he will make a statement. [R] [121777]

Ms Stuart: Human (genetically engineered) insulin underwent a rigorous assessment of clinical efficacy and safety at the time of its first licensing in the United Kingdom in 1982.

Following its introduction, there was much debate about a possible loss of the warning signs of a low blood glucose with human insulin. As a result, a considerable number of scientific studies have been performed comparing animal and human insulin.

The Committee on Safety of Medicine, has reviewed the safety of human insulin on several occasions since its introduction. During the review process there has been consultation with experts in the field of diabetes as well as with the British Diabetic Association. The Committee has concluded that although some patients have experienced problems on transferring to human insulins and are better suited to animal insulins, there is no evidence of a safety problem specific to human insulin.

The Medicines Control Agency is responsible for the continuous monitoring of the safety of all licensed medicines and the safety of human insulin is therefore kept under continuous review.

Infliximab

Mr. Kidney: To ask the Secretary of State for Health what the current prescribing status is of Infliximab as a treatment for rheumatoid arthritis and Crohn's Disease. [122081]

Ms Stuart: A European licence was granted on 13 August 1999 for Remicade, whose active constituent is infliximab. It is licensed for the treatment of severe, active Crohn's disease in patients who have not responded despite a full and adequate course of therapy with a corticosteroid and/or an immunosuppressant; and for the treatment of fistulising Crohn's disease, in patients who have not responded despite a full and adequate course of therapy with conventional treatment.

Infliximab is not yet licensed in the United Kingdom for the treatment of rheumatoid arthritis.

Mr. Kidney: To ask the Secretary of State for Health what research his Department has *(a)* commissioned and *(b)* evaluated relating to the prescribing of Infliximab. [122083]

Ms Stuart: Neither the Department nor the Medical Research Council has directly commissioned any research into Infliximab.

Mr. Kidney: To ask the Secretary of State for Health what advice he *(a)* has received and *(b)* intends to seek from the National Institute for Clinical Excellence regarding the prescribing of Infliximab for rheumatoid arthritis and Crohn's Disease. [122085]

Ms Stuart: We are considering a number of possible additional topics for appraisal by the National Institute for Clinical Excellence during the year 2000–01. An announcement will be made shortly.

Mr. Kidney: To ask the Secretary of State for Health what medical trials his Department has *(a)* commissioned and *(b)* evaluated relating to the efficacy of Infliximab. [122084]

Ms Stuart: The Department has not commissioned or evaluated medical trials relating to the efficacy of infliximab. Infliximab was authorised for use through the European Medicines Evaluation Agency who reviewed the available data.

Mr. Kidney: To ask the Secretary of State for Health what guidance his Department has issued to health authorities and prescribers relating to the prescribing of Infliximab. [122082]

Ms Stuart: The Department does not normally issue guidance relating to the prescribing of individual drugs. Clinicians learn about new drugs and therapies through publications such as those from the "National Prescribing Centre", the "British National Formulary" and other professional journals.

Suicide (Asian Women)

Mr. Woodward: To ask the Secretary of State for Health what research his Department has undertaken into the reasons for the rate of suicide among Asian women aged 15 to 24 years; and what action has been taken as a result. [122445]

Mr. Hutton: The Department has not directly commissioned any research into the reasons for the rate of suicide among Asian women aged 15 to 24. However, we have supported studies undertaken by the Institute of Psychiatry in 1996 into rates of attempted suicide in Asian women in West London and 1998 about the Asian Communities knowledge of depression, suicidal ideation and attempted suicide. Following these studies educational material has been prepared for the Asian Community in four languages. The Department also supported the publication "Ethnicity: An Agenda for Mental Health" by the Royal College of Psychiatrists which included details of research into suicide and attempted suicides across cultures.

The Department has also provided the Asian Family Counselling Service with funding through the Section 64 scheme for their Nai Umeed (New Hope) project to reduce mental ill health and suicide among Asian women.

The development of strategies to reduce suicide is a major part of our programme outlined in the White Paper "Saving Lives: Our Healthier Nation". The National Service framework for Mental Health sets a specific evidence-based standard for mental health and social services to prevent suicide. In addition we are bringing together the necessary expertise to work across Government to drive forward a whole range of initiatives to make progress towards achieving the targets to reduce suicides including focusing on high-risk groups, such as Asian women.

Hospital Admissions

Mr. Brake: To ask the Secretary of State for Health how many hospital admissions there were in the *(a)* Bromley and *(b)* North Cumbria Health Authority area in each month for the last five years that figures are available. [122365]

Mr. Denham: The figures shown in the table are a count of admissions per month to National Health Service Hospitals in England for the years 1994–95 to 1998–99 where the patient's health authority of residence was Bromley Health Authority or North Cumbria Health Authority.

Admissions by month and health authority of residence NHS hospitals, England 1994–95 to 1998–99

	April	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*March*
1994–95												
Bromley HA	4,199	4,421	4,536	4,703	4,483	4,436	4,539	4,813	4,086	4,593	4,387	4,430
North Cumbria	5,004	5,353	5,446	5,276	5,029	5,426	5,352	5,498	5,003	5,762	5,275	5,108
1995–96												
Bromley HA	4,457	4,841	4,894	4,444	4,564	4,513	4,821	4,919	3,979	4,729	4,541	4,014
North Cumbria	4,937	5,699	5,552	5,625	5,418	5,542	5,798	5,856	5,198	5,907	5,145	4,938
1996–97												
Bromley HA	4,573	4,939	4,476	5,269	4,671	4,814	5,232	4,963	4,444	4,768	4,393	4,088
North Cumbria	5,691	5,525	5,507	5,863	5,220	5,607	5,994	5,622	5,266	5,954	5,401	4,859

Admissions by month and health authority of residence NHS hospitals, England 1994–95 to 1998–99

	April	May	June	July	August	September	October	November	December	January	February	March
1997–98												
Bromley HA	5,123	4,798	4,733	5,178	4,441	4,683	4,949	4,631	4,371	5,830	5,750	4,579
North Cumbria	5,693	5,469	5,705	5,874	5,220	5,713	5,963	5,784	5,461	5,870	5,305	5,479
1998–99												
Bromley HA	4,851	4,758	5,235	5,371	4,857	5,365	5,443	5,386	4,763	5,115	4,981	5,100
North Cumbria	5,521	5,570	6,106	5,979	5,547	5,996	6,069	6,093	5,804	6,022	5,676	5,838

Note:
Data in this table has not been adjusted for shortfalls in collection (ie it is ungrossed)
Source:
Hospital Episode Statistics (HES), Department of Health

Graduates

Mr. MacShane: To ask the Secretary of State for Health if he will make a statement on the role of the Royal Colleges in determining the number of students graduating as doctors. [122806]

Mr. Denham: The Royal Colleges do not have any formal role in determining the number of students entering undergraduates medical education, or graduating as doctors.

Lymington Community Hospital

Mr. Swayne: To ask the Secretary of State for Health when he will make an announcement on the New Lymington Community Hospital private finance initiative. [122831]

Mr. Denham: *[holding answer 19 May 2000]:* Negotiations between Southampton Community Health Services National Health Service Trust and its private sector partner on the proposed private finance initiative scheme for a new community hospital for Lymington are continuing. We expect these to be completed as soon as possible, allowing an announcement to be made soon after.

Euro

Mrs. Lait: To ask the Secretary of State for Health which *(a)* health trusts, *(b)* health authorities and *(c)* other bodies within the NHS (i) have set up and (ii) are setting up projects to prepare for the UK adopting the euro; what these projects are costing each organisation; what the total cost to the Department is; and from which budget sums already spent have come. [122813]

Ms Stuart: An update on changeover planning in the public sector was given in the second Outline National Changeover Plan published on 9 March.

Cold-related Illnesses

Mr. Brake: To ask the Secretary of State for Health what was the percentage increase in hospital admissions for cold-related illnesses from December to March above the average for the rest of the year in *(a)* Bromley and *(b)* North Cumbria health authority area in each of the last five years for which figures are available. [122368]

Mr. Denham: The figures in the table show a count of admissions to National Health Service hospitals in England by selected diagnoses, where the patient's health authority of residence was Bromley or North Cumbria, for the years 1994–95 to 1998–99.

Admissions by selected diagnoses and percentage increase of average admissions per month between April-November and December-March for Bromley and North Cumbria HA of residence, NHS hospitals, 1994–95 to 1998–99

	1994–95		1995–96		1996–97		1997–98		1998–99	
Admission date—months	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*
April	35	26	36	30	42	33	46	36	42	50
May	35	38	44	34	40	35	34	34	40	25
June	33	19	42	42	26	25	28	24	64	39
July	29	22	33	28	38	22	31	21	45	22
August	35	23	29	25	37	18	37	16	30	20
September	34	25	25	26	31	18	31	20	32	38
October	37	26	42	36	36	25	55	37	55	27
November	54	30	53	46	39	42	46	31	50	37
April-November average admissions per month	37	26	38	33	36	27	39	27	45	32
December	77	41	71	81	67	57	61	40	100	58
January	55	54	57	53	103	56	75	41	97	74
February	32	38	43	44	32	44	74	30	60	32
March	24	27	19	19	36	25	55	29	46	38
December-March average admissions per month	47	40	48	49	60	46	66	35	76	48

Admissions by selected diagnoses and percentage increase of average admissions per month between April-November and December-March for Bromley and North Cumbria HA of residence, NHS hospitals, 1994–95 to 1998–99

	1994–95		1995–96		1996–97		1997–98		1998–99	
Admission date—months	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*	*Bromley HA*	*North Cumbria HA*
Percentage increase in average admissions per month between April-November and December-March	29	53	25	48	65	67	72	28	69	49

[1] Admissions which had not finished by the end of the financial year (ie 31 March) are not included in the figures as they do not hold any diagnostic data

Notes:

1. The diagnosis codes used were as follows:

ICD10 (1995–96 to 1998–99)
J00—Acute nasopharyngitis (common cold)
J10-J18—Influenza and pneumonia
T68—Hypothermia
T69—Other effects of reduced temperature
ICD9 (1994–95)
460—Acute nasopharyngitis (common cold)
480–487—Influenza and pneumonia
991—Effects of reduced temperature (including hypothermia)

2. The main diagnosis is the first of seven diagnosis fields in the HES data set, and provides the main reason why the patient was in hospital.
3. Data in this table has not been adjusted for shortfalls in collection (ie it is ungrossed).

Source:
Hospital Episode Statistics (HES), Department of Health

Physicians

Mr. Wigley: To ask the Secretary of State for Health if he will discuss with the General Medical Council their plans for making it a requirement for any physician applying for a new appointment to divulge legal action which he or she may be facing in relation to their medical work. [122753]

Ms Stuart: It is not the responsibility of the General Medical Council to require physicians applying for new appointments to divulge legal action which they may be facing in relation to their medical work. The GMC is an independent statutory body, which licenses doctors to practise medicine in the United Kingdom, following an examination of their qualifications. It is their job to ensure that the doctors registered are capable of good medical practice within the scope of their registration, which includes being honest and trustworthy.

It is the responsibility of all employers to take all possible action to ensure that doctors they appoint are fit to practise. The Department has issued guidance reinforcing the need for pre employment checks for doctors in the "Good Practice Guidance" issued with the "Appointment of Consultants Regulations 1996". Additionally the Department has also issued HSG(98)64, "The Management of Health, Safety and Welfare Issues of NHS Staff", and HSC 1998/212 "Children's Safeguard Review: Choosing with Care", which cover all NHS staff, and advises NHS employers to ensure proper pre-employment checks are made so that employees do not represent a risk to patients.

The Department also plans to issue a Direction shortly which will require NHS employers to include a declaration in their application forms for hospital and community medical and dental posts, stating whether or not the applicant has been or is the subject of disciplinary action by the police, or a regulatory body in this country or overseas.

Home Carers

Mr. Alexander: To ask the Secretary of State for Health what plans he has to *(a)* investigate the quality of care being provided to people in their homes, *(b)* introduce a regulatory system to supervise the provision of care by home carers and *(c)* apply such a system throughout the UK. [122692]

Mr. Hutton: In England we are committed to introducing a regulatory framework for home care services. Proposals for this are included in the Care Standards Bill, which was recently introduced in the House.

All domiciliary care agencies will be required to register, if they provide personal care services. They will be inspected annually by a national care standards commission, established in this Bill.

The responsibility for information relating to Scotland, Wales and Northern Ireland is a matter for the devolved administrations.

Child Prostitution

Mrs. Heal: To ask the Secretary of State for Health what steps the Government are taking to ensure that children are protected from abuse through prostitution and that those who coerce children into prostitution are *(a)* investigated and *(b)* prosecuted. [123051]

Mr. Hutton: The Government have today published new Guidance, "Safeguarding Children Involved In Prostitution—Supplementary Guidance to Working Together to Safeguard Children". It establishes that the primary law enforcement effort must be against those who coerce children into and abuse them through prostitution. Children involved in prostitution should be treated primarily as victims of abuse.

The Guidance sets out an inter-agency approach, based on local protocols, to address this type of abuse. The identification of a child involved in prostitution, or at risk

of being drawn into prostitution, should always trigger the agreed local Area Child Protection Committee procedures to ensure the child's safety and welfare, and to enable the police to gather evidence about abusers and coercers. The Guidance forms an important part of the Government's strategy to combat the commercial sexual exploitation of children. Copies of the Guidance will be placed in the Library.

Cancelled Operations

Mr. Simon Hughes: To ask the Secretary of State for Health how many operations were cancelled, and in respect of such operations how many patients involved were not re-admitted within one month, in each quarter since 1995 in *(a)* England and *(b)* each health authority in London; and if he will list the percentage change for each year. [122712]

Mr. Denham *[holding answer 19 May 2000]:* The information requested has been placed in the Library.

The table shows the information for England. Information for the fourth quarter of 1999–2000 is not yet available.

Information for London is not available in the format requested as the definition of 'London' health authorities before the London region was established in January 1999 is subject to interpretation. The information in the Library can be used to generate comparisons but these will vary according to the definition of 'London' health authorities used.

Number of cancelled operations and breaches of Patient's Charter Standard

	Q1	*Q2*	*Q3*	*Q4*	*Whole year*
1994–95					
Cancelled operations	11,603	10,186	11,874	14,466	48,129
Breaches	1,587	1,226	1,343	2,005	6,161
1995–96					
Cancelled operations	11,860	11,457	14,514	16,652	54,483
Breaches	1,025	1,129	1,675	2,130	5,959
Percentage change					
Cancellations					+13
Breaches					−3
1996–97					
Cancelled operations	11,595	11,055	13,023	16,374	52,047
Breaches	1,162	1,229	1,614	2,825	6,830
Percentage change					
Cancellations					−5
Breaches					+15
1997–98					
Cancelled operations	12,019	11,550	12,476	14,460	50,505
Breaches	1,541	1,492	1,891	2,326	7,250
Percentage change					
Cancellations					−3
Breaches					+6
1998–99					
Cancelled operations	12,384	11,470	14,611	17,685	56,150
Breaches	2,174	1,495	2,472	3,239	9,380
Percentage change					
Cancellations					+11
Breaches					+29

Number of cancelled operations and breaches of Patient's Charter Standard

	Q1	*Q2*	*Q3*	*Q4*	*Whole year*
1999–2000					
Cancelled operations	12,313	12,017	15,769	n/a	n/a
Breaches	2,384	2,186	3,042	n/a	n/a
Percentage change					
Cancellations					+13
Breaches					−3

Accident and Emergency Departments

Mr. Simon Hughes: To ask the Secretary of State for Health how many accident and emergency departments there were in each year since 1979 for which the figures are available *(a)* for England, *(b)* for each health authority in London and *(c)* for each NHS trust in London; and if he will list the percentage change for each year. [122713]

Ms Stuart: Department of Health statistics provide a count of the number of National Health Service trusts with accident and emergency services. They do not count how many individual Departments there are.

Information on the type of accident and emergency service provided is published in "Bed availability and occupancy, England 1998–99" and information on numbers of accident and emergency attendances is published in "Outpatients and ward attenders, England 1998–99". Copies of both are available in the Library.

Social Services

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 15 May 2000, *Official Report*, column 18W, on the Audit Commission report, Charging with Care, if the options he is considering include taking additional legislative powers. [122843]

Mr. Hutton: My right hon. Friend the Secretary of State announced during debate on the Second Reading of the Care Standards Bill on 18 May 2000 that we will propose an amendment to that Bill that will allow guidance to be issued to councils about charging for non-residential services under section 7 of the Local Authority Social Services Act 1970.

Mr. Burstow: To ask the Secretary of State for Health, pursuant to his answer of 15 May 2000, *Official Report*, column 18W, on standard spending assessments, if he will list the ways in which the formula has materially changed in each year since 1997. [122842]

Mr. Hutton: The major changes to the standard spending assessment formula for residential care services for older people and the SSA formula for non-residential services for older people since 1997 are as follows.

For 1998–99 SSAs, the residential care services SSA was revised on the basis of research commissioned from the University of Kent. Previously, four factors influenced the allocation: the number of older people in the authority (including those in institutional settings), the proportion of older people who have a long-term illness, the proportion of older people living in rented accommodation, and the proportion of older people with preserved rights to higher rates of Income Support. In the new formula, the last factor was dropped as the number

of preserved rights clients is far less of an influence several years into the community care reforms. The first three factors were retained but four further factors were added:

the proportion of pensioners living alone;

the proportion of older people receiving Income Support;

the proportion of pensioners who are living with someone, but not as a couple;

the proportion of older people in receipt of Attendance Allowance.

For 1999–2000 SSAs, the residential services SSA was changed to take account additionally of the numbers of older people claiming Disability Living Allowance and to cease to take account of the number of older people living in institutions.

Also for 1999–2000 the non-residential services SSA was changed to include an allowance for population sparsity and to reflect each authority's potential to raise income from charges.

There were no changes to the SSA formulae in 2000–01.

Construction Contracts

Mr. Loughton: To ask the Secretary of State for Health what construction contracts his Department has awarded to the Joannou and Paraskevaides Group in the last three years. [123142]

Ms Stuart: The Department has no record of any construction contract awarded to any firm of this name in the last three years.

So far as the wider National Health Service is concerned, there are no centrally held records of construction contracts entered into by NHS trusts or health authorities and to survey all of them to answer this question would be at disproportionate cost.

NHS Waiting Lists

Mr. Swayne: To ask the Secretary of State for Health how many patients have left NHS waiting lists in each month of the last year to be treated in the private healthcare sector. [123125]

Mr. Denham: The information requested is not available centrally.

Meat Hygiene

Mr. Yeo: To ask the Secretary of State for Health if he will make a statement on the closure of the Mead Webber meat processing plant at Eardisley in Herefordshire. [122956]

Ms Stuart: An independent investigation on the closure of the Mead Webber plant has been agreed following discussions between the Meat Hygiene Service Chief Executive and a representative of Mead Webber Ltd.

It would be inappropriate to comment further until this investigation has been completed.

HOME DEPARTMENT

Asylum Seekers

14. **Ms Perham:** To ask the Secretary of State for the Home Department if he will make a statement on the most recent figures for the processing of asylum applications. [121544]

Mrs. Roche: The number of initial decisions made in March increased by 44 per cent. on the figure for February, rising to 11,340, the highest monthly total ever recorded and the first time ever the level has climbed above 10,000. As a result, the backlog of initial asylum decisions has begun to fall.

26. **Dr. Godman:** To ask the Secretary of State for the Home Department what recent representations he has received concerning the administration of the voucher system for asylum seekers and their families. [121557]

Mrs. Roche: I and my officials have over the last few months received a number of representations concerning the administration of the voucher system. These include letters from the public and from hon. Members. Parliamentary questions have also been asked in both Houses about the system.

28. **Mr. Syms:** To ask the Secretary of State for the Home Department what estimate he has made of the number of failed asylum seekers since 1997 who have disappeared within the United Kingdom; and if he will make a statement. [121559]

Mrs. Roche: No official estimate has been made of the numbers of failed asylum seekers since 1997 who have disappeared in the United Kingdom.

Mr. Burstow: To ask the Secretary of State for the Home Department what plans he has to use the Farringdon House Territorial Army Centre in North Cheam for use as accommodation for asylum seekers. [122841]

Mrs. Roche: The National Asylum Support Service has no plans to use the Farringdon House Territorial Army Centre in North Cheam to accommodate asylum seekers.

Rural Policing

15. **Mr. Leigh:** To ask the Secretary of State for the Home Department if he will make a statement on rural policing. [121545]

Mr. Straw: We recognise the policing needs of rural areas. We will publish a rural White Paper later this year, including a section dealing specifically with rural crime. At present, the particular needs of rural areas are taken into account in the current police funding formula that distributes approximately £35 million of available funding to authorities with low population density, and so benefits rural areas.

Rural areas also participate in the range of initiatives already available, the Crime Fighting Fund, Crime Reduction Programme and recently approved funds to build a modern crime fighting machine and to modernise the police service.

34. **Mr. David Heath:** To ask the Secretary of State for the Home Department which police authorities will benefit from his proposed additional funding for policing in rural areas. [121565]

Mr. Charles Clarke: We have retained the sparsity element introduced by the previous Government in the formula for calculating police funding of 0.5 per cent. (about £35 million) which benefits rural forces.

An added 2 per cent. sparsity element was also used in allocating 4,000 of the 5,000 police officers being recruited through the crime fighting fund. The remaining 1,000 officers were divided between the 34 forces putting in the best bids. In deciding the allocation of resources between forces, we took particular account of the information forces supplied to explain the size of their bids, including the particular need of rural areas.

Under the Crime Reduction Programme, some of the initiatives fund rural crime reduction projects. Under the Targeted Policing Initiative, Northumbria police, in partnership with Tynedale district council, local parish councils and the Northumberland Social Services and Probation Service, have been granted £40,000 for a project to develop an integrated strategy to tackle crime and disorder in rural towns and remote villages.

A number of projects funded under the Closed Circuit Television Initiative requirement have been relaxed from twice to one-and-a-half times the national average burglary rate. This will allow more areas to bid funding, though the burglary rate in most rural areas is still well below this level.

Police Manpower (Greater London)

16. **Sir Sydney Chapman:** To ask the Secretary of State for the Home Department if minimum manpower shift levels are being applied in the Metropolitan police area. [121546]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that the level of manpower for each core shift is an operational matter for borough commanders. Where borough commanders have agreed minimum manpower shift levels, they are set for each shift according to local demands.

Illegal Immigrants

17. **Mr. Peter Bradley:** To ask the Secretary of State for the Home Department what progress is being made in checking heavy goods vehicles for illegal would-be immigrants seeking to enter this country. [121548]

Mrs. Roche: The Immigration Service has increased the number of checks on vehicles entering the United Kingdom. These checks support the civil penalty provisions of the Immigration and Asylum Act 1999, which were recently implemented.

Domestic Violence

18. **Mr. Sarwar:** To ask the Secretary of State for the Home Department what proposals he has to protect women who have come to the United Kingdom through marriage and are subject to domestic violence. [121549]

Mr. Boateng: We have introduced a range of measures to protect women from overseas who have applied to settle in the United Kingdom—but are subject to violence by their spouse or partner—including a concession outside the immigration rules and the provision of culturally appropriate support by the police, National Health Service, housing and other agencies.

Crime and Disorder Partnerships (Schools)

19. **Mr. Ian Stewart:** To ask the Secretary of State for the Home Department what discussions he has had with his counterparts in the Department for Education and Employment to ensure that schools are fully involved in local partnerships to combat crime and disorder. [121550]

Mr. Charles Clarke: Following agreement with Ministers in the Department for Education and Employment, we have designated schools as bodies with which local authorities and police forces must co-operate in partnership to develop and implement their local crime and disorder reduction strategies.

Crime Statistics

20. **Mr. Randall:** To ask the Secretary of State for the Home Department by how much crime increased in the Metropolitan police area during the year to 31 March; and if he will make a statement. [121551]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis informs me that the total number of notifiable offences in the Metropolitan Police District for the year ending 31 March 2000 was some 12.6 per cent. higher than that in the previous financial year.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what assessment he has made of the proportion of crime, based on *(a)* recorded crime statistics and *(b)* the British Crime Survey, which (i) does not result in a caution or conviction and (ii) is not cleared up; and if he will make a statement. [123227]

Mr. Charles Clarke: The latest assessment of the proportion of crimes not cleared up and those not resulting in a caution or a conviction is detailed on page 29 of "Digest 4—Information on the Criminal Justice System in England and Wales", published by the Home Office in October 1999. A copy of this publication is available in the Library.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) what the recorded crime clear-up rate in each Metropolitan Police division was in each of the last five years for which figures are available; and if he will make a statement; [123150]

(2) how many recorded crimes there were in each Metropolitan Police division in each of the last five years for which figures are available; and if he will make a statement; [123149]

Mr. Charles Clarke: The requested details are included in the table.

Recorded crimes and clear-up rates in Metropolitan Police Divisions

	1995–96		1996–97		1997–98		1998–99		1999–2000	
	Offences	*Percentage clear-ups*	*Offences*	*Percentage clear-ups*	*Offences*	*Percentage clear-ups*	*Offences*	*Percentage clear-ups*	*Offences*	*Percentage clear-ups*
Barking and Dagenham	14,156	23	14,436	21	13,733	26	17,470	19	19,567	14
Barnet	—	—	—	—	—	—	26,153	23	30,708	16
Barnet and Hertsmere	11,735	27	11,049	29	10,214	22	—	—	—	—
Belgravia	7,428	18	6,588	17	7,584	22	9,685	27	8,991	20
Bexley	16,685	17	16,120	25	14,561	22	16,788	17	20,680	14
Brent	24,633	19	24,186	24	22,621	23	28,479	21	33,253	13
Bromley	24,445	23	22,176	23	20,356	24	24,172	20	26,474	14
Brompton	15,300	21	15,332	23	14,816	25	15,630	21	17,410	13
Camden	36,379	19	36,281	27	35,066	28	41,754	25	45,800	16
Charing Cross	10,400	19	10,282	15	11,633	16	15,541	22	19,185	16
Colindale	16,960	23	17,504	27	15,747	29	—	—	—	—
Croydon	32,360	24	29,222	29	27,539	27	33,888	22	37,743	16
Ealing	15,822	22	15,354	23	15,572	26	18,267	26	20,765	20
Enfield	25,572	21	26,755	23	24,914	20	28,847	21	33,529	13
Fulham	12,590	24	11,489	25	12,508	27	14,958	24	16,672	17
Greenwich	30,141	25	26,799	30	23,320	25	28,404	23	29,991	20
Hammersmith	9,620	20	9,522	21	8,862	25	10,383	18	11,928	13
Haringey	25,251	20	26,390	22	25,002	24	30,862	22	34,075	22
Harrow	13,659	18	14,737	22	14,138	25	14,984	27	16,777	18
Havering	14,761	24	15,811	19	14,950	27	17,162	24	18,787	18
Heathrow	5,057	29	5,701	35	5,404	42	5,291	40	6,717	28
Hertsmere	—	—	—	—	—	—	5,807	22	7,333	14
Hillingdon	22,590	23	22,463	24	20,798	21	23,427	17	26,281	12
Hounslow	23,280	25	21,805	28	21,209	28	25,290	19	31,032	13
Islington	27,134	25	27,615	24	24,994	23	32,251	21	38,427	15
Kingston Upon Thames	16,376	23	15,812	26	14,176	32	16,566	28	18,401	19
Lambeth	36,259	23	38,057	25	36,348	23	43,898	19	52,212	13
Lewisham	28,008	25	26,408	30	23,524	27	28,088	21	29,628	19
Marylebone	17,730	28	17,881	29	16,876	27	18,238	25	19,764	18
Merton	15,919	21	14,691	27	13,883	25	16,587	19	16,812	16
Newham	26,104	22	26,607	22	27,298	23	31,899	19	38,335	14
Notting Hill	9,876	20	10,634	19	9,845	23	11,400	23	13,369	13
Paddington	12,300	18	12,652	20	12,940	24	15,278	20	16,849	15
Redbridge	20,062	30	21,357	23	21,767	23	28,273	20	30,106	12
Richmond upon Thames	13,728	23	13,360	22	12,355	24	13,727	18	15,504	14
Shoreditch and Hackney	14,110	23	14,136	22	13,795	27	17,394	25	19,897	15
Southall	11,765	22	13,252	26	12,579	26	16,119	21	17,972	15
Southwark	36,204	26	38,946	32	33,806	28	40,116	26	43,734	19
Spelthorne	6,766	32	6,306	27	5,562	24	6,844	25	6,925	19
Stoke Newington	14,409	20	14,671	19	14,093	24	17,394	20	19,110	15
Sutton	19,246	21	18,262	25	17,163	24	19,181	24	21,319	18
Tower Hamlets	23,375	21	23,002	21	23,569	24	29,789	23	34,071	17
Waltham Forest	19,681	24	20,833	24	20,534	27	24,278	24	27,035	19
Wandsworth	30,232	23	28,323	24	26,491	23	32,636	16	35,527	13
West End Central	12,423	29	13,242	23	15,896	20	20,286	23	22,826	16
Other Units ('Squads')	285	30	144	28	238	11	770	41	526	37
Total	820,816	23	816,193	25	778,279	25	934,254	22	1,052,047	16

Notes:

There was a change in counting rules for recorded crime on 1 April 1998, with the aim of wherever possible measuring one crime per victim. The coverage of offences was also expanded. It was estimated that these changes in themselves increased the overall number of crimes recorded by the Metropolitan Police by 21.7 per cent. Numbers of offences and clear-up rates before and after this date are not directly comparable.

The basis for the collection of clear-ups changed on 1 April 1999. The major changes were a reduction in the number of offences taken into consideration being counted (only those that were previously recorded will now be counted), and with more stringent rules applying to 'prison visit' clear-ups. Clear-up rates subsequent to this date are not directly comparable with previous years.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) how many recorded crimes there were in the Metropolitan police area, in each category of crime and in total, in each of the last five years for which figures are available; and if he will make a statement; [123152]

(2) what the recorded crime clear-up rate for the Metropolitan police was, for each category of crime and in total, in each of the last five years for which figures are available; and if he will make a statement. [123151]

Mr. Charles Clarke: The requested details are included in the table.

Metropolitan Police District—Category totals and clear-up rates

	Offences	*Percentage cleared up*
1995–96		
Violence against the person	39,093	64
Sexual offences	5,845	54
Robbery	28,682	22
Burglary	169,537	23
Theft and handling stolen goods	386,425	18
Fraud and forgery	33,679	45
Criminal damage[1]	149,507	15
Drug offences[2]	—	—
Other offences	8,048	83
Total	820,816	23

Metropolitan Police District—Category totals and clear-up rates

	Offences	*Percentage cleared up*
1996–97		
Violence against the person	46,951	68
Sexual offences	6,993	59
Robbery	28,690	22
Burglary	158,423	22
Theft and handling stolen goods	375,916	19
Fraud and forgery	39,442	46
Criminal damage[1]	149,608	17
Drug offences[2]	—	—
Other offences	10,170	88
Total	816,193	25
1997–98		
Violence against the person	49,959	67
Sexual offences	7,654	59
Robbery	26,731	23
Burglary	136,365	22
Theft and handling stolen goods	365,202	18
Fraud and forgery	43,437	38
Criminal damage[1]	137,387	19
Drug offences[2]	—	—
Other offences	11,544	85
Total	778,279	25
1998–99		
Violence against the person	131,549	44
Sexual offences	8,102	42
Robbery	26,330	16
Burglary	123,861	13
Theft and handling stolen goods	383,665	14
Fraud and forgery	80,541	15
Criminal damage[1]	136,870	13
Drug offences[2]	32,152	97
Other offences	11,184	58
Total	934,254	22
1999–2000		
Violence against the person	156,880	31
Sexual offences	9,189	32
Robbery	36,317	12
Burglary	129,145	10
Theft and handling stolen goods	426,235	10
Fraud and forgery	105,150	9
Criminal damage[1]	151,590	10
Drug offences[2]	26,233	91
Other offences	11,308	43
Total	1,052,047	16

[1] Including all criminal damage.
[2] Prior to the change in counting rules for recorded crime on 1 April 1998, the only drug offence counted was drug trafficking, which was included in "other offences".
Notes:
1. There was a change in counting rules for recorded crime on 1 April 1998, with the aim of wherever possible measuring one crime per victim. The coverage of offences was also expanded. It was estimated that these changes in themselves increased the overall number of crimes recorded by the Metropolitan Police by 21.7 per cent. Numbers of offences and clear-up rates before and after this date are not directly comparable.
2. The basis for the collection of clear-ups changed on 1 April 1999. The major changes were a reduction in the number of offences taken into consideration being counted (only those that were previously recorded will now be counted), and with more stringent rules applying to "prison visit" clear-ups. Clear-up rates subsequent to this date are not directly comparable with previous years.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many convictions there were in the Metropolitan police area, in each category of crime and in total, in each of the last five years for which figures are available; and if he will make a statement. [123153]

Mr. Charles Clarke: The available information on offenders convicted within the Metropolitan police area comes from the Home Office Court Proceedings Database and is given in the table.

Number of offenders convicted at all courts within the Metropolitan police area for indictable offences by type of offence, 1994–98, 1999 (January to September)[1]

Type of offence	*1994*	*1995*	*1996*	*1997*	*1998*	*1999 (January to September)*[1]
Violence against the person	4,650	3,744	4,412	5,209	5,444	3,629
Sexual offences	634	596	564	595	576	400
Burglary	4,482	4,176	3,707	3,525	3,386	2,389
Robbery	1,249	1,407	1,551	1,406	1,358	997
Theft and handling stolen goods	19,805	16,249	16,790	17,485	18,788	13,917
Fraud and forgery	3,107	3,020	2,987	3,055	3,434	2,472
Criminal damage	1,727	1,470	1,359	1,612	1,626	1,440
Drug offences	7,205	6,662	6,672	7,716	9,765	7,387
Other (excluding motoring)	8,094	7,796	7,562	7,988	7,695	5,303
Motoring offences	2,006	1,365	1,096	1,036	1,002	600
Total	52,959	46,485	46,700	49,627	53,074	38,534

[1] Provisional

Crime Prevention (Technology)

23. **Mr. Burgon:** To ask the Secretary of State for the Home Department what discussions he has had with representatives of the business community about the use of technology to prevent crime. [121554]

Mr. Charles Clarke: We have established a number of initiatives to discuss with the business community the use of technology to prevent crime. We are working with industry to encourage the comprehensive electronic tagging or "chipping" of goods. The ability to track and trace goods effectively will have far-reaching implications for commerce and crime reduction. We are funding the

Foresight Crime Prevention Panel, which includes business and industry representatives and is specifically seeking to identify opportunities for using advances in technology to reduce crime. Action teams, with representatives and is specifically seeking to identify opportunities for using advances in technology to reduce crime. Action teams, with representatives from business community, have also been established to look at retail, vehicle and property crime, including the use of technology.

Germar Rudolf

21. **Mr. Dismore:** To ask the Secretary of State for the Home Department if he will make a statement concerning the case of Germar Rudolf. [121552]

Mr. Mike O'Brien: The Government are aware of the reports in some quarters that Mr. Rudolf may be in the United Kingdom. The police have also been informed of the allegations against Mr. Rudolf.

Closed Circuit Television (Chelmsford)

22. **Mr. Burns:** To ask the Secretary of State for the Home Department what assessment he has made of the impact of CCTV in Chelmsford on the level of crime; and if he will make a statement. [121553]

Mr. Charles Clarke: Essex Police crime statistics show a 7 per cent. reduction in recorded crime in Chelmsford Town Centre since the Closed Circuit Television system became operational in January 1996. The true reduction is greater, as the figures are affected by a statistical change in 1998 in the method of recording violent crime. There have been 1,012 arrests directly attributable to CCTV, mainly for theft and public order offences.

E-commerce

24. **Mr. St. Aubyn:** To ask the Secretary of State for the Home Department what recent discussions he has had with the Department of Trade and Industry concerning e-commerce. [121555]

Mr. Charles Clarke: I have had a number of discussions with the Minister for Small Business and E-Commerce concerning e-commerce, particularly on the Regulation of Investigatory Powers Bill and the Electronic Communications Bill. Officials in the Home Office and the Department of Trade and Industry are working together closely to pursue the Government's policy of making the United Kingdom the best and the safest place in the world to conduct e-commerce.

Home Detention Curfew Scheme

27. **Mr. Forth:** To ask the Secretary of State for the Home Department how many further offences have been committed by prisoners released under the Home Detention Curfew scheme while on the scheme; and if he will make a statement. [121558]

Mr. Boateng: Information based on notifications direct to the Prison Service and data from the Police National Computer show that fewer than 2 per cent. of prisoners placed on the Home Detention Curfew scheme since January 1999 have committed further offences while subject to the scheme. As at 15 May 2000, the Prison Service knew of 395 cases where curfewees had been convicted or cautioned for offences committed while subject to the scheme, or were awaiting prosecution for such offences. The total number of offences known to the Prison Service was 701.

Mr. Hope: To ask the Secretary of State for the Home Department how many prisoners placed on the Home Detention Curfew scheme have committed further offences while subject to the scheme; and if he will make a statement. [123374]

Mr. Boateng: The latest information shows that fewer than 2 per cent. of the 20,632 prisoners placed on Home Detention Curfew by 15 May 2000 had committed further offences while subject to the scheme.

Interrogation of data on the Police National Computer (PNC) (covering 14,646 of the 14,837 prisoners placed on Home Detention Curfew up to 31 December 1999) indicates that, as at 13 April 2000, 351 of this group had been convicted of, or cautioned for, an offence committed while subject to the Home Detention Curfew scheme, or had a prosecution pending in respect of such an offence. In addition, there are 44 cases where the Prison Service has been notified of new charges involving prisoners placed on Home Detention Curfew in 2000 and prisoners placed on Home Detention Curfew in 1999 who could not be traced on the Police National Computer. (The figure of 44 excludes cases where the Prison Service is aware that charges were brought but not proceeded with, or resulted in acquittal). This means that at 15 May 2000 the total number of cases where the Prison Service knew of convictions, cautions or pending prosecutions in respect of curfewees was 395, or 1.9 per cent. of the total.

Table 1 gives a breakdown of the offences which led to convictions or cautions or where prosecutions are pending. Table 2 shows the number of cases in which these offences are similar in type to the original offence leading to a custodial sentence, and provides a breakdown.

Figures used in responding to previous Parliamentary Questions in relation to reoffending by those placed on the Home Detention Curfew (both in 1999 and 2000) were based on information about charges reported to the Prison Service by the police. The Prison Service had been previously notified of 171 cases where charges had been brought against offenders placed on Home Detention Curfew in 1999, and 37 cases involving offenders placed on Home Detention Curfew in 2000.

The interrogation of data from the Police National Computer was undertaken as part of the continuing evaluation of the Home Detention Curfew scheme by the Home Office Research Development and Statistics Directorate. The evaluation exercise has not to date covered those placed on Home Detention Curfew in the current year, but regular updates are planned.

The figures obtained from the Police National Computer cannot be compared directly with those previously used in responding to Parliamentary Questions. The new figures are based on convictions, cautions and pending prosecutions, rather than charges reported to the Prison Service by the police. However, the figures show that there has been some under-reporting of charges by the police.

This means that the procedures for notifying the Prison Service of curfewees charged with further offences have not fully been followed. These procedures are set down in Home Office Circular 1/99, issued to Chief Constables and police Home Detention Curfew Liaison Officers in January 1999. The circular requires the police to notify the Prison Service either at the time the charge is laid or at the first opportunity thereafter. My right hon. Friend the Home Secretary has today written to the President of the Association of Chief Police Officers, asking that the Association give this matter their attention and identify what steps can be taken to improve compliance with the circular. Her Majesty's Inspectorate of Constabulary will also be monitoring actions taken by the police to improve compliance with the notification procedures.

As a reinforcing measure, other agencies will also be asked to alert the Prison Service to any case that comes to their attention, where a curfewee has been charged with an offence committed while subject to curfew. As already indicated, the Police National Computer will also be interrogated on a regular basis in order to monitor the effectiveness of the notification procedures, and to ensure that information on the numbers of convictions, cautions and pending prosecutions is kept up to date.

Although more curfewees have been charged with further offences than originally notified, overall compliance with the scheme remains high. Taking account of the new information, the successful completion rate is around 94 per cent. (93.6 per cent.).

The scheme is designed to ensure a better transition for short-term offenders between custody and the community. Prisoners are only placed on Home Detention Curfew after a careful risk assessment. The safety of the public is paramount at all times and, with this in mind, Prisoner Governors will be reminded of the importance, when considering a prisoner's suitability for Home Detention Curfew, of assessing the likelihood of reoffending while subject to curfew.

Table 1: Breakdown of cases involving offences which led to convictions or cautions or where prosecutions are pending

Offence	*Number*
Total	395
Manslaughter	0
Other homicide and attempted homicide	
Attempted murder	0
Making threats to kill	5
Conspire, aid, incite murder	0
Death by reckless driving	0
Wounding	
Wounding (inflicting GBH)	6
Assault occasioning ABH	11
Assault with intent to cause GBH	1
Assaults	
Assault with intent to resist arrest	0
Other assault	16
Obstruct/resist constable	0
Assault on police officer	9
Cruelty to children	0
Other violence against the person	
Cause explosion, place explosive	0
Possess firearms with intent	0
Possess offensive weapon	4
Other violence against the person	4
Sexual Offences	
Rape	[1]3
Buggery	0
Indecent assault	0
Unlawful sexual intercourse	0
Abduction	0
Bigamy	0
Burglary	21
Robbery	4
Taking and driving away	2
Other theft	94
Handling stolen goods	14
Fraud	11
Forgery	2
Drugs offences	
Production	0
Supply	8
Possession with intent	4
Possession	30
Unlawful import/export	1
Other drugs offences	6
Arson	1
Criminal damage	19
In charge or driving under the influence of drink or drugs	18
Reckless driving	3
Other motoring offences	34
Drunkenness	0
Blackmail	0
Kidnapping	0
Affray	7
Violent disorder	7
Perjury/libel/pervert the course of justice	2
Threat/disorderly behaviour	4
Breach of Court Order	13
Other offences	22
Offence not recorded	9

[1] One of the three rape cases was listed on PNC as pending prosecution, and is therefore included in the table. However, the Prison Service has since been informed that the offender was acquitted. The two other rape cases were previously known to the Prison Service and have been referred to in replies to earlier Parliamentary Questions.

Notes:

1. The table includes all 351 cases drawn from the PNC analysis and the 44 cases where the data is based on police notifications (excluding those cases where, following initial notification of a charge, the Prison Service was informed that the charges had been withdrawn or resulted in acquittal).

2. Where a curfewee was convicted of, or cautioned for more than one offence, or prosecution is pending in respect of more than one offence, the table shows the most serious offence.

Table 2: Cases where new offences are similar in character to index offence

Offence	*Number*
Total	136
Homicide and attempted homicide including: Manslaughter	0

Table 2: Cases where new offences are similar in character to index offence

Offence	*Number*
Attempted murder	
Conspire, aid, incite murder	
Wounding and assault	8
including:	
Wounding (inflicting GBH)	
Assault occasioning ABH	
Assault with intent to cause GBH	
Assault with intent to resist arrest	
Other assault	
Obstruct/resist constable	
Assault on police officer	
Other violence against the person	0
including:	
Cause explosion, place explosive	
Possess firearms with intent	
Possess offensive weapon	
Other violence against the person	
Sexual offences	0
including:	
Rape	
Buggery	
Indecent assault	
Unlawful sexual intercourse	
Drugs offences	17
including:	
Production	
Supply	
Possession with intent	
Possession	
Unlawful import/export	
Other drugs offences	
Driving offences	11
including:	
Death by reckless driving	
In charge or driving under the influence of drink or drugs	
Reckless driving	
Other motoring offences	
Taking and driving away	
Theft and Burglary	89
including:	
Burglary	
Robbery	
Other theft	
Handling stolen goods	
Fraud	
Forgery	
Disorderly and Threatening Behaviour	6
including:	
Making threats to kill	
Criminal damage	
Affray	
Violent disorder	
Threat/disorderly behaviour	
Drunkenness	
Kidnap/Abduction	1
including:	
Kidnapping	
Abduction	
False imprisonment	
Other offences	
including:	
Arson	1
Bigamy	0
Blackmail	0
Perjury/libel/pervert the course of justice	0
Breach of Court Order	3
Cruelty to children	0

Notes:
1. The table compares the most serious index offence with all the offences involved in the fresh convictions, cautions and pending prosecutions.
2. Similar offences are defined for the purpose as offences within groups of offences shown above. All "stand alone" offences are not counted as similar in character to any other offence or group of offences.

Anti-social Behaviour Orders

29. **Mr. McWalter:** To ask the Secretary of State for the Home Department what assessment he has made of the causes of the low take-up of anti-social behaviour orders. [121560]

Mr. Charles Clarke: Records of the number of orders granted are not currently held centrally, although we believe that about 40–45 orders are currently in force. The number of orders in force has been increasing steadily and continues to do so. My right hon. Friend the Home Secretary set up an action group last year to consider issues relating to the use of anti-social behaviour orders. The group recommended a series of 10 regional seminars to provide an opportunity to share good practice, and to consult on the terms of a model agreement or protocol which local partnerships can use as a basis for effective co-operation in tackling anti-social behaviour. The seminars have now been successfully completed and I look forward to a further increase in the number of orders granted.

32. **Miss McIntosh:** To ask the Secretary of State for the Home Department how many anti-social behaviour orders under the provisions of the Crime and Disorder Act 1998 have been issued against persons under the age of 16 years. [121563]

Mr. Charles Clarke: As I stated in my reply to the hon. Member for Surrey Heath (Mr. Hawkins) on 21 February 2000, *Official Report*, column 824W, records of the numbers of anti-social behaviour orders issued are not currently held centrally. We understand that since the relevant provision came into force on 1 April 1999, at least 13 anti-social behaviour orders have been in respect of persons aged under 16.

Mr. Cox: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been implemented in the Greater London area in the last 12 months. [122369]

Mr. Charles Clarke: Figures for the number of orders granted are not yet held centrally. We are, however, aware of one order currently in force in the Greater London area.

Mr. Ian Stewart: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the implementation of the Government's anti-social behaviour strategy in *(a)* England *(b)* the North West region and *(c)* the area covered by the Greater Manchester Police Authority; and if he will make a statement. [122574]

Mr. Charles Clarke: We will be reviewing the effectiveness of anti-social behaviour orders early next year.

Police Racism

30. **Mr. Casale:** To ask the Secretary of State for the Home Department if he will make a statement about progress in tackling racism in the police force. [121561]

Mr. Straw: In February, I published my first annual report on progress of the implementation of my action plan to take forward the recommendations of the report of the Stephen Lawrence Inquiry, a copy of which is in the Library. I was able to report that over half of the report's 70 recommendations had already been implemented and work was under way on the others. The Bill to extend the Race Relations Act 1976 to the police and other public authorities was introduced in December 1999. I have set targets for forces on recruitment, retention and progression of ethnic minority officers. In addition, a research programme to broaden the understanding of stop and search and the way it can be improved is currently well advanced. I have made increasing trust and confidence in policing among minority ethnic communities one of just two ministerial priorities for the current year.

Disorder (Parliament Square and Whitehall)

31. **Mr. Bercow:** To ask the Secretary of State for the Home Department how many people have been charged with offences in connection with the disorder in Parliament Square and Whitehall on 1 May; how many have been charged with criminal damage to *(a)* the Cenotaph and *(b)* the statue of Sir Winston Churchill; and if he will make a statement. [121562]

Mr. Charles Clarke: The Metropolitan police advise me that 51 persons have been charged so far in relation to the disorder in London on 1 May. In addition, seven people have been given a caution or formal warning.

No person has yet been charged in connection with damage to the Cenotaph, but one person has been charged and convicted of criminal damage to the Sir Winston Churchill statue. He received a sentence of 30 days imprisonment and a compensation order of £250.

Female Circumcision

33. **Dr. Tonge:** To ask the Secretary of State for the Home Department what representations he has received concerning training for police officers for the policing of the Prohibition of Female Circumcision Act 1985. [121564]

Mr. Charles Clarke: The only representations on this subject were parliamentary questions from my hon. Friend the Member for Calder Valley (Ms McCafferty), which I replied to on 18 April 2000, *Official Report*, column 421W and on 17 May 2000, *Official Report*, columns 171–72W.

Hilda Murrell Case

35. **Mr. Dalyell:** To ask the Secretary of State for the Home Department pursuant to his answer of 14 April 2000, *Official Report*, column 292W, concerning the Hilda Murrell case, what options are being examined in the discussions with the forensic science service Major Crime Specialist Adviser on the strategic way ahead; and if he will make a statement on the use of second generation multiplan plus and low copy number systems. [121566]

Mr. Charles Clarke: I understand that advice has now been received from the Major Crime Specialist Adviser, but that to disclose its nature could reduce the chances of a successful outcome to the investigation. I shall write to my hon. Friend about the forensic techniques mentioned.

Anti-drugs Strategy

36. **Mr. Stephen O'Brien:** To ask the Secretary of State for the Home Department what recent assessment he has made of the effectiveness of his measures against drug dealers; and if he will make a statement. [121567]

Mr. Charles Clarke: Activity aimed at stifling the availability of illegal drugs on our streets is set out in the Government's 10-year anti-drugs strategy for which demanding targets have been set in the United Kingdom Anti-drugs Co-ordinator's National Plan. The police, with other enforcement agencies, have been working towards achieving these and interim targets. The United Kingdom Anti-drugs Co-ordinator will report on progress in his second annual report, to be published in the summer.

The "Drug Seizure and Offender Statistics Bulletin", published in February, reports that the overall number of seizures in the United Kingdom went up by 8 per cent. in 1998 to 149,900. The number of persons found guilty of, or cautioned for, offences of unlawful supply and of possession with intent to supply, totalled 16,246.

Immigration and Nationality Directorate

37. **Mr. Gardiner:** To ask the Secretary of State for the Home Department what targets he has set for the Immigration and Nationality Directorate to respond to hon. Members' correspondence. [121568]

Mrs. Roche: The Home Office Public Service Agreement commits the Immigration and Nationality Directorate to reply to 95 per cent. of correspondence from hon. Members within 15 working days.

Neighbourhood Watch

38. **Mr. Kidney:** To ask the Secretary of State for the Home Department what support his Department currently gives to neighbourhood watch schemes. [121569]

Mr. Charles Clarke: The Home Office does not provide core funding for neighbourhood watch. Rather, we direct funding towards national initiatives designed to support and encourage the local activity. We also support the National Neighbourhood Watch Association in its efforts to promote increased involvement in neighbourhood watch.

Drug-related Crime

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department what estimate he has made of the increase in the number of crimes in the last year which were related to illegal drugs. [121556]

Mr. Charles Clarke: The statistical data are collected on drug offences but not on other offences which may have been committed due to drug taking. In the 12 months ending September 1999, the police in England and Wales recorded 129,782 notifiable drug offences, a decrease of 9.2 per cent. on the corresponding period in the previous year.

A programme of research carried out on behalf of the Home Office by the University of Cambridge, involving the drug testing of arrestees, indicates a strong connection between drug misuse, particularly heroin and crack/cocaine, and crime. The research suggests that about one third of all property crime is committed in order to buy these drugs. Further data are being analysed and it is hoped to publish the next set of full results in the summer.

Humberside Police

Shona McIsaac: To ask the Secretary of State for the Home Department if he will make a statement on Humberside police's bid for funding for extra officers from the Crime Fighting Fund. [121936]

Mr. Charles Clarke: I refer the hon. Member to the announcement I made on 17 May 2000, *Official Report*, columns 169–70W, which sets out details of the revised distribution of the 5,000 recruits under the Crime Fighting Fund for all forces in England and Wales.

Humberside police bid for 251 officers and were allocated a total of 74 officers. Although the total number of officers has not changed, the accelerated scheme will enable Humberside to recruit 47 extra officers under the scheme this year and 27 next year.

The Humberside police bid was considered most carefully, as were all the bids. 4,000 of the 5,000 officers were allocated between forces using the Police Grant and Standard Spending Assessment formula, which included an additional 2 per cent. sparsity factor to benefit forces such as Humberside that cover rural as well as urban areas. The remaining 1,000 officers were divided between the 34 forces putting in the best bids.

Begging (Children)

Ann Keen: To ask the Secretary of State for the Home Department what discussions he has had with local authorities on their interpretation of the definition of child in need contained in section 17(1) of the Children Act 1989, in respect of babies and children involved in begging; and what plans he has to establish national guidelines on this issue. [122373]

Mr. Charles Clarke: My right hon. Friend the Home Secretary has had no discussion with local authorities on their interpretation of the definition of "child in need" contained in section 17(1) of the Children Act 1989, in respect of babies and children involved in begging. The most objectionable aspects of begging are already covered by the criminal law. Where there are child protection concerns, local authorities have a statutory duty under Section 47 of the Children Act 1989 to make inquiries where they have reasonable cause for concern that a child may need protection.

The law has always made clear how unacceptable it is to use children for the purposes of begging. It is there to be enforced as and when the situation requires it.

Prison Officers (Retirement Age)

Mr. Beith: To ask the Secretary of State for the Home Department if he will raise the maximum retirement age for prison officers from 60 to 65 years. [122523]

Mr. Boateng: In the light of the Home Office review of age retirement policy, the Prison Service is reviewing the age retirement of prison officers and other related grades. It is intended that this review will be completed within the next few months.

Wheelclampers

Mr. Willis: To ask the Secretary of State for the Home Department (1) how many wheelclampers working on private land have been prosecuted since 1990; [122519]

(2) what powers of arrest will be given to the police in respect of wheelclampers who operate without licences granted under the proposed Private Security Regulations. [122520]

Mr. Charles Clarke: Wheelclamping on private land is not a criminal offence, although there have been civil actions. Information on such actions is not collected centrally. The number of criminal offences committed by wheelclampers during their work on private land is not available, as the Home Office Proceedings Database does not identify the employment status of a defendant.

We will be introducing proposals to regulate wheelclampers as soon as parliamentary time allows.

Nicholas Tucker

Mr. Woolas: To ask the Secretary of State for the Home Department when he expects the Criminal Cases Review Commission to report on the case of Nicholas Tucker. [122506]

Mr. Charles Clarke: I understand that an application for review of Nicholas Tucker's case was submitted to the Criminal Cases Review Commission in January 1999. The Commission has determined that the case will require an extensive view. Mr. Tucker has not presented any special factors that would justify giving his application priority, and it is therefore awaiting allocation to a caseworker, on the basis of date order of receipt. The Commission expects to begin the review within 12 months. The Commission will continue to communicate directly with Mr. Tucker or his representatives.

Gammahydroxybutyrate

Mr. Ben Chapman: To ask the Secretary of State for the Home Department when he expects the Scientific Committee of the European Monitoring Centre on Drug and Drug Addiction to complete its formal risk assessment of the drug gammahydroxybutyrate. [122584]

Mr. Charles Clarke: Further to my replies to my hon. Friend on 10 May 2000, *Official Report*, column 405W, and to my hon. Friend the Member for South Swindon (Ms Drown) on 24 January 2000, *Official Report*, column 95W, I can report that the European Union Horizontal Drugs Working Group considered a report on gammahydroxybutyrate (GHB) from the European Monitoring Centre on Drugs and Drug Addition (EMCDDA) at its meeting on 12 April.

The decision was taken at that meeting to refer GHB to the Scientific Committee of EMCDDA for a formal risk assessment under the Joint Action adopted by the Council of the European Union regarding the information exchange, risk assessment and control of new synthetic drugs. The risk assessment is expected to be completed by early to mid October.

Rape

Mr. Ben Chapman: To ask the Secretary of State for the Home Department when he expects the Metropolitan police research initiative into drug-assisted rape to be concluded and a report published. [122585]

Mr. Charles Clarke: This research into drug assisted sexual assault is sponsored by the Home Office through the Policing and Reducing Crime Unit under the Police Research Award Scheme.

The research is complete and a launch by the Metropolitan Police Service is scheduled for 21 June 2000.

Police Stations (Staffing)

Mr. Randall: To ask the Secretary of State for the Home Department what *(a)* uniformed and *(b)* civilian staffing levels were in operation in each of the police stations within the Metropolitan Police Service Hillingdon Division for each shift on (i) 30 April, (ii) 1 May, (iii) 2 May and (iv) 3 May. [122823]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that uniform police officers on duty have responsibility for the whole borough and not specific stations. Furthermore, not all civil staff operate shifts. The information in the table, provided by the Commissioner, shows the number of uniform officers and civil staff deployed in Hillingdon Division for the period 30 April to 3 May:

	Inspector	*Sergeant*	*Constable*	*Civilian staff*
30 April				
Early turn	1	5	18	4
Late turn	1	5	22	6
Night duty	1	6	26	6
1 May[1]				
Early turn	1	6	30	5
Late turn	1	8	38	5
Night duty	1	5	30	4
2 May				
Early turn	1	6	25	5
Late turn	1	7	27	4
Night duty	1	6	26	3
3 May				
Early turn	1	7	25	7
Late turn	1	5	24	3
Night duty	1	6	26	3

[1] The figures for 1 May include an additional shift brought on duty in response to central requirements to provide a reserve of aid, if needed, for the May Day demonstration. These were deployed for local policing in Hillingdon only.

Prisoners (Medical Records)

Mr. Kidney: To ask the Secretary of State for the Home Department if he will ensure that when prisoners are transferred from one prison to another, their medical records are transferred at the same time. [123099]

Mr. Boateng: The Prison Service standard on health services for prisoners, issued on 5 October 1999, required establishments to have written and observed guidelines which set out the procedures for reception, transfer and discharge and include means of ensuring information on continuing care is conveyed to other establishments on transfer. The documentation required to achieve continuity of care is expected to include prisoners' health and treatment records.

Immigration Services Commissioner

Mr. Miller: To ask the Secretary of State for the Home Department if he will make a statement about the appointment of the Immigration Services Commissioner. [123519]

Mr. Straw: I am pleased to announce that Mr. John Scampion has agreed to serve as the Immigration Services Commissioner and Mrs. Linda Allan has agreed to serve as the Deputy Immigration Services Commissioner. Mr. Scampion will be appointed from 22 May and Mrs. Allan from 5 June. Mr. Scampion is currently the Social Fund Commissioner for Great Britain and Northern Ireland and a member of the Data Protection Tribunal. Mrs. Allan is a member of the Police Complaints Authority.

Metropolitan Police (Special Constables)

Mr. Cox: To ask the Secretary of State for the Home Department how many special constables there were in the Metropolitan police area on 1 May; and if he will make a statement. [121532]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me there were 758 special constables serving with the Metropolitan police on 1 May.

Correspondence

Mr. Donohoe: To ask the Secretary of State for the Home Department when the hon. Member for Cunninghame, South will receive a reply to his letter of 13 April to the Minister of State, the hon. Member for Hornsey and Wood Green (Mrs. Roche), concerning Mrs. Alexandra Wieringa. [123067]

Mrs. Roche: Unfortunately, my hon. Friend's correspondence was not received in my Department. His office has now kindly provided a copy and I replied on 18 May.

Police Terms and Conditions

Mr. Drew: To ask the Secretary of State for the Home Department if he will publish the terms and conditions available to police officers of each rank from police constable to chief constable who have completed 30 years of service. [123107]

Mr. Charles Clarke: The Police Regulations 1995 (as amended) set out terms and conditions of service for police officers of all ranks, regardless of length of service.

The Police Pensions Regulations 1987 (as amended) set out the circumstances in which a regular policeman can retire with a policeman's ordinary pension.

Officers below Association of Chief Police (ACPO) rank are entitled to retire on completion of 25 years' pensionable service if they give the police authority a month's written notice of the intention to retire—or such shorter notice as may be accepted by the authority.

Officers of ACPO rank are entitled to retire on completion of 25 years' pensionable service if they have attained the age of 55 and give the police authority three months' written notice of the intention to retire; on completion of at least 25 years' pensionable service, regardless of age, if they are subject to a fixed term contract that is not, or cannot, be extended; or if the police authority otherwise decide to permit retirement before age 60. The full text of Regulation B1 of the Police Pensions Regulations 1987 (as amended) is as follows:

An ordinary police pension is generally not payable until age 50 unless an officer has completed 30 years' pensionable service. Maximum pension benefits under the Police Pension Scheme are payable on completion of 30 years' pensionable service.

Police (Early Retirements)

Mr. Drew: To ask the Secretary of State for the Home Department how many early retirements were granted by police authorities in each of the last four years. [123108]

Mr. Charles Clarke: Police officers are entitled to retire with an ordinary police pension on completion of 25 years' pensionable service, subject to certain conditions. However, most police officers choose to retire on completion of 30 years' pensionable service, as this is when maximum pension benefits are accrued.

There are currently no provisions for early retirement from the police service with an actuarially reduced pension. However, officers may retire early on the ground that they are permanently disabled from performing the ordinary duties of a police officer and will receive an ill-health pension.

Tables which contain information on ill-health retirements for civilian and non-civilian employees from each police authority for the last four years for which such information is available have been placed in the Library.

Police Staff Numbers

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* civilian staff there were in each Metropolitan Police division on the most recent date for which figures are available; and if he will make a statement. [123148]

Mr. Charles Clarke: The information requested is given in the table, provided by the Commissioner of Police of the Metropolis.

Police officers and civil staff numbers as of end of April 2000

Area/Divisions	*Police officers*	*Civil staff*
Central		
City of Westminster and Chelsea	1,556.79	338.32
Hammersmith and Fulham	512.89	135.32
North		
Barking and Dagenham	272.72	72.96
Barnet	510.92	140.04
Brent	565.08	123.75
Camden	654.06	159.19
Ealing	572.62	137.88
Enfield	487.84	136.37
Hackney	630.45	152.43
Haringey	490.05	139.10
Harrow	279.60	68.15
Havering	313.68	83.36
Hillingdon	359.50	96.27
Islington	509.72	147.43
Newham	577.28	118.16
Redbridge	434.25	120.14
Tower Hamlets	529.74	120.15
Waltham Forest	441.61	120.42
South		
Bexley	273.60	66.07
Bromley	431.07	103.15
Croydon	547.46	157.29
Greenwich	608.92	144.60
Hounslow	421.00	116.34
Kingston upon Thames	251.40	74.72
Lambeth	826.95	221.18
Lewisham	562.78	147.50
Merton	289.10	79.93
Richmond upon Thames	276.13	76.74
Southwark	816.24	207.05
Sutton	308.24	79.35
Wandsworth	573.59	152.00
Heathrow Airport	304.83	64.36

Criminal Record Checks

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many police forces failed to meet targets for processing criminal record checks under child protection targets in each of the last three years; how long checks took on average in each force in each year; and if he will make a statement. [123228]

Mr. Charles Clarke: Under arrangements agreed with the Home Office, police forces in England and Wales aim to reply to employers and other agencies within 10 days, unless inquiries need to be made of other forces—in which case the aim is to reply within three weeks. These targets are subject to the allocation of resources within each police force, which is the responsibility of the Chief Constable.

Available information in relation to the average time taken by forces in England and Wales to carry out checks under the terms of Home Office Circular 47/1993 in the three years to 31 March 1999 was shown in the reply which I gave to the hon. Member for Torridge and West Devon (Mr. Burnett) on 17 March 2000, *Official Report*, columns 371–74W.

Arrangements in Scotland and Northern Ireland are a matter for the respective Secretaries of State.

Police Numbers

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many police officers there were per head of population in each police force and in

total in *(a)* 1992, *(b)* 1997 and *(c)* on the latest date for which figures are available; and if he will make a statement. [123147]

Mr. Charles Clarke: The information requested is set out in the table in the form of population per police officer. The additional funds we are making available over the next two years to recruit 5,000 more officers over and above those that forces would otherwise have recruited should improve on the 1999 ratios.

Population per police officer for 1992, 1997 and 1999

Force	*As at 31 March 1992*	*As at 31 March 1997*	*As at 30 September 1999*
Avon and Somerset	464	491	498
Bedfordshire	489	502	531
Cambridgeshire	536	540	566
Cheshire	516	479	481
City of London	5	6	7
Cleveland	378	382	405
Cumbria	416	429	451
Derbyshire	551	537	550
Devon and Cornwall	523	538	545
Dorset	514	531	542
Durham	435	416	391
Dyfed-Powys	496	474	457
Essex	510	511	541
Gloucestershire	459	491	507
Greater Manchester	363	372	378
Gwent	443	447	442
Hampshire	531	508	519
Hertfordshire	497	491	499
Humberside	431	434	458
Kent	501	478	484
Lancashire	440	439	443
Leicestershire	483	476	465
Lincolnshire	496	515	561
Merseyside	312	336	346
Metropolitan Police	259	284	297
Norfolk	537	543	572
Northamptonshire	507	513	545
Northumbria	414	390	375
North Wales	486	479	470
North Yorkshire	516	549	573
Nottinghamshire	436	444	463
South Wales	415	414	415
South Yorkshire	430	413	412
Staffordshire	481	477	481
Suffolk	544	561	578
Surrey	450	479	457
Sussex	479	477	515
Thames Valley	523	559	560
Warwickshire	495	541	553
West Mercia	540	547	574
West Midlands	377	371	360
West Yorkshire	406	405	434
Wiltshire	471	514	527
Total for England and Wales	406	414	426

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* officers per head of population there were (i) per police force and (ii) in England and Wales on 31 March; and if he will make a statement. [123226]

Mr. Charles Clarke: I refer the hon. Member to the reply I gave to the hon. Member for North-East Hertfordshire (Mr. Heald) on 15 May 2000, *Official Report*, columns 59–60W.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the change in the total number of police officers was in Hertfordshire between *(a)* 1992 and 1997 and *(b)* 1997 and the latest date for which figures are available, taking into account border changes with the Metropolitan police. [123154]

Mr. Charles Clarke: The change in the total number of police officers available for ordinary duty in Hertfordshire Constabulary between 31 March 1992 and 31 March 1997 was an increase of 64, from 1,695 to 1,759.

The change from 31 March 1997 to 30 September 1999, the most recent date for which figures are available was an increase of one, from 1,759 to 1,760.

The boundary changes for the Metropolitan Police District came into effect on 1 April 2000. The Commissioner of Police of the Metropolis informs me that 182 police officers have been seconded from the Metropolitan Police Service to Hertfordshire Constabulary for periods of up to two years.

The Commissioner also informs me that historical information on Metropolitan Police Divisional Staffing is unavailable.

Right to Silence

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what research he has undertaken into the impact of the change to the right to silence made by the Criminal Justice and Public Order Act 1994 on the number of convictions; and if he will make a statement. [123138]

Mr. Charles Clarke: Home Office Research Study 199, "The right of silence: the impact of the Criminal Justice and Public Order Act 1994", which was published in March 2000, examined the practical impact of the provisions on the interviewing of suspects at the police station and on proceedings in court. The report found a significant reduction in the extent to which suspects rely on silence when questioned by the police. The report concludes that conviction rates do not appear to have been affected, but the provisions may have introduced efficiencies in the investigation and prosecution process, with more productive interviews; greater scope for the investigation of accounts provided by suspects during interviews; and greater certainty of convictions where silence augments an already sound prosecution case. A copy has been placed in the Library.

Young Offenders

Mr. Miller: To ask the Secretary of State for the Home Department what measures he is taking to ensure young offenders take greater responsibility for their behaviour. [121547]

Mr. Boateng: We have introduced the Crime and Disorder Act 1998, the Youth Justice and Criminal Evidence Act 1999—which have led to the availability of reparation and action plan orders—and a range of new disposals aimed at early intervention in youth offending with a view to young people being challenged to face up to the consequences of their actions and make amends to their victims and the wider community.

SOCIAL SECURITY

NIRS2

Mr. Willetts: To ask the Secretary of State for Social Security how many pensioners are still waiting to receive their correct pension as a result of the problems with the NIRS2 computer system; and how much compensation has been paid to *(a)* pensioners and *(b)* pension companies as a result of these computer problems. [121037]

Mr. Rooker: The number of pension cases waiting to be reviewed is 128,000.

As at 31 March 2000, £2,125,147 compensation has been paid to retirement pensioners because of the delayed implementation of NIRS2.

Compensation to pension companies amounts to £44.3 million for scheme members owing to the late payment of their age-related rebates for the 1997–98 tax year. In addition, £52,215 has been paid for work they undertook to modify their IT systems so as to minimise the impact that incorrect payments of rebates generated by NIRS2 would have on their customers' investments.

The Benefits Agency will complete its review of the Retirement Pension claims affected by the delayed implementation of NIRS2 by the end of this year.

Benefit Payment Methods

Mr. Todd: To ask the Secretary of State for Social Security if he will place in the Library copies of communications sent to *(a)* new and current pensioners and *(b)* new and current recipients of child benefit concerning methods of payment of their benefits. [120343]

Mr. Rooker: The latest copies of the main communications to new and current pensioners and new and current Child Benefit recipients, concerning methods of payment of their benefits, have been placed in the Library.

Stakeholder Pension

Mrs. Lait: To ask the Secretary of State for Social Security up to what level of income people will be eligible to hold a stakeholder pension concurrently with an occupational pension. [122591]

Mr. Rooker: People will be able to hold both an occupational pension and a stakeholder pension. They will be able to contribute to both only when the occupational scheme is approved under the new defined contribution tax regime. Total contributions to defined contribution schemes will be subject to existing income related ceilings. We are still considering how concurrent contributions might be extended to other occupational schemes without introducing unnecessary complexity or excessive cost.

Guillain-Barré Syndrome

Mr. Andrew George: To ask the Secretary of State for Social Security what assessment he has made of the training needs of examining medical practitioners and adjudicating officers in the Disability Benefits Unit of the Benefits Agency in relation to Guillain Barré syndrome. [122915]

Mr. Bayley: The training of examining medical practitioners and decision makers for Disability Living Allowance concentrates on explaining disability in functional terms and in particular on the assessment of individual care and mobility needs, rather than being focused on particular diagnoses. The whole of the examining medical practitioner training is currently being reviewed and any revised package will cover the disabling effects likely to arise from conditions such as Guillain-Barré Syndrome. In addition, both examining medical practitioners and decision makers have access to the Disability Handbook. This is written by the Department's Medical Policy Group and contains guidance on the care and mobility needs likely to arise from a range of medical conditions. It contains a specific section on Guillain-Barré syndrome which sets out the level and range of needs likely to arise in people with this disease.

Helplines

Mr. Willetts: To ask the Secretary of State for Social Security how many calls have been received by each telephone helpline administered by his Department in each month since January 1999; and what the salary levels are for those who work on each helpline. [121059]

Mr. Rooker: The information is in the table.

Calls received by each DSS helpline since January 1999

	January 1999	*February 1999*	*March 1999*	*April 1999*	*May 1999*	*June 1999*	*July 1999*	*August 1999*
National Benefit Fraud Hotline	13,925	13,978	16,901	11,996	11,303	13,415	10,491	10,336
CSA National Enquiry Line	31,318	57,365	61,031	45,461	42,806	50,616	48,760	46,819
CSA's Client Helpline	310,585	252,286	297,910	297,033	220,520	253,321	296,252	222,542
Benefit Enquiry Line	102,110	100,828	125,991	91,589	95,850	105,179	87,424	87,570
Minimum Income Guarantee	—	—	—	—	—	—	—	—
War Pensions Helpline	22,434	22,452	25,098	27,698	23,243	25,713	25,642	25,810
Winter Fuel Leaflet Order Line'	130	—	—	—	—	—	—	—
Winter Fuel Helpline	115,478	32,455	7,789	1,612	—	—	—	—
New Deal for Lone Parents'	10,228	6,933	3,265	3,040	1,616	1,513	1,027	790
Pensions-Info Line'	4,316	3,891	6,437	4,443	2,189	1,908	2,316	2,405
Mortgage Protection Line'	—	—	—	—	—	—	—	—
Welfare Reform Order Line'	1,261	519	396	221	177	162	397	200
ONE/Single Work Focused Gateway	—	—	—	—	—	—	—	—
Inherited SERPS Scheme(ISS)'	—	—	—	—	—	—	—	—
Customer Care Helpline	328,038	306,460	346,968	304,867	286,934	338,611	329,600	305,738
DSS Public Enquiry Office	8,312	7,843	9,144	7,456	5,635	7,663	7,599	7,401
Child Benefit Centre	181,919	158,268	199,687	170,717	142,010	172,603	159,930	180,725

Calls received by each DSS helpline since January 1999

	September 1999	*October 1999*	*November 1999*	*December 1999*	*January 2000*	*February 2000*	*March 2000*	*April 2000*
National Benefit Fraud Hotline	12,971	9,291	14,683	10,906	14,272	19,285	23,118	12,815
CSA National Enquiry Line	59,179	60,495	64,699	44,551	54,125	47,438	71,496	58,683
CSA's Client Helpline	614,752	297,051	236,684	219,426	379,380	227,792	265,945	161,329
Benefit Enquiry Line	103,598	90,064	89,344	75,286	91,586	92,406	118,167	87,979
Minimum Income Guarantee	—	—	—	—	—	—	11,632	17,420
War Pensions Helpline	32,063	26,152	30,882	20,154	27,592	28,227	31,755	25,510
Winter Fuel Leaflet Order Line[1]	2,897	2,509	933	280	54	42	28	0
Winter Fuel Helpline	7,897	15,217	130,586	103,390	73,657	39,272	29,937	—
New Deal for Lone Parents[1]	1,597	8,131	3,421	1,434	7,929	7,467	8,057	3,842
Pensions-Info Line[1]	1,843	2,393	1,728	1,338	2,853	5,721	15,301	10,759
Mortgage Protection Line[1]	91	82	1,339	166	106	89	49	44
Welfare Reform Order Line[1]	350	763	1,117	330	258	459	360	283
ONE/Single Work Focused Gateway	1,133	1,294	1,048	562	221	770	695	n/a
Inherited SERPS Scheme(ISS)[1]	—	—	—	—	—	—	10,005	2,026
Customer Care Helpline	307,004	314,214	319,972	283,507	352,558	371,762	448,711	314,462
DSS Public Enquiry Office	8,107	6,887	7,555	4,996	11,283	11,597	10,472	8,584
Child Benefit Centre	163,366	158,848	185,895	124,772	174,309	185,557	197,469	147,990

[1] Means these helplines are run on our behalf by commercial response lines. Their salary levels are Commercial in Confidence.
[2] Included in January figure.
[3] Closed.

Average salaries for those run by the department (between the minimum and maximum paybands)

£

	Benefits Agency	*Child Support Agency*	*War Pensions Agency*
A1	10,789	9,925	—
A4	15,053	12,375	12,701
B3	21,248	16,500	16,841
C3	26,414	21,124	—
C4	—	25,850	—

Information is given on additional helplines to that given in my reply to the hon. Member on 4 April 2000, *Official Report*, column 626W. That reply was given on a narrower definition of the term "helpline". This one has been expanded to include information on, for example, leaflet ordering lines.

Background Detail on Helplines and Teleservices

National Benefit Fraud Hotline—0800 854440

A confidential telephone service for people who wish to report suspected cases of benefit fraud.

CSA National Enquiry Line (CSA NEL)—0845 7133133

The main function of the National Enquiry Line is to deal with general inquiries about child support matters.

The CSA's Client Helplines

Belfast: 0845 7 132000

Birkenhead: 0845 7 138000

Dudley: 0845 7 131000

Falkirk: 0845 7 136000

Hastings: 0845 7 134000

Plymouth: 0845 7 137000

Helplines are operated by each of the six Business Units in the Child Support Agency, in order to deal with a range of inquiries, particularly those from clients who wish to talk about their case.

Minimum Income Guarantee Helpline—0800 0281111

A Freephone line where pensioners can request a claim form and information about MIG, and from 30 May pensioners can have a claim form completed on their behalf.

Benefit Enquiry Line (BEL)—0800 882200

BEL is a national telephone helpline providing free and confidential advice on all Social Security Benefits to people with disabilities, their carers and representatives.

War Pensions Helpline—01253 858858

A helpline giving general help and advice to existing war pensioners and war widows; to anyone wishing to claim a war disablement or war widows' pension; and to ex-service organisations.

Winter Fuel Payments Leaflet Order Line—0845 9151515[1]

A response line for people wishing to order leaflets containing information on winter fuel payments.

Winter Fuel Payments Helpline—0845 915 1515[1]

A helpline for people who want to ask questions about the Winter Fuel Payments scheme.

[1] The number is the same

New Deal for Lone Parents—0800 783 9873

A helpline for people wishing to get information on the New Deal for Lone Parents and for lone parents who want to join the scheme.

Pensions Info-Line—0345 313 232

This is a telephone orderline that people can call to order copies of DSS information leaflets on pensions and other relevant information.

Mortgage Protection Line—0870 600 6990

An order line for people who want copies of the leaflet 'Protecting Your Mortgage'.

Welfare Reform Order Line—020 8867 3201

This is a telephone order line that people can call to order copies of DSS information leaflets and reports on Welfare reform and other DSS issues.

The Inherited SERPS Scheme Helpline—0845 600 6116

The ISS was announced by Secretary of State on 15 March 2000. A telephone helpline was set up on the same day. The helpline provides answers to a range of questions on the announcement and gives the option of registering to receive a claim form when the scheme has started.

Customer Care Helpline—0845 712 3456

The Customer Care Helpline is a telephone service offered to Disability Living Allowance or Attendance Allowance customers/ beneficiaries and their representatives. In addition to giving

information about the progress of any claim, explaining decisions etc for those benefits, it accepts certain changes of circumstances over the telephone.

Public Enquiry Office—0207 712 2171

A national unit dealing with policy related inquiries for the Department, acting as a first stop service, passing callers on to relevant officials as appropriate. It also acts as a first point of contact for more general inquiries relating to more general matters.

Child Benefit Centre—0541 555540 and 0541 555501

The Child Benefit Centre has a centralised teleservice. This is a service provided to customers who wish to report any changes of circumstances without the need to make their report in writing. It is aimed at dealing with as many calls as possible, at the point of contact.

Pension Schemes

Mr. Portillo: To ask the Secretary of State for Social Security (1) how many new personal pension schemes were set up in each year from 1979 to 1999; [122356]

(2) how many new occupational pension schemes were set up in each year from 1979 to 1996. [122355]

Mr. Rooker: The information is in the table.

Year	*Occupational pension schemes*	*Personal pension schemes*
1979	4,764	0
1980	4,671	0
1981	4,618	0
1982	5,705	0
1983	6,743	0
1984	8,606	0
1985	10,945	0
1986	11,009	0
1987	12,394	0
1988	22,162	161
1989	11,469	32
1990	7,779	13
1991	11,112	22
1992	8,104	12
1993	6,583	4
1994	7,501	2
1995	6,578	7
1996	8,311	16
1997	6,133	15
1998	4,939	21
1999	3,170	11
Total	173,296	316

Notes:

1. Scheme numbers are only part of the picture. More importantly, around 60 per cent. of employees currently have some form of non-state pension, either an occupational pension or a personal pension. In due course, numbers of people with non-state pensions should increase once stakeholder pensions are launched.
2. Personal pension schemes were introduced in 1988.

Source:

Pension Schemes Registry

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the expenditure on administration costs for the minimum income guarantee for 2000–01 *(a)* in total and *(b)* per recipient. [123258]

Mr. Bayley: The total estimated expenditure on administration costs for the minimum income guarantee for 2000–01 is £4 million.

Details on administrative costings can be found in the Departmental Report. A copy has been placed in the Library.

Mr. Webb: To ask the Secretary of State for Social Security if, for the minimum income guarantee take-up campaign, he will estimate *(a)* the total administration cost to date *(b)* the number of pensioners that have so far responded and *(c)* the number of respondents that were found to be eligible. [123257]

Mr. Rooker: The information requested is not available in the format requested. Such information as is available is as follows.

The total administrative costs, to the end of April, for the project team and Teleclaims service is £1,120,369. To date the minimum income guarantee (MIG) claimline has received over 32,000 calls and from these calls over 19,000 claim packs have been issued. Current provisions allow for a claim to be submitted within one month from the initial date of contact so we are unable to specify, at this stage, how many eligible respondents have been found. The MIG campaign will be launched on 30 May. The above information does not include the costs of the proposed advertising campaign.

Pension Rights

Mr. Heppell: To ask the Secretary of State for Social Security when he plans to bring into effect those parts of the Welfare Reform and Pensions Act that will protect tax-approved pension rights when a person is made bankrupt. [123520]

Mr. Rooker: The relevant sections will come into effect from 29 May 2000.

From that date, most tax-approved occupational pension rights and personal pension rights will be protected on bankruptcy.

Small Businesses (Benefit Payments)

Mr. Pollard: To ask the Secretary of State for Social Security what assessment he has made of the extent of increased administrative costs imposed on small businesses by the processing of state benefits through the payroll. [122358]

Dawn Primarolo: I have been asked to reply.

Having confirmed that my hon. Friend is referring to tax credits rather than to state benefits, I refer him to the regulatory impact assessment which was published and placed in the House Library in December 1999.

WALES

Opinion Research

Mr. Evans: To ask the Secretary of State for Wales how much his Department spent on opinion research in the financial year 1999–2000. [123122]

Mr. Paul Murphy: The Wales Office has commissioned no opinion research since it was established on 1 July 1999. Welsh Office expenditure prior to that date cannot ben separately identified.

Mr. Evans: To ask the Secretary of State for Wales if he will list the opinion research projects undertaken on behalf of his Department in the financial year 1999–2000, itemising *(a)* focus group research, *(b)* quantitative surveys and *(c)* other surveys, in each case indicating when and where the results were published. [123123]

Mr. Paul Murphy: The Wales Office has commissioned no opinion research since it was established on 1 July 1999. Prior to that date, the following projects were undertaken on behalf of the Welsh Office:

(a) Focus Group Research—Nil

(b) Quantitative Surveys—Nil

(c) Other Surveys

Subject	*Publication of results*	*Date of publication*
Effectiveness of information campaign to raise public awareness of the National Assembly and its voting system	Published on National Assembly for Wales website	November 1999
Evaluation of Strategic Prevention Action Plan for Drugs and Alcohol in Wales	Not published, but details made available to respondents	n/a

TREASURY

National Insurance

Mr. Willetts: To ask the Chancellor of the Exchequer (1) how many people are in contracted out money purchase pension schemes that are owed backdated national insurance contribution rebates; [119941]

(2) how much money is owed in backdated national insurance contribution rebates to contracted out money purchase pension schemes; and what arrangements have been made to make these backdated payments. [119942]

Dawn Primarolo *[holding answers 20 May 2000]:* There are approximately 280,000 people awaiting rebates for the 1997–98 and the 1998–99 tax years. About £140 million of rebates remain to be paid. Rebates are outstanding because of problems with the NIRS2 system and errors in end of year returns. Inland Revenue's National Insurance Contributions Office is working closely with its IT suppliers to resolve outstanding difficulties with the NIRS2 system. They are also liaising with Scheme Administrators and employers to correct errors in end of year returns.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many people paid *(a)* only class II National Insurance Contributions and *(b)* class II in addition to other National Insurance Contributions in each of the last 10 years; what revenue the Government received from class II National Insurance Contributions in each of these years; and if he will make a statement. [122521]

Dawn Primarolo: The number of people who paid National Insurance Contributions (NICs) in tax years 1978–79 to 1995–96, by type of contribution are shown in table 11 of the DSS publication "Contributions and Qualifying Years for Retirement Pension 1995–96 volume 2", a copy of which is available in the Library of the House. Consistent data for 1996–97 are shown in the table.

Number of people—Great Britain

Thousand

Type of contribution: men and women	*1996–97*
Class 1 and class 2	352
Class 2 only	2,049
Combinations of class 1, 2 or 3	10

This information is based on the DSS Lifetime Labour Market Database (LLMDB) which uses a 1 per cent. sample of National Insurance records. I regret that the LLMDB does not collect information about class 4 and an analysis including class 4 would be available only at disproportionate cost.

However, in general terms, around three-quarters of those with a class 2 liability have profits greater than the lower profits limit and therefore should pay some class 4 contributions. This estimate is based on the Inland Revenue's Survey of Personal Incomes.

Class 2 contribution receipts for the years available are shown in the table:

£ million, at 1999–2000 prices[1]

Year	*Class 2 receipts for Great Britain*
1990–91	660
1991–92	650
1992–93	680
1993–94	760
1994–95	760
1995–96	760
1996–97	770

[1] Using GDP deflator at market prices

Children's Tax Credit

Ms Kelly: To ask the Chancellor of the Exchequer what is the *(a)* forecast cost of introducing the children's tax credit and *(b)* projected number of claimants. [122612]

Dawn Primarolo *[holding answer 18 May 2000]:* I refer my hon. Friend to tables A.13 and A2.1 of the "Financial Statement and Budget Report" 2000.

Correspondence

Mr. Donohoe: To ask the Chancellor of the Exchequer when the hon. Member for Cunninghame, South will receive a reply to his letter of 14 April, concerning Mrs. Gillian McCubbin. [123068]

Dawn Primarolo: I wrote to my hon. Friend on 16 May.

Working Families Tax Credit

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the average cost per week, per recipient, of the Working Family Tax Credit, to the Inland Revenue in administration. [122575]

Dawn Primarolo: During the six months to March 2000, the average Inland Revenue cost per recipient of administering the Working Families Tax Credit (and the remaining Family Credit awards) was £1.61 per week.

AGRICULTURE, FISHERIES AND FOOD

Calf Exports

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's policy on the export of calves. [119582]

Ms Quin: The UK is currently banned from exporting calves. Despite the progress that we have made with the lifting of the beef export ban, it is unlikely that the European Commission will propose the removal of the ban on live cattle exports in the near future. We are, however, working with the NFU to explore possibilities such as opportunities for high welfare standard veal exports as an alternative outlet for dairy calves.

Badger Culling

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if his Department applied for a Home Office licence under the Animals (Scientific Procedures) Act 1986 for its recent badger culling experiment; and if he will make a statement. [120777]

Ms Quin: The Animals (Scientific Procedures) Act 1986, which regulates animal experiments, only applies where animals are killed in establishments specifically designated under the Act. It does not apply to the badger culling trial.

Parliamentary Questions

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food when he will answer the Question tabled by the hon. Member for Tewkesbury on 17 January (Ref. 105197). [120923]

Ms Quin: I refer the hon. Member to my answer given to him on 18 May 2000, *Official Report*, column 269W.

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list, in relation to those who have submitted to him a request to be heard orally in respect of the proposed decision to add the genetically modified maize variety Chardon LL to the UK National List, each of the locations in the UK where such hearings have been requested, and the numbers requesting hearings at each such location; [121447]

(2) if he will break down by region the representations and requests for oral hearings he has received on the proposed decision to add the genetically modified maize variety Chardon LL to the UK National List, indicating how many have *(a)* objected to and *(b)* supported the proposed decision. [121449]

Ms Quin: The information requested is set out in the table. To date, 227 individuals/organisations have submitted written representations, of which 63 have also requested to be heard by a person appointed by Ministers. A further four requests for a hearing have been received where no written representations have been made. Of the 227 written representations, four supported the proposed decision and the remainder objected. Of the 67 requests for a hearing, one supported the proposed decision and the remainder objected.

Summary of written representations and requests to be heard

	Written representations	*Requests to be heard*
England		
Avon	4	2
Bedfordshire	4	1
Berkshire	3	—
Buckinghamshire	6	2
Cambridgeshire	12	1
Cheshire	4	1
Cornwall	4	1
Cumbria	3	—
Derbyshire	4	1
Devon	12	4
Dorset	2	—
Durham	1	1
Essex	8	3
Gloucestershire	4	1
Hampshire	8	—
Herefordshire	3	2
Hertfordshire	6	3
Isle of Wight	9	—
Kent	5	3
Lancashire	16	3
Leicestershire	4	1
London	23	8
Middlesex	3	1
Norfolk	2	1
Northamptonshire	2	1
Nottinghamshire	2	2
Oxfordshire	8	4
Shropshire	2	1
Somerset	6	2
Staffordshire	1	—
Suffolk	4	1
Surrey	6	2
Sussex	2	2
Wiltshire	5	3
Worcestershire	1	—
Yorkshire	17	1
Total for England	206	59
Northern Ireland		
Belfast	1	1
County Antrim	1	1
County Londonderry	1	—
Total for Northern Ireland	3	2
Scotland		
Borders	2	—
Edinburgh and Lothians	6	2
Glasgow	2	1
Total for Scotland	10	3
Wales		
Camarthenshire	3	1
South Glamorgan	3	1
North Wales	1	—
Pembrokeshire	1	1
Total for Wales	8	3
Overall total	227	67

Action Plan for Farming (Budget)

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list, for each UK-funded component of the Government's £203.5 million Action Plan for Farming, the departmental budget concerned. [121425]

Mr. Nick Brown *[holding answer 9 May 2000]:* The departmental budgets concerned with each UK-funded component of the Government's Action Plan for Farming are listed:

Action plan for farming (8 May 2000)

Measure	*Value*	*Departmental budget*
Introduce a scheme to encourage the restructuring of the pig industry in order to improve its long-term viability	£26 million (in 2000–01)	MAFF
Pay to dairy farmers all the agrimonetary aid that EU rules permit this year only	£11 million (in 2000–01)	IB
Increase support for hill farmers beyond the level specified in the rural development plans submitted to the Commission	£60 million (in 2000–01)	MAFF—£15.3 million SE—£21.5 million NAW—£14.7 million DARD—£8.5 million
Seek from the Commission an increase in the maximum weight per animal on which compensation is payable under the Over-Thirty-Months Scheme	£20 million (estimate) (in 2000–01, based on euro rate of 0.64)	MAFF—£13.3 million SE—£2.3 million NAW—£2.1 million DARD—£1.8 million (total estimate revised to £19.5 million based on euro rate of 0.6)
Remove charges for dairy hygiene inspections in England as soon as the necessary legislation can be put in place	£1 million (in 2000–01)	FSA
Hold the increase in meat inspection charges for 2000–01 to the rate of inflation	£4.5 million (in 2000–01)	FSA
Increase the rate of grant under MAFF's Farm Waste Grant Scheme from 25 per cent. of eligible expenditure (under which uptake has been low) to 40 per cent.	£3.5 million (in 2001–02)	MAFF
The Government will double the Regional Development Agencies' Redundant Building Grant Programme, which operates in Rural Priority Areas, to £8 million in 2000–01	£4 million (in 2000–01)	DETR
The Government will allocate £2.3 million to create in England a European Centre for organic fruit and nursery stock	£2.3 million (over 2 years: £0.3 million in 2000–01 and £1.961 in 2001–02)	MAFF
A singe charge for authorisation to dispose of used sheep dip, equivalent to the current application charge of £85, should cover the full four-year period of the initial authorisation. This means that the current annual charge of £107 will not be payable during the first four-year period	£4.7 million over 4 years (from 2000–01)	DETR/NAW
Business Restructuring in England: The Government will pump-prime the drive to improve the competitiveness of farmers by providing funding for business improvement, on a challenge basis, following the model of the Agricultural Development Scheme 1999	£1 million (in 2000–01)	MAFF
The Government will provide funding of £1.2 million to Lantra (National Training Organisation for the Landbased Sector) to promote the economic benefits of training and to analyse the training needs of 20,000 farm businesses	£1.2 million (in 2000–01)	MAFF
The Government will help farmers develop better business practices through tailored business advice. As farmers increasingly diversify their businesses, they will be able to draw on the wider expertise and services of the Small Business Service	£6.5 million (in 2000–01)	MAFF/DTI (to be determined)
The Government will continue to support the Rural Stress Information network by extending for at least a further year the secondment of a MAFF official to that organisation. MAFF will also increase the provision of free advice to those farmers referred to it by certain organisations. The Government will increase their support to voluntary bodies dealing with rural	£0.5 million (in 2000–01)	MAFF

Action plan for farming (8 May 2000)

Measure	*Value*	*Departmental budget*[1]
stress on the basis of an action plan they will draw up with them by June		
Launch an electronic portal for farming	£0.4 million (in 2000–01)	MAFF
Business restructuring aid for Scotland, Wales and Northern Ireland—this is the responsibility of the devolved administrations and Northern Ireland	£2 million (in 2000–01)	SE, NAW, DARD (allocated separately)

[1] MAFF—Ministry of Agriculture Fisheries and Food
IB—Intervention Board
SE—Scottish Executive
NAW—National Assembly for Wales
DARD—Department of Agriculture and Rural Development (Northern Ireland)
FSA—Food Standards Agency
DTI—Department of Trade and Industry
DETR—Department of the Environment, Transport and the Regions

Pig Industry

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food if he will take measures to ensure that the £26 million package for United Kingdom pig farmers, aimed at restructuring the industry, will enable UK pig farmers to retain their export capacity. [121768]

Ms Quin: The ongoers element of the Pig Industry Restructuring Scheme is aimed at those pig farmers who wish to remain in pig production and want to restructure their business to make it viable in the longer term. Export demand for pigmeat is determined by a number of factors but the nature of the domestic market is such that we would expect the UK to continue as a significant exporter of fresh and frozen pork.

Penalty Clauses

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122024]

Mr. Morley: Penalty clauses are unenforceable under the law of contract, and contracts let by core-MAFF and its Agencies do not contain them. Contracts let by the Ministry do, where appropriate, contain contractual provisions setting out remedies for non-performance of contractual obligations by contractors but these are enforced only when contract management and disputes resolution procedures have been exhausted.

Fisheries

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 3 May 2000, *Official Report*, column 142W, on fisheries, what is the required procedure for maintaining *(a)* the national fisheries quota system based upon the existing relative stability and *(b)* restrictions upon access within national six and 12 mile limits beyond 2002. [122742]

Mr. Morley: Article 14(2) of Council Regulation 3760/92 requires the Council to decide by 31 December 2002, on the basis of a Commission report to the Council and the European Parliament and in accordance with the procedure laid down in Article 43 (now 37) of the Treaty (which requires a qualified majority in favour of a Commission proposal and consultation with the European Parliament):

on the provisions to follow the access restrictions within national six and 12 mile limits which, in accordance with Article 6 of the Regulation, expire on 31 December 2002;

on any necessary adjustments to be made to other provisions of the Regulation, including those concerning the national quota system based on relative stability: if no such adjustments are made, existing arrangements will continue unchanged beyond 2002.

As indicated in my reply to the hon. Member of 3 May, the Government are confident that both these provisions will be retained beyond 2002.

Arable Area Payments Scheme

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what percentage of croppable land in Britain is eligible for the arable area payments scheme; and what the figures are for other EU states. [123020]

Mr. Nick Brown: MAFF June census data show the total UK agricultural area in 1999 as 18.6 million hectares. Of this, roughly 35 per cent. meets the equivalent of the 1991 definition used to determine eligibility under the arable area payments scheme. About a further 30 per cent. is shown as grass five or more years old, which would represent the most obviously croppable part of the balance. Taking these two areas together would give a figure of around 55 per cent. as the amount of croppable land which would be eligible. But this can only be a rough approximation, because there is neither an agreed definition of croppable nor an absolute total for eligible land, as eligibility is only assessed when actual claims are made.

We have no figures for land eligible for arable area payments in other member states.

Uninhabitable Dwellings

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the economic impact on farmers of the decision to limit the exemption from council tax on uninhabitable dwellings; and what studies his Department has made of that impact. [122997]

Mr. Nick Brown: I refer the hon. Member to the answer given by my right hon. Friend the Minister of State on 5 May 2000, *Official Report*, column 242W.

Press Officers

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how many press officers there were in his Department in *(a)* May 1997 and *(b)* May 2000. [122995]

Mr. Nick Brown: The number of press officers in my Department in May 1997 was 10; and in May 2000, there are 10.

LORD CHANCELLOR'S DEPARTMENT

Opinion Research

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department how much the Lord Chancellor's Department spent on opinion research in the financial year 1999–2000 [123253]

Jane Kennedy: The Lord Chancellor's Department spent a total of £224,794 on opinion survey research in the financial year 1999–2000. The figure comprises the costs of 12 items of research, all of which relate to the Department's role as a service provider, to new initiatives such as the Community Legal Service or to areas of policy interest.

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list opinion research projects undertaken on behalf of the Lord Chancellor's Department in the financial year 1999–2000 itemising *(a)* focus group research, *(b)* quantitative surveys and *(c)* other market research surveys and in each case stating when and where the results were published. [123254]

Jane Kennedy: The list of opinion research items undertaken by the Lord Chancellor's Department during the financial year 1999–2000 is as follows. All the research listed relates to Departmental initiatives; areas of policy interest; or client satisfaction research required for Business Plans or Chartermark controls.

LCD Opinion Research Items 1999–2000

Focus Group Research

Two Market Research Projects—Community Legal service

Commissioned through the Central Office of Information in connection with the development and introduction of the Community Legal Service. Both projects—Strategy Development Research; and CLS Quality Mark & Brand Identity evaluation—included focus group research. This research was part of the development of the Community Legal Service and was not published.

Research Project: New Public Management & the Administration of Justice in Magistrates' Courts

Research to describe, analyse and evaluate changes to the Magistrates' Courts Service brought about by the Police and the Magistrates' Courts Act 1994, and the Justices of the Peace Act 1997. It includes six focus group studies of members of Court Users Committees and core user groups. This project is still underway. Consideration about publication will be given on receipt of the final report, which is likely to be in the autumn.

Quantitative Surveys

Quality of Service (User Reaction) Survey

Survey of customer perceptions using data gathered by way of a questionnaire distributed to Magistrates' Courts users. Processing of the data was completed in-house and the results released in Information Bulletins.

Office for National Statistics Omnibus Module: Legal Problems

The Department included three questions on the extent of civil legal problems, the seriousness of particular types of problems and people's experiences in seeking legal advice in the Office for National Statistics Omnibus Module. It is expected that the results will be published this year. They will be placed in the data archive at the University of Essex.

Customer Service Surveys

The Court Service has carried out local customer satisfaction surveys every two years in Crown Court centres, the Crown Office, the Criminal Appeal Office, county courts and tribunals by the Court Service since 1998. Each survey is undertaken in-house on a local basis with no external costs. The results are published in the public area of the local court.

Juror Satisfaction Pilot Survey

Recently serving jurors have been asked about their level of satisfaction with their treatment in the criminal justice system. The results were used to set a target for this area within the new Criminal Justice System Business Plan.

Other Market Research Surveys

Market Research: Provision of Information Meetings

A study has been completed by KPMG in order to assess potential interest in the private sector in the provision of information meetings under Part II of the Family Law Act 1996. It is not intended that this report will be published.

Research Project: Alternative Dispute Resolution in Commercial Cases

A study has been commissioned to assess the impact of Commercial Court ADR orders on the outcome of cases in which they are made; and the influence of the emphasis of ADR in the Commercial Court on the conduct of commercial litigation. It includes interviews (personal or telephone) with private practice practitioners, in-house lawyers and parties. Publication of the report of the research is expected this year.

Research Project: Factors Affecting the Decision to Apply for Silk and Judicial Office

A study has been commissioned to identify the factors which encourage or deter applicants from under-represented groups to apply for appointment as Queen's Counsel and judicial office. It is based on questionnaires and interviews with applicants and potential applicants. Publication of the report of the research is expected this year.

Research Project: Identifying Thresholds—Arrangements for Contact in the Context of Domestic Violence and Child Welfare Concerns

This research is based on two sets of interviews. The first is with professionals to identify whether and how they draw distinctions between different forms of contact. The second set is with children and adults who have had a range of contact experiences in order to identify their expectations and satisfaction with arrangements. It will also investigate users' views on the way contact provisions could develop. This project is underway and consideration on publication will be given on receipt of final report in 2001.

Research Project: Monitoring the Rise in the Small Claims Limit

A study to provide follow-on information from the earlier research, published in 1997, on the small claims court. This research involves interviews with litigants. The project is underway and consideration on publication will be given on receipt of final report in 2002.

Coroner Inquiries

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reasons the coroner has not opened an inquest into the death of Sam Marshall in 1990. [121864]

Mr. Lock: The holding and listing of inquests is a matter for judicial discretion of the coroner for the district in which a person has died. I understand that the coroner was in correspondence with the deceased's relatives' solicitor, Mrs. Rosemary Nelson, in relation to an inquest into Mr. Marshall's death. Mrs. Nelson was tragically killed on 15 March 1999. The coroner has only recently been contacted by the solicitor now representing the deceased's family and would intend to liaise with her in relation to the holding of an inquest.

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) how many politically motivated or violent deaths have been the subject of a coroner's inquiry in each of the past 15 years; what was the verdict in each such case; and how much time elapsed between death and completion of the coroner's inquiry in each case; [121865]

(2) in how many cases of *(a)* politically motivated and *(b)* violent death a coroner's inquiry had not opened a year after that death in the last 10 years; [121866]

(3) if he will set out, for the last 10 years, the number of *(a)* politically motivated and *(b)* violent deaths subject to a coroner's inquiry and the time taken to complete each stage of the inquiry process prior to a final verdict in respect of such deaths. [121867]

Mr. Lock: General statistics are available in relation to deaths in Northern Ireland. I am informed by the General Register Office for Northern Ireland that figures in relation to deaths registered in the last 15 years where the cause of death has been due to injury or poisoning (coded E800-E999) and homicide and injury inflicted by other persons (coded E960-E969) are available. These figures are detailed in the table. However, the specific information requested by my hon. Friend in relation to politically motivated deaths is not readily available and could be obtained only at disproportionate cost.

Year	*E800-E999*	*E960-E969*
1998	569	36
1997	593	24
1996	598	40
1995	663	113
1994	688	100
1993	639	90
1992	581	75
1991	719	76
1990	699	69
1989	693	104
1988	834	108
1987	762	90
1986	730	54
1985	746	58
1984	739	82

Tax Appeal Tribunals

Mr. Cotter: To ask the Parliamentary Secretary, Lord Chancellor's Department how many ex parte hearings at tax appeal tribunal level there have been in each of the last five years. [122721]

Jane Kennedy: Ex parte hearings are applications from the Inland Revenue for Consent to issue a notice requiring the production of documents or information. The application is made to a single commissioner of income tax, and is not considered to be a part of the appeals meeting. The number of these applications is not reported separately from the meeting statistics.

Mr. Cotter: To ask the Parliamentary Secretary, Lord Chancellor's Department how many tax appeal tribunals have been held in each year following the introduction of self-assessment [122722]

Jane Kennedy: Self-assessment was introduced with effect from 6 April 1996 and applied to returns for the 1996–97 tax year. The time limit for these returns to be set to the Inland Revenue was 1 January 1998. While information on the number of tax appeal tribunal hearings is not available, the number of appeals decided in 1998 by the General Commissioners of Income Tax are 95,073.

The cases heard by the Special Commissioners of Income Tax are 92.

Figures for 1999 will be available in July.

Mr. Cotter: To ask the Parliamentary Secretary, Lord Chancellor's Department how many tax appeal tribunals were held in each of the three years before the introduction of self-assessment. [122723]

Jane Kennedy: Self-assessment returns were introduced with effect from 6 April 1996, with the first returns being issued after 5 April 1997. The time limit for these returns to be sent to the Inland Revenue was 31 January 1998. While information on the number of tax appeal tribunal hearings is not available, the figures for decisions to 31 December in each year are:

	General commissioners of income tax	*Special commissioners of income tax*
1995	215,000	50
1996	241,472	84
1997	208,824	83

Written Answers to Questions

Tuesday 23 May 2000

HOME DEPARTMENT

Involuntary Manslaughter

Mr. Miller: To ask the Secretary of State for the Home Department what plans he has to reform the law relating to involuntary manslaughter, and in particular corporate manslaughter; and if he will make a statement. [123518]

Mr. Straw: I have today issued a consultation document containing the Government's proposals on how the law on involuntary manslaughter might be reformed. The paper accepts and builds on the Law Commission's proposals contained in their report number 237, "Legislating the Criminal Code: Involuntary Manslaughter".

Copies of the consultation document have been placed in the Library.

This is an important document dealing with a complex area of the law, but one which most commentators accept is in need of reform. The Government are deeply indebted to the Law Commission, not only for the detailed consideration they gave to this subject in their report number 237, but for their continuing help by participating in the inter-departmental working group we set up to consider their proposals.

The consultation document concentrates on those areas of the Law Commission's proposals which are more contentious or where, for the reasons set out in the document, we have taken a different view from the Law Commission. In a number of areas we have not come to any conclusion but are seeking comments on possible options.

We wish to clarify and rationalise the existing law relating to individual involuntary homicide and we agree with the Law Commission that the law relating to corporate liability for involuntary manslaughter is in need of radical reform. Our proposals in this respect raise important and difficult issues of policy, principle and practice.

I would urge all those who are concerned about the reform of the law on involuntary manslaughter to read this paper and respond to it.

Criminal Justice System Business Plan

Mr. Burgon: To ask the Secretary of State for the Home Department when he intends to publish the criminal justice system business plan. [123711]

Mr. Straw: My right hon. and noble Friends the Attorney-General, Lord Williams of Mostyn QC, the Lord Chancellor, Lord Irvine of Lairg, and I will today be publishing jointly a Business Plan for the criminal justice system in England and Wales 2000–01.

The Plan describes the aims, objectives and performance targets that the Government expect the criminal justice system as a whole to work to deliver.

Copies of the Plan have been placed in the Library.

Immigration and Asylum (Financial Bonds)

Mr. Pond: To ask the Secretary of State for the Home Department if he will announce the results of the consultation process on the design of a pilot study for financial bonds for visitors under sections 16 and 17 of the Immigration and Asylum Act. [123712]

Mrs. Roche: I have today placed in the Library a detailed analysis of responses to our recent consultation paper on bonds for visitors, together with an analysis of responses to this proposal in the 1998 White Paper on Immigration and Asylum. I am grateful to all those who responded to our consultation document. We have taken full account of their views, and of the many other representations made to us, in considering how the pilot study should run.

The pilot study on financial bonds will begin in October at two posts overseas, Manila and Casablanca. It will run for six months, followed by a further six months to monitor departure from the United Kingdom, and a further brief period for analysis of the results.

The scheme is intended to enable more people to visit the United Kingdom by providing an additional facility to prospective visitors in borderline cases where their intention to return is in doubt. It will enable a British Citizen or overseas national settled in the United Kingdom who is a family member to provide a financial bond, in the form of a cash payment in advance, as an additional guarantee that the visitor will leave the United Kingdom at the end of their stay. The scheme will be open only to those seeking to visit close family members in the United Kingdom. The amount of the bond will be set at £3,000. The bond will be returned when the visitor leaves the United Kingdom.

We shall monitor the scheme closely to ensure that it operates fairly, effectively and swiftly. We shall make available our analysis of the operation of the pilot study when it is complete.

Further details about how the scheme will operate will be provided nearer the time.

Pet Cloning

Mr. Baker: To ask the Secretary of State for the Home Department what guidelines exist in respect of the use of DNA from pets for future cloning purposes; and if he will make a statement. [122920]

Mr. Mike O'Brien: The cloning of a pet animal would not be a permissible purpose under the Animals (Scientific Procedures) Act 1986 which the Home Office operates. There are, therefore, no guidelines for the use of DNA from companion animals for cloning purposes.

Prisoner Education

Mr. Loughton: To ask the Secretary of State for the Home Department how many teaching staff have been employed in prisons and other custodial institutions in each of the last five years. [123496]

Mr. Boateng: Prison education is contracted out. The Prison Service purchases and measures education in terms of teaching hours rather than numbers of teaching staff. The number of teaching hours purchased in each of the last five years is given in the table.

Financial year	*Teaching hours bought*
1995–96	1,245,580
1996–97	1,169,717
1997–98	1,117,214
1998–99	1,213,562
1999–2000	1,354,165

Mr. Loughton: To ask the Secretary of State for the Home Department what the procedure is for prisoners receiving educational publications from relatives. [123492]

Mr. Boateng: Educational publications for prisoners, such as books or periodicals, can either be left at reception, brought in on visits or sent in by post. These would be checked by prison staff before being passed on to the prisoner.

The governor of each establishment has the discretion to restrict the handing or sending in of any item of property. If the governor of an establishment restricts the handing or sending in of property which prisoners may normally have in their possession, facilities will be made available for prisoners to purchase these items either through the prison shop or through approved mail order arrangements by using their private cash and/or earnings.

Mr. Loughton: To ask the Secretary of State for the Home Department what educational facilities are available in the Aylesbury Young Offenders Institution. [123493]

Mr. Boateng: The education department at Aylesbury Young Offenders Institution is run by Amersham and Wycombe College, which is expected to deliver 16,000 hours of education classes in the current financial year. Prisoners who are employed on a full-time basis have access to two hours education per week, and those in part-time employment for approximately 12 and a half hours per week. A wide range of courses is available and prisoners' individual needs are identified as part of their sentence plan.

Mr. Loughton: To ask the Secretary of State for the Home Department how many prisoners undertake distance-learning courses at their own expense. [123498]

Mr. Boateng: As at 3 April 2000, a total of 383 prisoners in England and Wales were registered on Open University distance-learning courses. Of these, 139 have not previously studied with the Open University.

A range of other distance-learning courses are available in prison, including GCSE, A level and vocational courses.

The majority of prisoners undertaking distance-learning courses pay for their courses through mixed funding arrangements, including self funding and charitable funding. Information on the number of prisoners who undertake distance-learning courses entirely at their own cost is not held centrally.

Mr. Loughton: To ask the Secretary of State for the Home Department how much has been spent on educational facilities in prisons and other custodial institutions in each of the last five years. [123495]

Mr. Boateng: Information is not available centrally on funds spent at individual prison establishments specifically on the provision of educational facilities over the last five years.

However, funds from the Comprehensive Spending Review (CSR) have been made available to prison establishments to spend mainly on enhancing basic and key skills through, for example, extending education contracts, improvements to prisoners' basic pay to encourage them to participate in basic education, training Prison Service staff as basic skill support tutors and developing imaginative integrated basic skills tuition. Some of this money will also be invested in enhancing educational facilities. The table gives a breakdown of these funds provided to each prison establishment over the three year period covered by the CSR.

Comprehensive Spending Review allocations to prison establishments

£

Area	*1999–2000*	*2000–01*	*2001–02*
Central			
Aylesbury	102,000	42,000	42,000
Bedford	93,478	82,347	84,810
Bullingdon	149,992	127,555	154,066
Grendon	27,000	27,000	27,000
Gartree	10,006	10,257	10,513
Reading	215,829	202,262	207,312
Woodhill	101,180	96,082	97,965
Area total	699,485	587,503	623,666
Kent			
Aldington	24,702	0	0
Canterbury	57,954	58,970	60,137
Cookham Wood	16,420	16,913	17,470
Dover	334,959	300,000	300,000
East Sutton Park	5,352	8,736	8,964
Elmley	133,483	119,536	122,848
Maidstone	70,143	68,461	68,834
Rochester	49,681	45,786	46,930
Standford Hill	26,844	25,490	26,127
Swaleside	33,392	28,392	28,392
Area total	752,930	672,284	679,702
Mercia			
Birmingham	168,028	120,506	120,506
Brinsford	103,410	103,410	103,410
Drake Hall	181,020	141,020	141,020
Featherstone	233,680	233,680	233,680
Shrewsbury	53,130	53,130	53,130
Stafford	274,797	274,797	274,797
Area total	1,014,065	926,543	926,543
South Coast			
Camp Hill	26,955	28,900	28,900
Dorchester	51,000	51,700	52,500
Erlestoke	32,364	26,351	27,010
Guy's Marsh	282,780	195,353	199,949
Parkhurst	84,734	87,262	84,349
Portland	25,000	25,625	26,266
The Verne	56,888	51,955	56,404
Winchester	50,452	42,488	43,551
Area total	610,173	509,634	518,929

Comprehensive Spending Review allocations to prison establishments

£

Area	1999–2000	2000–01	2001–02
East Midlands			
Ashwell	19,600	19,600	19,600
Glen Parva	331,423	332,644	337,348
Leicester	83,670	85,386	87,079
Lincoln	117,116	138,264	138,734
Nottingham	110,660	110,660	110,660
Ranby	39,254	38,994	39,835
Stocken	7,000	1,000	1,000
Area total	808,723	726,548	734,256
London North			
Bullwood Hall	47,158	47,058	47,058
Chelmsford	92,566	94,842	96,816
Highpoint	179,400	179,400	179,400
Norwich	170,855	171,380	172,505
Pentonville	291,700	234,600	236,000
Area total	781,679	727,280	731,779
Mersey and Manchester			
Liverpool	226,352	226,352	226,352
Manchester	42,414	40,300	41,600
Risley	158,060	157,400	160,950
Sudbury	18,854	19,350	19,900
Area total	445,680	443,402	448,802
North West			
Garth	21,006	21,006	21,006
Haverigg	21,040	21,040	21,040
Hindley	84,398	84,398	84,398
Kirkham	29,104	23,139	23,139
Lancaster	13,421	13,770	14,114
Lancaster Farms	13,000	13,000	13,000
Preston	69,000	69,000	69,000
Thorn Cross	63,000	63,000	63,000
Wymott	46,000	47,138	48,316
Area total	359,969	355,491	357,013
High Security Prisons			
Belmarsh	180,446	180,446	180,446
Frankland	154,643	247,602	248,258
Full Sutton	43,551	58,306	58,306
Long Lartin	29,800	27,850	28,700
Wakefield	32,720	23,720	24,720
Whitemoor	52,200	50,500	51,800
Area total	493,360	588,424	592,230
London South			
Coldingley	39,110	38,447	39,408
Downview	10,000	10,250	10,506
Feltham	438,718	367,686	376,878
Highdown	68,200	68,950	69,713
Lewes	47,600	36,800	37,688
Send	163,100	136,949	140,874
Wandsworth	106,000	108,000	109,575
Wormwood Scrubs	156,132	156,132	156,132
Area total	1,028,860	923,214	940,774
North East			
Acklington	116,000	116,000	116,000
Castington	100,000	165,463	165,463
Deerbolt	120,558	93,044	96,725
Durham	211,000	186,000	192,000
Everthorpe	30,000	20,986	21,360
Holme House	163,630	151,906	155,323
Hull	140,981	115,131	115,989
Kirklevington	6,067	6,219	6,373
Low Newton	183,000	183,000	183,000

Comprehensive Spending Review allocations to prison establishments

£

Area	1999–2000	2000–01	2001–02
Northallerton	52,000	47,000	48,000
The Wolds	15,577	15,577	15,577
Area total	1,138,813	1,100,326	1,115,810
Wales and West			
Bristol	82,890	81,550	81,500
Cardiff	142,109	142,109	142,109
Dartmoor	31,300	29,000	28,900
Eastwood P.	84,920	74,920	74,920
Exeter	119,848	119,848	119,848
Shepton M.	121,174	104,000	104,000
Swansea	81,900	81,900	81,900
Usk/Prescoed	79,989	69,823	69,823
Area total	744,130	703,150	703,000
Yorks			
Hatfield	18,742	18,742	18,742
Leeds	180,656	180,656	180,656
Lindholme	27,789	26,289	26,289
Moorland	73,000	73,000	73,000
New Hall	167,500	129,832	141,383
Wealstun	81,500	81,950	82,873
Wetherby	211,870	211,870	211,870
Area total	761,057	722,339	734,813
Education Services			
Computers	38,800	0	0
Total	9,677,724	8,986,138	9,107,317

Mr. Loughton: To ask the Secretary of State for the Home Department what educational facilities are available to sex offenders in prisons held in accommodation separate from other prisoners. [123497]

Mr. Boateng: It is not possible to identify separately the education provision for sex offenders. The Prison Service aims to provide them with similar education facilities to other prisoners. However, where sex offenders have to be segregated for their own protection pending allocation to a prison which offers suitable training facilities for them, safety considerations may limit their access to education.

Mr. Loughton: To ask the Secretary of State for the Home Department what separate educational facilities are available for sex offenders in the Aylesbury Young Offenders Institution. [123494]

Mr. Boateng: At Aylesbury, sex offenders are fully integrated with the rest of the establishment's population and have access to the same education.

Pilot Voting Schemes

Mr. Loughton: To ask the Secretary of State for the Home Department what conclusions he has drawn about the impact of pilot voting schemes in the 4 May local elections. [123483]

Mr. Mike O'Brien: I refer the hon. Member to the reply I gave to the hon. Member for Cheltenham (Mr. Jones) on 15 May 2000, *Official Report*, column 62W.

Prisoner Suicides

Mr. Loughton: To ask the Secretary of State for the Home Department how many suicides there have been by prisoners in each of the last five years. [123491]

Mr. Boateng: The information requested is given in the table.

Self-inflicted deaths in HM Prison Service establishments in England and Wales: 1995–99

Calendar year	*Number of self-inflicted deaths*
1995	59
1996	64
1997	68
1998	83
1999	91

Notes:

1. To date (19 May) there have been 35 self-inflicted deaths in prison custody in England and Wales.
2. Totals for each year contain the numbers of all self-inflicted deaths in prison custody; not only those deaths where there has been an inquest verdict of suicide.
3. The term employed by the Prison Service to refer to an apparent suicide is "self-inflicted death". This is broader than the term suicide and includes all those deaths where it is clear that the person has acted specifically to take his/her own life. It is not restricted to the official verdict from the Coroner's inquest where verdicts of "open" or "misadventure" may be recorded in cases where there was doubt about a person's intent to end their life.

Force Reaction Unit

Mr. McNamara: To ask the Secretary of State for the Home Department how many former members of the group known as the Force Reaction Unit have been interviewed by the Metropolitan police Special Branch in the past 12 months. [122761]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis has informed me that 15 former members of the Ministry of Defence Force Research Unit have been interviewed by the Metropolitan police Special Branch during the past 12 months.

Arrested Football Fans (Copenhagen)

Mr. Jim Murphy: To ask the Secretary of State for the Home Department (1) what legal action will be taken in the United Kingdom against those English football fans recently arrested in Copenhagen; [123414]

(2) what action will be taken to prevent those English football fans recently arrested in Copenhagen from travelling to football matches overseas during Euro 2000; [123476]

(3) how many of the English football fans recently arrested in Copenhagen have restriction orders against them prohibiting them from travelling abroad to football matches. [123475]

Mr. Charles Clarke: The 15 individuals arrested in Copenhagen were not convicted of any offence and no legal action can be taken against them in the United Kingdom. None are subject to a restriction or any other category of football banning order. Under current football legislation, the only individuals who can be prevented from travelling to Euro 2000 are the 106 hooligans currently subject to an international ban. However, the Dutch and Belgian police have extensive powers to refuse entry to any individual or group felt to pose a risk to public order. The National Criminal Intelligence Service will provide them with details of the 15 individuals along with details of the 388 persons currently subject to domestic football bans. Police will be monitoring all England supporters at every United Kingdom exit point throughout the tournament and the information gathered will be shared with the Dutch, Belgian and French police, in addition to the United Kingdom police teams operating in all three countries.

Crossbows

Mr. Ruane: To ask the Secretary of State for the Home Department what powers are available to him to control the ownership and use of crossbows; and what plans he has to extend them. [123469]

Mr. Charles Clarke: No such powers are available to the Secretary of State.

The Crossbows Act 1987 applies to crossbows with a draw weight of 1.4 kilogrammes or greater. It makes it an offence to sell or hire a crossbow to persons under the age of 17, and prohibits persons aged under 17 from possessing a crossbow unless supervised by someone aged 21 or over.

In addition, the Prevention of Crime Act 1953 prohibits the possession in a public place of any offensive weapon without good reason or lawful excuse.

There are no plans to amend this legislation at present.

Cultural Events (Security)

Sir Michael Spicer: To ask the Secretary of State for the Home Department (1) if he will publish the criteria by which police forces charge for providing security at *(a)* folk festivals and *(b)* other cultural events; [123468]

(2) if it is his policy that police forces should have discretion as to *(a)* the amount of security that they provide at public and private events and *(b)* how much they charge for such services. [123467]

Mr. Charles Clarke: The decision whether to charge for costs of policing at local events is for the local police authority and the Chief Constable.

Under Section 25(1) of the Police Act 1996,

> the Chief Officer of Police may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority.

The rationale behind charging is that the taxpayer at large should not be asked to pay for services provided at private events or events which benefit only a relatively small section of the community. It is for the Chief Officer concerned to determine whether a given service would constitute a special police service. Special police services are not defined in the 1996 Act or elsewhere. I would expect them to be services which meet some or all of the following criteria:

> they are not part of the general duty of the police to keep the peace and protect life and property;
>
> the service to be provided is on private land; and
>
> the Service to be provided is for a commercially organised event.

European Convention on Human Rights

Mr. Swayne: To ask the Secretary of State for the Home Department what estimate he has made of the cost to public funds of incorporation of the European Convention on Human Rights into United Kingdom law. [121906]

Mr. Mike O'Brien: We set out our views on the general financial effects of the Human Rights Act 1998 in the Explanatory and Financial Memorandum to the Human Rights Bill. My hon. Friend the Under-Secretary of State, Lord Chancellor's Department, set out the position with respect to the courts in her reply to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 10 April 2000, *Official Report*, column 21W.

Home Detention Curfew Scheme

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list for the period between the commencement of the Home Detention Curfew scheme on 28 January 1999 and 30 April 2000 inclusive, *(a)* the total number of prisoners released on the scheme, *(b)* the number of prisoners convicted of each specific offence who were released on the scheme, broken down by offences committed, including the specific offences committed by prisoners normally classified under the categories (i) other homicide and attempted homicide, (ii) other violence against the person, (iii) drug offences, (iv) assaults and (v) other offences, *(c)* the average sentence (i) received and (ii) served, and the average period spent on the scheme, in respect of each specific offence, *(d)* the number of prisoners released on the scheme, broken down by offences committed, who (A) breached the conditions of the curfew, (B) disappeared and were recaptured, (C) disappeared and remain unlawfully at large and (D) had their licences revoked, and for what reasons, *(e)* the specific offences committed by prisoners released on the scheme while on the scheme and *(f)* the specific offences committed by prisoners released on the scheme who committed a further offence while on the scheme that was similar in character to that for which they were originally convicted; and if he will make a statement. [121288]

Mr. Boateng *[holding answer 8 May 2000]:* As of 30 April 2000, a total of 20,028 prisoners had been released on Home Detention Curfew since the scheme commenced on 28 January 1999.

The original offences committed by prisoners released under the scheme during that period, the number of prisoners convicted of each specific offence, the average sentence received and served for those offences, and the average period spent on the scheme in respect of the prisoners convicted of each specific offence, are shown in table 1. The data are taken from the Prison Service's inmate information system based on the data recorded by each prison. The table provides as detailed a breakdown of offences as is possible from central records.

As of 30 April 2000, 710 prisoners placed on the Home Detention Curfew scheme had breached the conditions of the curfew.

Information on curfewees whose licences are revoked and who disappear before being recaptured is not held centrally. However, information is held on the number of curfewees unlawfully at large at any one time. On 30 April, there were 40 curfewees who remained unlawfully at large. This represents less than 5 per cent. of the total number of revocations. In the vast majority of cases, when a curfewee's licence is revoked, he can expect to be quickly apprehended and returned to custody. While the priority to be given to pursuing individual cases will be an operational matter for local police forces, Home Office Circular 1/1999 made clear that Home Detention Curfew recalls should be regarded as "urgent action" cases. In addition, the National Identification Service at New Scotland Yard issues "The Police Gazette" weekly to all police forces, including details of curfewees who are unlawfully at large. When curfewees are apprehended following a period unlawfully at large, they are required to serve the period of time outstanding at the point their licence was revoked.

As of 30 April 2000, 965 curfewees had their licences revoked, using the powers available to the Secretary of State under Sections 38A(1) and 39 of the Criminal Justice Act 1991. The reasons for revocation were as follows:

for breach of the curfew;

because the curfewee's whereabouts could no longer be electronically monitored;

because it was necessary to protect the public from serious harm; and

because the curfewee had committed an offence or breached any requirement of probation supervision. (Curfewees who are charged with new offences may also be recalled on any of the preceding grounds depending on the circumstances of the case).

Information on the specific offences committed by prisoners placed on Home Detention Curfew while on the scheme, and a breakdown of the specific offences committed by prisoners released on the scheme who committed a further offence while on the scheme that was similar in character to that for which they were originally convicted were set out in the reply I gave to my hon. Friend the Member for Corby (Mr. Hope) on 22 May 2000, *Official Report*, columns 360–64W.

Table 1: HDC discharges by offence type

		Months		
28 January 1999 to 30 April 2000	*Number*	*Average sentence*	*Average served*	*Average period spent on scheme*
Total	20,028	14.4	5.7	1.5
Manslaughter	53	33.9	15.1	1.9
Other homicide and attempted homicide	167	23.0	9.9	1.8
Attempted murder	6	28.5	12.9	1.9
Making threats to kill	34	19.1	8.0	1.7
Conspire, aid, incite murder	1	42.1	19.1	1.9
Death by reckless driving	126	23.5	10.1	1.9

Table 1: HDC discharges by offence type

		Months		
28 January 1999 to 30 April 2000	*Number*	*Average sentence*	*Average served*	*Average period spent on scheme*
Wounding	2,562	15.6	6.2	1.6
Wounding (inflicting GBH)	1,556	19.4	8.0	1.8
Assault occasioning ABH	951	9.3	3.3	1.4
Assault with intent to cause GBH	55	16.2	6.7	1.5
Assaults	524	7.4	2.5	1.2
Assault with intent to resist arrest	10	5.7	1.8	1.0
Other assault	396	8.1	2.8	1.3
Obstruct/resist constable	8	5.9	2.0	1.0
Assault on police officer	110	4.7	1.5	0.9
Cruelty to children	23	15.5	6.4	1.4
Other violence against the person	256	15.4	6.2	1.5
Cause explosion, place explosive	2	33.0	15.0	1.5
Possess firearms with intent	143	18.9	7.8	1.7
Possess offensive weapon	92	10.8	4.0	1.4
Other violence against the person	19	9.0	3.3	1.3
Buggery	1	6.0	1.6	1.4
Indecent assault	18	11.5	4.3	1.4
Unlawful sexual intercourse	1	6.0	1.2	1.9
Abduction	1	36.0	17.3	1.2
Bigamy	11	7.4	2.4	1.2
Burglary	1,887	19.3	7.4	1.8
Robbery	811	26.3	11.4	1.9
Taking and driving away	234	9.6	3.6	1.2
Other theft	1,840	11.3	4.2	1.5
Handling stolen goods	627	13.6	5.3	1.6
Fraud	1,647	13.2	5.1	1.6
Forgery	85	11.1	4.1	1.4
Drugs offences	3,236	20.2	8.5	1.7
Production	115	15.8	6.3	1.6
Supply	1,079	22.0	9.3	1.8
Possession with intent	1,366	20.2	8.4	1.7
Possession	431	15.7	6.3	1.6
Unlawful import/export	207	24.5	10.7	1.7
Other drugs offences	38	13.5	5.1	1.7
Arson	125	22.8	9.8	1.8
Criminal damage	90	12.2	4.7	1.4
In charge or driving under the influence of drink or drugs	692	4.4	1.4	0.9
Reckless driving	329	9.1	3.2	1.4
Other motoring offences	1,391	4.6	1.4	0.9
Drunkenness	73	5.0	1.6	0.9
Blackmail	60	20.6	8.6	1.8
Kidnapping	30	19.6	8.1	1.8
Affray	535	9.4	3.3	1.4
Violent disorder	237	13.8	5.3	1.7
Perjury/libel/pervert the course of justice	300	9.8	3.6	1.3
Threat/disorderly behaviour	92	8.6	3.2	1.2
Breach of Court Order	208	9.5	3.0	1.9
Other offences	781	11.8	4.5	1.4
Offence not recorded	1,101	12.7	4.8	1.6

Tobacco Smuggling

Mr. Cox: To ask the Secretary of State for the Home Department how many people were convicted of tobacco smuggling in the last 12 months; and how many of them were *(a)* imprisoned and *(b)* fined. [122903]

Mr. Charles Clarke: Information held centrally on the Home Office Court Proceedings Database combines sections 50(2)(3), 68(2) and 170(1)(2) of the Customs and Excise Management Act 1979 "Fraudulent evasion of duty etc. other than drugs". However, the type of goods involved (tobacco, spirits, beers, wines, oils and guns) are not identified separately.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department what his policy is in respect of experiments involving animals where the primary objective is to obtain information concerning human medical conditions which can reasonably be assumed to be self-inflicted. [122918]

Mr. Mike O'Brien: Evaluating research proposals involving the use of animals is difficult and requires a delicate moral balance to be struck. Scientific developments have saved many human lives and cured many illnesses. Human medical conditions are likely to

derive from a variety of causes. For example, bronchitis and emphysema can be caused by a genetic predisposition, various occupational causes and passive smoking as well as smoking. It would be immoral, in our view, to deny victims of such diseases the assistance that new scientific knowledge could bring from current work.

Mr. Baker: To ask the Secretary of State for the Home Department when he plans to establish a Royal Commission into animal experimentation. [122940]

Mr. Mike O'Brien: The position remains that we have not ruled out a Royal Commission, but strongly believe that resources can best be used to make immediate improvements to the operation of the Animals (Scientific Procedures) Act 1986 and to promote the fullest application of the 3Rs: to replace the use of animals with alternative methods, to reduce the numbers of animals used and to refine the procedures to minimise pain, suffering, distress or lasting harm.

In this context, the Animal Procedures Committee will be issuing a public consultation paper this summer as part of its review of the cost/benefit assessment. As part of this work, the Committee plans to produce an authoritative statement on the validity of animal experiments.

Mr. Baker: To ask the Secretary of State for the Home Department what his policy is in respect of animal experiments where the sole or primary purpose is one of commercial gain. [122916]

Mr. Mike O'Brien: Section 5(4) of the Animals (Scientific Procedures) Act 1986 requires that, in determining whether and on what terms to grant a project licence, the Secretary of State must weigh the likely adverse effects on the animals concerned against the benefit likely to accrue as a result of the programme specified on the application.

For the purposes of the cost/benefit assessment, the cost to the animal is considered as the adverse effects of pain, suffering, distress or lasting harm. The benefits must be for humans, animals or the environment and relate to the scientific and/or medical progress likely to result directly from the programme outlined in the application.

The identification and assessment of benefit is set out in detail in the Chief Inspector's paper on the cost/benefit assessment, included in the Annual Report of the Animal Procedures Committee for 1997. My policy is that the profitability of a company applying for authorities and the researchers' career prospects are not valid considerations for the purposes of the cost/benefit assessment, but that the socio-economic advantages of cheaper healthcare cannot be ruled out as possible legitimate benefits.

Mr. Baker: To ask the Secretary of State for the Home Department (1) what criteria have been used to make appointments to the Inspectorate in respect of the Animals (Scientific Procedures) Act 1986; what plans he has to review these criteria; and if he will make a statement; [122305]

(2) if he will list the names of those appointed to the Inspectorate in respect of the Animals (Scientific Procedures) Act 1986; [122306]

(3) what steps he is taking to ensure that those inspectors appointed under the Animals (Scientific Procedures) Act 1986 to investigate allegations against licence holders have not been party to the original decision on granting that licence; and if he will make a statement; [122302]

(4) how many establishments have been inspected by the Inspectorate appointed under the Animals (Scientific Procedures) Act 1986 over the last three years; and with respect to each establishment of how many visits notification of the inspection was given; how many visits were unannounced; and if he will make a statement. [122304]

Mr. Mike O'Brien: There are approximately 300 designated establishments and the Inspectorate visits all of them. The number of visits to each establishment varies according to its size and the type of work being conducted at any particular time.

Approximately 1,800 visits of inspection are conducted each year, two-thirds of which are without notice. Visits by appointment are usually made to conduct interviews with staff, to discuss new work proposals and ongoing work, to examine records of work, to investigate non-compliance or to view premises being considered for designation.

When third party allegations are made against establishments or individuals, the investigation is handled by a Superintending Inspector from another region with no connection with the establishment or person, and no line management responsibility for the local inspector. The Chief Inspector quality assures these investigations and the resulting reports.

The 1986 Act requires that Inspectors must be either medical or veterinary graduates: the former must be registered with the General Medical Council and the latter must be Members of the Royal College of Veterinary Surgeons.

Candidates are expected to have additional higher professional or academic qualifications, and to have first hand experience of designing and conducting research in a clinical, academic or commercial environment. They must have a sound knowledge of medicine and surgery and be familiar with current trends and technologies used in medical and biological research.

Members of the Inspectorate are civil servants, appointed to advise the Secretary of State whether and on what terms authorities should be granted under the Animals (Scientific Procedures) Act 1986. It is the Secretary of State who has ultimate responsibility for deciding what is licensed and the conditions which will apply. It is not normal practice to reveal widely the names of individuals where it is not in the interests of personal safety and security to do so.

Performing Animals

Mr. Baker: To ask the Secretary of State for the Home Department what recent estimate he has made of the number of animals used in entertainment other than in circuses; and if he will make a statement. [122919]

Mr. Mike O'Brien: Certificates of registration are sent to the Home Office by local authorities under the Performing Animals (Regulation) Act 1925. Local authorities were reminded in January of their statutory obligation to provide this information. The Home Office has so far this year received details of over 2,000 animals

which perform other than in circuses. Of these, 1,390 are included in two registration entries, and are used in promotional, film and television work.

Burns Inquiry

Mr. Cawsey: To ask the Secretary of State for the Home Department (1) if any of those appointed to the Burns Inquiry secretariat have been *(a)* members and *(b)* supporters of (i) fox, deer, hare or mink hunts and (ii) other pro-field sports organisations, or have participated in hare coursing events; [123516]

(2) if he sought to determine if those appointed to the Burns Inquiry secretariat had views on hunting with dogs prior to their being selected. [123515]

Mr. Mike O'Brien: The Committee of Inquiry into Hunting has been set up as a Committee which is independent of Government.

The appointment of the Inquiry team's Secretariat, and other issues relating to the Secretariat, are matters for the Chairman of the Inquiry team, Lord Burns.

Mr. Cawsey: To ask the Secretary of State for the Home Department how many visits have been undertaken by each member of the Burns Inquiry team in the course of the inquiry to events and functions organised by *(a)* anti-hunting groups and *(b)* pro-hunting groups. [123514]

Mr. Mike O'Brien: I understand from the Secretariat to the Committee of Inquiry into Hunting with Dogs that the information is as follows:

Members of the Committee of Inquiry attended 11 events organised by, at the suggestion of, or in conjunction with, anti-hunting organisations. Attendance was as follows: Lord Burns 10; Dr. Victoria Edwards seven; Professor Sir John Marsh six; Lord Soulsby of Swaffham Prior one; Professor Michael Winter four.

Members of the Committee attended 23 events organised by, at the suggestion of or in conjunction with, pro-hunting organisations. Attendance was as follows: Lord Burns 16; Dr. Victoria Edwards 12; Professor Sir John Marsh 11; Lord Soulsby of Swaffham Prior seven; Professor Michael Winter 12.

Criminal Justice (Mode of Trial) (No. 2) Bill

Mr. Clappison: To ask the Secretary of State for the Home Department what meetings he has had with the Law Society over the introduction of the Criminal Justice (Mode of Trial) (No. 2) Bill. [121897]

Mr. Charles Clarke: There have been no meetings on this issue.

Trustees

Mr. Loughton: To ask the Secretary of State for the Home Department when he plans to bring forward legislation regarding the role of trustees. [123499]

Mr. Lock: I have been asked to reply.

The Government have no plans to bring forward such legislation. However, the Trustee Bill, presently awaiting its Committee Stage in another place, would make certain provisions in relation to the powers and duties of trustees and particularly in relation to their powers of investment and related matters.

INTERNATIONAL DEVELOPMENT

Sexual and Reproductive Health Projects

Ms McCafferty: To ask the Secretary of State for International Development if she will list the UK aid contributions for sexual and reproductive health projects for the years *(a)* 1997, *(b)* 1998 and *(c)* 1999. [123284]

Clare Short: My Department's bilateral contributions to sexual and reproductive health, including HIV/AIDS, in 1997–99 were:

1997—£53.4 million

1998—£58.4 million

1999—£57.3 million

In addition, the UK's core contributions to the following multilateral agencies also support action on sexual and reproductive health:

£ million

	1997–98	*1998–99*	*1999–2000*
United Nations Population Fund	11.5	13	15
United Nations Children's Fund	8	10	13
UNAIDS	2.3	2.75	3
World Health Organisation (Reproductive Health)	1.4	1.4	2
International Planned Parenthood Federation	5	5.5	5.5

Gaza Hospital

Mr. David Atkinson: To ask the Secretary of State for International Development when the new EU-funded Gaza Hospital will open; and if he will make a statement. [123294]

Clare Short: I am informed that Commissioning of the EU funded Gaza Hospital is now likely to start in July 2000 and be completed by the end of the year, when it is expected that the hospital will be fully operational. An interim Management Team has been recruited by EC and will gradually hand over responsibility for day-to-day operations to local counterparts. It is intended that the Management Team will remain in place until July 2001.

Air Strip (St. Helena)

Dr. Marek: To ask the Secretary of State for International Development for what reasons a further study has been commissioned on the feasibility of an air strip on St. Helena. [123328]

Clare Short: A desk study undertaken in 1999 considered the regulatory and technical feasibility of operating an air service to St. Helena. It did not consider the engineering, economic, financial, environmental and social feasibility of developing appropriate facilities on the island. These issues will be investigated as part of the comparative study of air and sea access which is now being commissioned. The study will compare air with

future options for continuation of sea access and will identify the most cost-efficient permanent solution to St. Helena's international passenger and cargo needs.

Dr. Marek: To ask the Secretary of State for International Development who will have responsibility for paying the cost of the air strip feasibility study on St. Helena. [123470]

Clare Short: The cost of the comparative study of air and sea access will be met by my Department from within the £29 million development assistance package agreed for the 2000–01 to 2002–03 Country Policy Plan period.

Dr. Marek: To ask the Secretary of State for International Development when the study on the feasibility of an air strip on St. Helena will be completed; and if she will ensure it is published. [123413]

Clare Short: The comparative study of air and sea access for St. Helena is currently being tendered. Work is expected to commence in August. The study will take about 14 weeks. As the study is being undertaken on behalf of the St. Helena Government it is they who should decide if the final report is published.

CULTURE, MEDIA AND SPORT

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122022]

Mr. Chris Smith: My Department has no record of any such contracts in the last three years.

National Lottery

Mr. Ben Chapman: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the role of the members of the National Lottery Charities Board and the role played by Ministers in their appointment. [123082]

Kate Hoey: Members of the National Lottery Charities Board take decisions on applications for grants from charitable, benevolent and philanthropic organisations. They formulate policies that continually improve and develop the Board's grant-making and contribute to the strategic development of the Board in a changing environment. Members also act as the public face of the Board.

Board members are appointed for up to five years by the Secretary of State for Culture, Media and Sport. The Board's Scottish, Welsh and Northern Ireland representatives are appointed following consultation with the relevant head of the devolved Administration.

FOREIGN AND COMMONWEALTH AFFAIRS

Indonesia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will provide support for the Indonesian administration in order to reduce fighting between Muslims and Christians in Indonesia; [122853]

(2) what representations he has made to the Indonesian Government regarding religiously motivated violence in Indonesia; [122852]

(3) what recent reports he has received concerning religious violence in the Moluccas Islands. [122850]

Mr. Battle: The violence in Ambon and elsewhere in Maluku is a major concern for the Indonesian administration as well as for Britain and the international community. The new Indonesian Government aim to resolve regional conflicts through dialogue and reconciliation. We fully support that process, and have pressed upon them the need for conflict resolution work in particular communities. As part of the international effort through the United Nations Development Programme, we have already funded two conferences promoting reconciliation in Maluku, between 28 March and 3 April. We stand ready to help with further conflict prevention projects.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what UK expertise he will provide for training the Indonesian police force in managing conflict. [122854]

Mr. Battle: To explore the scope for the UK to support the Indonesian national police in its transition to a civilian accountable service, a senior British police officer will be attached to our Embassy in Jakarta from 1 June.

Moluccas Islands

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning the arrival of Jihad warriors in the Moluccas Islands. [122851]

Mr. Battle: We have received reports that a number of extremists from outside Maluku have travelled to the province, and are under the close scrutiny of the authorities in Maluku. We are concerned at recent reports that these extremists have threatened further violence in the province. We have urged the Indonesian Government to ensure the security forces maintain law and order and the protection of all citizens.

Fundamental Rights Charter

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the implications for the British legal systems of the incorporation of the Charter of Fundamental Rights into the Treaty of European Union. [121896]

Mr. Vaz: The Cologne Conclusions state that the question of

> whether and if so how the Charter should be integrated into the Treaties

will be considered only once the drafting body has presented its draft before the European Council in December.

Sierra Leone

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs when Peter Penfold left his post as High Commissioner in Sierra Leone; and what his last day was in Sierra Leone. [123269]

Mr. Hain: Mr. Penfold left his post as High Commissioner, and Sierra Leone, on 29 April 2000, his tour of duty having been the normal length for such postings.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations his Department made to President Kabbah regarding accepting Foday Sankoh into the Sierra Leonean Government; [123313]

(2) what representations were made to his Department regarding Foday Sankoh's inclusion in the Sierra Leone Government by *(a)* President Kabbah, *(b)* the Nigerian Government and *(c)* the United States Government; [123312]

(3) what guidance he received on the decision to include Foday Sankoh into the Sierra Leonean Government; [123315]

(4) what factors underlay the decision to include Foday Sankoh in the Government of Sierra Leone; [123314]

(5) what representations were made by the Government on Foday Sankoh's inclusion in the Government of Sierra Leone. [123311]

Mr. Hain: Foday Sankoh has no formal post in the Sierra Leone Government. Under the Lomé Peace Agreement, he was made Chair of the Commission for the Management of Strategic Resources, National Reconstruction and Development, with the status of Vice-President.

Representatives of Nigeria, the US and Britain were among those present as observers during the negotiations in Lomé between the Government of Sierra Leone and the Revolutionary United Front.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to *(a)* the US Administration and *(b)* his European counterparts regarding the freezing of bank accounts of leading members of the Revolutionary United Front in Sierra Leone and their families. [123320]

Mr. Hain: UN sanctions are already designed to target the Revolutionary United Front. UN Security Council resolution 1171 (1998) imposes a travel ban on leading members of the former military junta and of the Revolutionary United Front. It also imposes an embargo on the supply of arms and related material to Sierra Leone other than to the Government of Sierra Leone (with certain exemptions). We have not discussed the option of freezing the bank accounts of leading members of the Revolutionary United Front and their families with the US Administration or with European counterparts. However, the UK will ensure that the Security Council keeps the impact and effectiveness of sanctions under review and will make proposals for modification of the sanctions regime as we consider appropriate.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of illegal arms shipments going through Burkina Faso to the Sierra Leone rebels. [123317]

Mr. Hain: Her Majesty's Government are aware of allegations that arms flown from Ukraine to Burkina Faso in March 1999 were subsequently forwarded via Liberia to the rebels in Sierra Leone. We raised our concerns regarding this matter with the Burkinabe authorities and the UN Sanctions Committee at the time. The Chairman of the UN Sanctions Committee also raised these allegations with the Governments concerned.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what role the Commonwealth has played in finding a peaceful solution to the latest crisis in Sierra Leone. [123316]

Mr. Hain: The Commonwealth remains an active supporter of the Government of Sierra Leone's efforts to secure lasting peace. Meeting on 2 May, the Commonwealth Ministerial Action Group condemned the killings and detention of UNAMSIL peacekeepers; expressed its determination to stand by the people of Sierra Leone; and reiterated its readiness to assist the reconstruction of Sierra leone and the consolidation of its democracy.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what recent representations he has received from the US Administration on the situation in Sierra Leone; [123323]

(2) what recent representations he has made to the US Administration on the situation in Sierra Leone. [123322]

Mr. Hain: We remain in close touch with the US Administration over the situation in Sierra Leone, particularly over the need for practical help to enable UNAMSIL to build itself up over the next few weeks. My right hon. Friend the Foreign Secretary most recently discussed this with the US Secretary of State on 20 May. We welcome the US announcement of $20 million to support peacekeeping in Sierra Leone.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors influenced the decision to offer amnesty to all the Sierra Leone Revolutionary United Front's members, as part of the Lomé peace accord. [123319]

Mr. Hain: Granting an amnesty for crimes committed before the signature of the Lomé Peace Agreement on 7 July 1999 was one of the many hard decisions taken by the Government of Sierra Leone in their efforts to reach a negotiated settlement.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs when he was first informed about the worsening situation in Sierra Leone after January. [123318]

Mr. Hain: We have kept the situation in Sierra Leone under careful and constant review. The present crisis began when the Revolutionary United Front attacked UN peacekeepers at a Disarmament, Demobilisation and Reintegration camp in Makeni on 1 May. Reports of this attack were received early the following day.

The security situation deteriorated rapidly thereafter.

Mr. Roger Crooks

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 April 2000, *Official Report*, column 284W, concerning officials who met Mr. Roger Crooks, which official they have been unable to contact; and what the reason is for the delay. [123386]

Mr. Hain: We had been unable to contact the relevant official, due to his absence on annual leave. He has now confirmed that he has not met Mr. Crooks.

Lomé Agreement

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what part the Government played in negotiating the Lomé agreement of 7 July 1999. [123321]

Mr. Hain: The Lomé Peace Agreement was negotiated between the Government of Sierra Leone and the Revolutionary United Front, under the auspices of the Economic Community of West African States. Representatives from the international community, including the United Nations, the Commonwealth, the Organisation of African Unity, and the United States, as well as Britain, attended the negotiations.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Lomé peace accord. [123310]

Mr. Hain: The Lomé Peace Agreement was signed on 7 July 1999. It provides for a permanent end to hostilities in Sierra Leone; disarmament, demobilisation and reintegration of all former combatants; democratic elections; the creation of effective and democratically accountable armed forces; and an international peacekeeping force to supervise the peace process.

Western Sahara

Mr. Quinn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Western Sahara. [123648]

Mr. Hain: With the support of the UN Security Council, James Baker, the UN Secretary-General's Personal Envoy on the Western Sahara recently visited several north African countries to assess the prospects for resolving the long-standing dispute over the Western Sahara.

Following these visits, Mr. Baker invited the two main parties—Morocco and the Polisario Front—and the two front-line states—Algeria and Mauritania—to meet in order to consider the options for moving discussions forward. The UN asked the British Government if we could provide a venue for 14 May. We agreed, and the UN accepted our offer of Lancaster House.

We welcome the willingness of the two parties to engage. We hope they will respect the spirit and aims of Mr. Baker's mission and work with him to secure an early, durable and agreed resolution of this dispute.

The 14 May talks were private and conducted throughout by Mr. Baker and his United Nations team. The UK's role was limited in this instance to logistical support. But I hope it sends a clear signal of our continuing willingness to support UN efforts to resolve conflicts in the African continent.

Kosovo

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the health of the Serbs held by KFOR in Kosovo who are on hunger strike. [121578]

Mr. Vaz: There are around 40 Kosovo Serbs on hunger strike in Mitrovica. We understand that they are being held in UNMIK detention facilities guarded by KFOR troops. Four of the 40 have been hospitalised. In three of the four cases, this was principally due to poor general health rather than the effects of the hunger strike.

Joannou and Paraskevaides Group

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs which of his Department's trade promotion initiatives in the last three years have involved the Joannou and Paraskevaides Construction Group. [123140]

Mr. Battle *[holding answer 22 May 2000]:* A representative from the Joannou and Paraskevaides Construction Group (J + P) attended and spoke at a promotional event in the UK in November 1998 to publicise export opportunities presented by the 2004 Olympics in Athens. J + P were also present at a follow-up event in Athens a year later.

There is no other record of the Joannou and Paraskevaides Construction Group having been involved in FCO (and since may 1999 in British Trade International) trade promotion initiatives in the last three years.

TREASURY

Working Families Tax Credit

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the proportion of *(a)* recipients of Working Families Tax Credit and *(b)* partners of the recipients of Working Families Tax Credit who earn within (i) 5 per cent. and (ii) 10 per cent. of the minimum wage; and if he will make a statement. [123069]

Dawn Primarolo: I refer the hon. Member to my reply to the hon. Member for Havant (Mr. Willetts) on 8 March 2000, *Official Report*, column 771W.

Green Transport

Mr. Moore: To ask the Chancellor of the Exchequer if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122623]

Mr. Timms *[holding answer 18 May 2000]:* The Treasury submitted green transport plans in March 1999 covering the two buildings it occupies.

Euro

Mr. Sayeed: To ask the Chancellor of the Exchequer if he will estimate the capital contribution which Britain would have to make to the European Central Bank on joining the euro. [123043]

Miss Melanie Johnson: As set out in Article 29 of the Statute of the European System of Central Banks and of the European Central Bank, each national central bank of participating member states contributes to the ECB's capital according to a weighting, based on their relative population and national income.

Mr. Sayeed: To ask the Chancellor of the Exchequer what estimate he has made of the total conversion costs for business of switching from the pound to the euro. [123044]

Miss Melanie Johnson: The level of costs would depend on the approach adopted by individual companies.

Cross-departmental Reviews

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will place the terms of reference of the 13 cross-departmental reviews announced on 21 December 1999 in the Library; and if he will make a statement on their progress. [122785]

Mr. Andrew Smith: The terms of reference of the 13 cross-departmental reviews announced on 21 December 1999 have been placed in the Library, along with the terms of reference of the two cross-departmental reviews announced since December. The 15 reviews are making excellent progress. The 2000 Spending Review will report in due course.

Occupational Review

Jackie Ballard: To ask the Chancellor of the Exchequer what plans he has to introduce tax relief for pensioners in receipt of low levels of occupational pensions which are subject to tax. [122095]

Miss Melanie Johnson: Only four out of 10 pensioners have any income tax to pay. People aged 65 or more receive a higher level of income tax personal allowance: for example, someone aged between 65 and 74 has a personal allowance of £5,790 in 2000–01, in contrast with the allowance for people under 65 of £4,385. The age-related personal allowances were increased by substantially more than statutory indexation in 1999–2000 and have risen in line with indexation this year. They are gradually withdrawn in cases where income exceeds £17,000 a year.

Endowment Mis-selling

Mr. Edwards: To ask the Chancellor of the Exchequer what plans he has to require banks and insurance companies to compensate mortgage borrowers who have been the victims of endowment mis-selling. [123250]

Miss Melanie Johnson *[holding answer 22 May 2000]:* Where mortgage borrowers have been mis-sold an endowment, the regulators have powers to take disciplinary action which can result in firms being directed to make compensation. Mis-selling may arise from unsuitable advice, ie recommending that a borrower plans to repay a mortgage with a product which is either unsuitable for the purpose or unsuitable for the borrower's circumstances. The Government intend that the FSA will have comparable powers under the Financial Services and Markets Bill when enacted.

Recently many endowment providers have contacted their customers to tell them that their endowments may not yield enough to repay associated mortgages. This does not necessarily arise from mis-selling and reflects the reduction in inflation in response to the Government's policy to deliver a stable macroeconomic environment conducive to long term economic growth. When inflation falls, investment returns also reduce so that the cash proceeds of an endowment may be lower than initially expected, eg insufficient to repay an associated mortgage.

Changeover Plan

Mr. Simon Thomas: To ask the Chancellor of the Exchequer how much his Department plans to spend on the national changeover plan *(a)* in total, *(b)* in Wales and *(c)* in Ceredigion in this financial year; and if he will make a statement. [123454]

Miss Melanie Johnson: Information on changeover planning is contained in the second Outline National Changeover Plan, published on 9 March.

Landfill Tax

Mr. Loughton: To ask the Chancellor of the Exchequer what the proceeds have been from the landfill tax in each of the last five financial years; how much of this has gone to *(a)* the Exchequer and *(b)* community projects; and what figures are estimated for the current year. [123481]

Mr. Timms: Total landfill tax receipts net of credits claimed in respect of contributions to environmental bodies, for each financial year since the introduction of the tax on 1 October 1996, are as follows.

£ million

Year	*Total receipts*
1996–97	112.8
1997–98	360.7
1998–99	333.1
1999–2000[1]	439

[1] Provisional

The revenue raised from landfill tax is general Government revenue not earmarked for particular purposes. However, funding is available through the Landfill Tax Environmental Bodies Credit Scheme to support projects which achieve lasting community and environmental benefits and advance more sustainable waste management practices. Under the scheme, landfill site operators who are registered for landfill tax may claim tax credits to the value of 90 per cent. of any contribution they make to an approved environmental body, subject to an overall cap of 20 per cent. of their annual tax liability, in each 'contribution year'.Total credits claimed in respect of contributions to the scheme, for each financial year since the introduction of the tax are as follows.

£ million

Year	Total credits
1996–97	0.1
1997–98	67.0
1998–99	68.8
1999–2000[1]	89

[1] Provisional

Mr. Loughton: To ask the Chancellor of the Exchequer if he will list the independent environmental trusts which have benefited the proceeds of the landfill tax in each of the last five years in each local authority area in England and Wales. [123482]

Mr. Timms: Information about which environmental bodies have received contributions under the Landfill Tax Environmental Bodies Credit Scheme is a matter for the Regulator for the scheme, ENTRUST. I have therefore asked them to provide such data as they hold and will place a copy of their response in the Library.

Road Fuel Tax

Mr. Loughton: To ask the Chancellor of the Exchequer how much revenue has been raised from *(a)* tax and *(b)* VAT on road fuels in each of the last five financial years. [123479]

Mr. Timms: The amount of excise duty raised on road fuels for the last five years is published in Table K2 of "HM Customs and Excise Annual Report 1998–1999". The estimated amount of VAT raised on road fuels can be calculated from the amount of household expenditure on petrol and derv. This is shown in Table 6.1 of "Consumer Trends", published by the Office for National Statistics.

EU Contributions

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the impact of the fall in the value of the euro on the cost of the UK's contributions to the EU; and if he will make a statement. [123272]

Miss Melanie Johnson: In the long term the UK's gross contributions, in sterling and before abatement, remain largely unaffected by exchange rate movements.

Sub-post Offices

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if he will list documents and publications produced by the Treasury, Bank of England and associated public bodies that are available at sub-post offices. [121629]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to her by the Minister for Competitiveness on 15 May 2000, *Official Report*, column 23W.

Premium Bond Prizes

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list the number and value of unclaimed premium bond prizes for the last 12 months for which figures are available. [122328]

Miss Melanie Johnson: The number and value of unclaimed Premium Bond prizes each month from May 1999 to April 2000 is as follows:

Month	Number	Value (£)
May 1999	2,476	157,200
June 1999	2,484	156,600
July 1999	2,474	158,000
August 1999	2,571	167,400
September 1999	2,502	160,850
October 1999	2,478	174,850
November 1999	2,495	171,700
December 1999	2,560	181,270
January 2000	2,508	173,900
February 2000	2,608	181,450
March 2000	2,594	193,900
April 2000	2,648	194,850

NORTHERN IRELAND

Biodiversity

Mr. Öpik: To ask the Secretary of State for Northern Ireland what percentage of the Northern Ireland Structural Funds Plan 2000–06 will be allocated to nature conservation projects; how much of this will be allocated to *(a)* projects relating to the Draft Northern Ireland Biodiversity Strategy and *(b)* the protection and restoration of Northern Ireland's Natura 2000 network; and if he will make a statement. [122097]

Mr. Ingram: Negotiations on the Northern Ireland Structural Funds 2000–06 and the Community Support Framework are ongoing with the European Commission and allocations to specific areas of spend will not be known until Programme Complements have been determined by the yet-to-be-appointed Monitoring Committees. The information requested is therefore not available.

Consideration is being given to including in the Structural Funds Plan measures for environmental enhancement which could embrace projects to benefit both biodiversity and Northern Ireland's Natura 2000 network.

Saville Inquiry

Mr. William Ross: To ask the Secretary of State for Northern Ireland what were the total sums spent in each financial year, up to 30 April in the current year, on the Saville Inquiry into the events in Londonderry on 30 January 1972, broken down into *(a)* salaries of staff, *(b)* travel and subsistence, *(c)* accommodation, *(d)* hearing and witness costs, *(e)* fees to solicitors representing those killed and others, *(f)* fees to barristers representing those killed and others, *(g)* IT and communications and *(h)* miscellaneous, including general office expenditure. [121359]

Mr. Ingram: Expenditure on the Bloody Sunday Inquiry is summarised in the table, broken down into the subheadings requested. Figures are currently available only up to the end of the financial year (31 March 2000) and not the end of April as requested. The figures for moneys paid to solicitors and barristers cannot readily be

provided separately, nor can the payments for their professional services be readily separated from other expenses. However, these amounts have been split between payments to lawyers representing the families and payments to other lawyers, including Counsel to the Inquiry.

£

	1997–98	1998–99	1999–2000	Total
Salaries	5,479	581,605	900,061	1,487,145
Travel and Subsistence	10,436	155,892	182,768	349,096
Accommodation	101,955	526,568	851,165	1,479,688
Hearing and Witness Costs	0	268,532	613,969	882,501
Payments to lawyers representing families of the dead and wounded	0	432,319	2,429,490	2,861,809
Payments to other lawyers, including Counsel to the Inquiry	0	3,555,268	5,852,692	9,407,960
IT and communications	0	1,078,586	1,511,023	2,589,609
Miscellaneous, including general office expenditure	2,505	45,238	239,591	287,334
Grand total	120,375	6,644,008	12,580,759	19,345,142

Civil Servants

Dr. David Clark: To ask the Secretary of State for Northern Ireland what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121655]

Mr. Mandelson: The headline pay settlement for 1999–2000 in the Northern Ireland Office was 2.5 per cent. on the pay bill and, with the additional funds from staff turnover, staff in post received performance-related increases averaging 3.62 per cent. The increases were not staged.

Shipbuilding

Mr. Sarwar: To ask the Secretary of State for Northern Ireland what recent measures he has taken to support the shipbuilding industry in Belfast. [122772]

Mr. Ingram: Following the recent announcement by Harland and Wolff of a conditional order for up to six Roll on/Roll off passenger vessels, the Company and the Government remain in close contact on a number of detailed matters arising from that business. The Government will continue to assist Harland and Wolff in whatever way they can to safeguard employment and skills at the Belfast shipyard and to help it seek out profitable new work there. Ministers and Departments in Northern Ireland have, in recent weeks, had a series of meetings with the company, trades unions and others to discuss current shipbuilding issues and the way ahead for the shipyard. That important work will continue.

Housing Debt

Mrs. Fyfe: To ask the Secretary of State for Northern Ireland what the total is of housing debt owned by the Northern Ireland Housing Executive. [123016]

Mr. George Howarth: The Northern Ireland Housing Executive's outstanding loan debt at 31 March 2000 is £1,654,277,867 (£1.654 billion).

DVLNI

Mr. Alexander: To ask the Secretary of State for Northern Ireland what performance targets have been set for Driver and Vehicle Licensing Northern Ireland in 2000–01. [123784]

Mr. George Howarth: For 2000–01, the following key performance targets have been set for the Agency:

Output:

1. To dispatch 96 per cent. of registration books for new vehicles in 16 working days from receipt.
2. To dispatch 96 per cent. of refunds of vehicle excise duty in 10 working days from receipt.
3. To dispatch 96 per cent. of vehicle excise licences in five working days from receipt of postal application.
4. To dispatch 96 per cent. of duplicate vehicle registration books in six working days from receipt of applications.
5. To dispatch 93 per cent. of all driving licences in nine working days from receipt of applications.
6. To dispatch substantive replies to 98 per cent. of written inquiries for information from the drivers and vehicles registers in three working days from receipt.

Waiting Times at Local Vehicle Licensing Offices:

7. To limit maximum waiting time at Local Vehicle Licensing Offices so that 96 per cent. of customers are attended to within 22 minutes during peak periods (the first eight and the last two working days of each month) and within 10 minutes at other periods.

Financial:

8. To meet an overall efficiency gain of 2.5 per cent.
9. To reduce the unit cost per vehicle excise enforcement case by 0.5 per cent. in real terms compared to 1999–2000.

Quality:

10. To limit the error rate (errors on any item sent out by the Agency) to a maximum of 0.5 per cent. of total Agency output.

HEALTH

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122016]

Ms Stuart: National Health Service bodies with contracts for goods or services with private sector companies where penalty clauses have been triggered for failure to perform to time or to standard were:

NHS body	*Nature of contract*
Trent region	
East Midlands Ambulance Service NHS Trust	Radio control system
Nottingham Health Authority	Headquarters building
Rotherham General Hospitals NHS Trust	Catering
Queen's Medical Centre, Nottingham; University Hospital NHS Trust	Laundry
University Hospitals of Leicester NHS Trust	Laundry
South-West region	
Plymouth Hospitals NHS Trust	Patient administration IT system
Plymouth Hospitals NHS Trust	Cleaning
Swindon and Marlborough NHS Trust	Laundry
Swindon and Marlborough NHS Trust	Radiology services
West Dorset General Hospitals NHS Trust	Estate maintenance
Exeter Community Hospitals NHS Trust	Cleaning
South Devon Health Care NHS Trust	Laundry
East Somerset NHS Trust	Security
East Somerset NHS Trust	Orthotic services
Poole Hospitals NHS Trust	Cleaning
Northern and Yorkshire region	
Scarborough and North East Yorkshire Healthcare NHS Trust	Payroll services
Wakefield and Pontefract Community Health NHS Trust	Information services
South Durham Health Care NHS Trust	Combined heat and power
Leeds Community and Mental Health Services NHS Trust	Community units for the elderly
Leeds Community and Mental Health Services NHS Trust	Community and mental health information system
South-East region	
Oxfordshire Mental Health NHS Trust	Mental health reprovision
East Kent Hospitals NHS Trust	Patient administration IT system
East Kent Hospitals NHS Trust	IT finance system
Queen Victoria Hospital NHS Trust	Energy management
Sussex Weald and Downs NHS Trust	IM and T service and support
Hampshire Ambulance Service NHS Trust	Joint Contracts Tribunal (JCT) agreement for minor works
South Buckinghamshire NHS Trust	Catering
Portsmouth Healthcare NHS Trust	Estates maintenance
Portsmouth Healthcare NHS Trust	Cleaning
Oxfordshire Ambulance NHS Trust	Ambulance vehicle construction
Oxfordshire Ambulance NHS Trust	Specialist computer software
Kent Ambulance NHS Trust	IT
Eastern region	
Norfolk Mental Health Care NHS Trust	Supplies
North Essex Mental Health NHS Trust	Catering
West Suffolk Hospitals NHS Trust	Clinical waste incineration; energy maintenance
Papworth Hospital NHS Trust	Cleaning
Peterborough Hospitals NHS Trust	Cleaning
Hinchingbrooke Health Care NHS Trust	Cleaning
East and North Hertfordshire Health Authority	Nursing homes; therapeutic care
Basildon and Thurrock NHS Trust	Laundry
London region	
Bromley Hospital NHS Trust	Domestic services
Camden and Islington Community Health NHS Trust	Cleaning; laundry; sterile supplies; patient transport; dairy supplies; taxi services
Ealing, Hammersmith and Fulham Mental Health NHS Trust	Security
Forest Healthcare NHS Trust	Domestic services
Guys and St. Thomas NHS Trust	Security
Hammersmith Hospitals NHS Trust	Computer maintenance
Havering Hospitals NHS Trust	Energy management system
Kingston Hospital NHS Trust	Security
Newham Healthcare NHS Trust	Patient taxi service
North Middlesex Hospital NHS Trust	Computer maintenance; CCTV services
Riverside Community Health NHS Trust	Equipment maintenance
Royal Free Hampstead NHS Trust	Boiler room maintenance; patient transport; fire precautions
St. George's Healthcare NHS Trust	Agency nursing
North-West region	
Bay Community NHS Trust	FM services
Alder Hey NHS Trust	Pharmacy
West Midlands region[1]	

[1] No known private sector contracts where penalty clauses have been triggered

Neurology Services

Mrs. Brinton: To ask the Secretary of State for Health (1) what consultations he has had with *(a)* medical *(b)* patient and *(c)* other organisations as part of the review of the funding of specialised neurology services; [122579]

(2) what representations he has received from *(a)* medical, *(b)* patient and *(c)* other organisations as part of the review into the funding of specialised neurology services. [122580]

Mr. Denham: We are currently considering how best to undertake an independent review of the evidence for the use of neurostimulator implants in the treatment of severe Parkinson's Disease and we are not in a position at the moment to undertake consultations. Once we have established the best mechanism for taking this work forward we will then consult with the relevant bodies.

Since February 2000 we have responded to 35 representations in the form of ministerial correspondence regarding specialised neurology treatments. These representations are categorised as follows:

(a) Medical: 6

(b) Patients: 1

(c) Other organisations: 25 (generally the Parkinson's Disease Society and its local branches)

(d) Hon. Members' constituents: 3 (whether clinician or patient is unknown)

In addition, we have responded to three pieces of ministerial correspondence about the use of out of area treatments to fund specialised treatments in general.

Officials regularly meet with representatives from a range of the relevant voluntary and patient organisations.

Mrs. Brinton: To ask the Secretary of State for Health what progress has been made in implementing service agreements for neurosurgery and specialist neurology in the Eastern region. [122578]

Mr. Denham: The Eastern Region Specialised Services Commissioning Group is reviewing the arrangements for specialised neurosciences in the light of the two recent national reports on standards and models of care.

In the meantime, health authorities in the Eastern region have no plans to change existing commissioning arrangements.

Secondments

Dr. Cable: To ask the Secretary of State for Health if he will list *(a)* the commercial companies which have paid staff on secondment to his Department and *(b)* the projects on which each secondee is working. [122909]

Ms Stuart: Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more people out. Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: voluntary, education, health, public and private.

Central records are held on five secondments from the private sector.

Company	*Project*
British Airways	Organisational Development
Deloitte and Touche	Private Finance Initiative
Taylor Woodrow Construction Ltd.	Private Finance Initiative
Herbert Smith	Private Finance Initiative
Macfarlanes	Private Finance Initiative

Dr. Cable: To ask the Secretary of State for Health how many Department of Health employees are on secondment to commercial companies; and if he will list the companies concerned. [122907]

Ms Stuart: Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more people out. Secondments and attachments are part of the interchange initiative which promotes the exchange of people and good practice between the civil service and other organisations. All sectors of the economy are involved: voluntary, education, health, public and private.

Central records are held on two secondments to the private sector:

Company: Sema Group

Company: Federal Mogul.

Human Vaccines (BSE)

Mr. Baker: To ask the Secretary of State for Health in what year the first vaccine was used on humans which may have utilised bovine material from BSE-infected cows in the early stage of manufacture. [122973]

Yvette Cooper: This information is not available because the precise date of the emergence of BSE in cattle is not known and it is also not known if bovine material for use in the manufacture of vaccines was taken from BSE-infected cattle.

Waiting Lists (Mid Essex)

Mr. Burns: To ask the Secretary of State for Health if he will list for each month from March 1997 until the latest available period the total number of people *(a)* waiting for hospital treatment and *(b)* waiting more than 12 months for hospital treatment in the Mid Essex Hospital Trust area. [122797]

Mr. Denham: The total number of patients waiting and the number of patients waiting over 12 months for hospital treatment at Mid Essex Hospital Services National Health Service Trust for each month from March 1997 until March 2000 (the latest available information) is shown in the table.

Year/month	*Total number of patients waiting*	*Number of patients waiting over 12 months*
1996–97		
March	8,391	104
1997–98		
June	8,690	311
September	8,967	441
December	10,542	601
March	11,360	849

Year/month	Total number of patients waiting	Number of patients waiting over 12 months
1998–99		
June	11,834	1,176
July	11,804	1,123
August	11,791	1,063
September	11,615	1,155
October	11,382	1,180
November	11,347	1,194
December	11,359	1,184
January	11,172	1,224
February	10,475	1,123
March	9,967	1,093
1999–2000		
April	9,961	1,101
May	9,980	1,058
June	9,824	1,083
July	9,488	1,061
August	9,465	991
September	9,395	963
October	9,372	1,024
November	9,483	1,042
December	9,851	1,060
January	10,233	1,118
February	10,416	1,060
March	9,865	1,062

Source:
KH07 quarterly waiting times returns, monthly monitoring returns

Mr. Burns: To ask the Secretary of State for Health if he will list for each quarter since March 1997 until the latest available quarter the total number of people waiting *(a)* 13 weeks or more and *(b)* over 26 weeks for an outpatient's appointment at the Mid Essex Hospital Trust. [122796]

Mr. Denham: The information is as follows:

Number of patients waiting over 13 weeks and over 26 weeks for a first outpatient appointment at Mid Essex Hospital Services National Health Service Trust for each quarter since March 1997

Year	Quarter	Not seen 13 to 25	Not seen 26 plus	Total not seen 13 plus
1996–97	4	481	74	555
1997–98	1	678	99	777
1997–98	2	972	122	1,094
1997–98	3	874	130	1,004
1997–98	4	1,083	234	1,317
1998–99	1	1,348	256	1,604
1998–99	2	1,596	341	1,937
1998–99	3	1,848	440	2,288
1998–99	4	1,847	575	2,422
1999–2000	1	2,660	624	3,284
1999–2000	2	2,876	1,299	4,175
1999–2000	3	2,644	1,055	3,699
1999–2000	4	1,979	945	2,924

Source:
QM08 quarterly waiting times returns

Income Support and Residential Allowance

Mr. Lilley: To ask the Secretary of State for Health which organisations were sent copies of the consultation paper of 14 April on preserved rights income support and residential allowance. [123473]

Mr. Hutton: A copy of the consultation paper was sent to each council in England and to the organisations listed. The consultation period closes on 31 May. The Scottish Executive, the National Assembly for Wales and the Department of Health, Social Services and Public Safety in Northern Ireland are considering their own arrangements for consultation. We shall publish proposals for the future funding of long-term care in a White Paper later this year.

Organisations consulted:

Royal National Institute for the Deaf
Royal National Institute for the Blind
SENSE
SCOPE
RADAR
British Council of Disabled People
Disablement Income Group
Leonard Cheshire
Association for Residential Care
National Development Team
British Institute of Learning Disabilities
The National Autistic Society
MENCAP
Change
People First
Values Into Action
Rescare
Foundation for people with learning disabilities
Community Care Development Centre
National Schizophrenia Fellowship
Mental Health Foundation
Richmond Fellowship
Manic Depression Fellowship
MIND
Centre for Mental Health Services Development
Association for Residential Mental Care
Turning Point
Mental After-Care Association
Sainsbury Centre for Mental Health
Stonham Housing Group
Abbeyfield Society
Anchor Housing Association
Care Sector Committee
Independent Healthcare Association
National Care Homes Association
Registered Nursing Homes Association
United Kingdom Home Care Association
United Kingdom Care Council
Care Forum
Voluntary Organisations Disability Group
Council of Nursing Homes Associations
Help the Aged
Age Concern
Local Government Association
Association of Directors of Social Services (ADSS)
ADSS—Mental Health Group
Association of London Government
Carers National Association
Princess Royal Trust for Carers

Cross Roads

The King's Fund

Alzheimers Disease Society

Disability Rights Commission

National Centre for Independent Living

The Independent Living Centre

Joseph Rowntree Foundation.

Dioxins

Mr. Loughton: To ask the Secretary of State for Health (1) what research has been undertaken or evaluated by his Department to establish the health risks to the public posed by dioxins in the environment; [123510]

(2) if links have been established between dioxins and cancer in humans; [123511]

(3) what assessment he has made of the incidence of illnesses in the United Kingdom linked to dioxins *(a)* currently and *(b)* in 1995. [123480]

Yvette Cooper: The Department and the Food Standards Agency seek advice on the health implications of dioxins from the independent expert advisory Committees on the Toxicity and on the Carcinogenicity of Chemicals in Food, Consumer Products and the Environment. The Committee on Toxicity has evaluated the scientific data on dioxins on a number of occasions, most recently in 1995. The evaluation can be found in the 1995 Annual Report of the Committee which is available in the Library. The Committee on Carcinogenicity concluded in 1998 that it would be prudent to consider one specific dioxin, 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin, as a "probable weak human carcinogen". The Committee's statement can be found on the Department's Internet site www.doh.gov.uk/coc.htm, and in the 1998 Annual Report.

The Food Standards Agency funds research on dioxin in food and staff in the Agency actively contribute to the work of the European Commission Scientific Committee on Food Task Force on Dioxins. The Medical Research Council, which is the main agency through which Government supports research on the causes and treatment of disease, also funds research on dioxin as part of a programme on genetic susceptibility and resistance to xenobiotics.

No specific assessment has been made of the incidence of illnesses in the United Kingdom linked to dioxins.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Driving Licences

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for renewal of driving licences accompanied by Form D4 medical reports were received by the Driver and Vehicle Licensing Agency in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [122825]

Mr. Hill: The number of applications received by the Driver and Vehicle Licensing Agency in 1997, 1998 and 1999 for renewal of driving licences accompanied by a D4 medical report form, was as follows:

1997: 147,677

1998: 140,128

1999: 58,591.

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions on how many days during *(a)* 1997, *(b)* 1998 and *(c)* 1999 has the Driver and Vehicle Licensing Agency experienced exceptional heavy workloads giving rise to delays in issuing renewal driving licences where applications for renewal were accompanied by Form D4 medical reports. [122824]

Mr. Hill: Information about the number of days during 1997, 1998 and 1999 that the Driver and Vehicle Licensing Agency experienced delays in issuing renewal driving licences accompanied by a D4 medical report is not readily available and could be obtained only at disproportionate cost. However, this type of transaction is given high priority at all times.

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for renewal of driving licences accompanied by Form D4 medical reports were received by the Driver and Vehicle Licensing Agency in *(a)* April, *(b)* May, *(c)* June, *(d)* July , *(e)* August and *(f)* September 1999. [122829]

Mr. Hill: The number of applications processed by the Driver and Vehicle Licensing Agency in April, May June, July, August and September 1999 for renewal of driving licences accompanied by a D4 medical report form was as follows:

Month	*Applications*
April	5,865
May	4,994
June	5,364
July	4,763
August	4,331
September	4,914

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions what was the average period of time that the Driver and Vehicle Licensing Agency took to issue renewal driving licences when the application for renewal was accompanied by a Form D4 medical report in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [122826]

Mr. Hill: The average time taken by the Driver and Vehicle Licensing Agency in 1997, 1998 and 1999 to renew driving licenses accompanied by a D4 medical report form is published in the Agency's Corporate and Business Plans and was as follows:

	Working days	
	Target	*Actual*
1997	10	8
1998	9	8
1999	9	8

Housing

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase housing investment over the next five years; and if he will make a statement. [123009]

Mr. Mullin: When this Government came to power they inherited spending plans under which capital investment in housing was set to fall from £1.54 billion in 1997–98 to £1.37 billion by 1999–2000. We took early action to reverse this decline through our Capital Receipts Initiative and the Comprehensive Spending Review. As a result, we are making available nearly £5 billion extra over the life of this Parliament. In 2001–02, capital investment in housing will be over £3 billion—double the level we inherited in 1997–98. Our current Spending Review will determine investment levels in future years and decisions will be announced in the summer.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the link between investment in housing and directly and indirectly related employment creation. [123010]

Mr. Mullin: There are a number of important links between housing and employment, many of which are set out in our Housing Green Paper, "Quality and Choice: A decent home for all". Housing investment supports employment in the construction industry, while the provision of decent homes enhances people's educational attainment and employment opportunities. The Government are investing nearly £5 billion extra in housing over the life of this Parliament.

Policies for housing and employment are being integrated through regional planning guidance which takes account of Regional Development Agencies' economic strategies and regional housing statements.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the priorities for housing in this year's comprehensive spending review. [123008]

Mr. Mullin: Our aim is to offer everyone the opportunity of a decent home, so promoting social cohesion, well-being and self-dependence. Our priorities are set out in the Housing Green Paper, "Quality and Choice: A decent home for all"—widely recognised as the most comprehensive review of housing for over 20 years.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to develop action zones in areas where the market has failed to provide sufficient housing in order to promote the development of additional housing. [123011]

Mr. Mullin: The Government are not aware of any areas where the market is failing to provide a sufficient amount of housing but we are aware of examples where housing is not necessarily of the right quality or design, and where it does not meet the most urgent needs of the community. That is why we have put in place the range of policies set out in revised Planning Policy Guidance for housing—PPG3—and our Housing Green Paper, "Quality and Choice: A decent home for all". Our policies encourage more sustainable patterns of development, improvements in quality and design, better use of existing housing, and the provision of more affordable housing.

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of additional affordable homes required in each of the next five years; and how many are currently provided for under the Housing Corporation Programme and the local authority social housing grant. [123012]

Mr. Mullin: We do not make national estimates of housing need, since these are unable to adequately reflect the diversity of needs and priorities at the local level. The Housing Corporation forecast that the Approved Development Programme will provide around 18,000 homes for rent, and 4,000 homes for sale on a low cost basis in 2000–01. The Housing Corporation also forecast around 11,000 completions in 2000–01 through Local Authority Social Housing Grant.

Marine Surveyors

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will ensure that practising marine surveyors are professionally qualified and covered by professional indemnity insurance. [123006]

Mr. Hill: Marine surveyors are required to hold professional qualifications before they can apply to join the Maritime and Coastguard Agency (MCA—an executive Agency of my Department). Their training needs are reviewed on an annual basis as part of the MCA's performance appraisal and development system to ensure they remain up to date and qualified for the jobs they are required to undertake.

Servants of the Crown are not covered by professional indemnity insurance. The Crown is its own insurer and does not effect insurance.

Landfill Sites, Devon

Sir Peter Emery: To ask the Secretary of State for the Environment, Transport and the Regions what steps his Department plans to take concerning the lack of a waste strategy plan for landfill sites in Devon after 2007. [123077]

Mr. Meacher: Devon county council is preparing a Waste Local Plan for Devon to cover the period up to 2011 (the Plan will not include the administrative areas of Plymouth City council, Torbay council and Dartmoor National Park Authority as they will be covered by the emerging Local Plans of those authorities).

In October 1998, the county council consulted interested parties about the draft Waste Local Plan which contained policies for waste disposal by landfill. In their response to the consultation, the Government Office for the South-West commented that:

> The Plan does not convey a clear sense of the spatial strategy, or of the preferred mix of waste management methods, and there are no specific development proposals or land allocations, or clear locational guidance. Government policy advises that local plans need both to set out the authority's policies for the control of development and to make proposals for the development of land and to allocate land for specific purposes. It is important to confront these issues, because the Plan indicates that important choices will need to be implemented well within the plan period to 2011. The Plan should therefore make those choices and propose the key developments necessary to implement them.

The Plan will be deposited for public consultation in the autumn; if a public local inquiry is necessary it is likely to take place in the autumn of 2001, and the Plan is expected to be adopted in the summer of 2003. The county council will review the Plan every five years in order to take account of evolving technology, any revised planning policies and new legislation.

Gas Safety

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions what was the average time taken to report on incidents involving *(a)* gas explosions and *(b)* fires in the last 12 months for which statistics are available. [123042]

Mr. Meacher: On the assumption that the question refers to the average time taken by HSE inspectors to report on such incidents following investigation, the answer is that data are not maintained that would provide an average time for the completion of a report. The time taken depends on the nature of the incident and the complexity of the investigation; one recent example has taken five months while another was completed in 48 hours.

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned into ways of improving gas safety. [123040]

Mr. Meacher: HSE is making a contribution towards the costs of the following research projects carried out by British Gas Technology (BGT) under the auspices of the Joint Industry Programme:

(i) compartment ventilation

(ii) vitiation modelling

(iii) open flue interaction

(iv) reliability of CO alarms

(v) information dissemination

(vi) emergency response

(vii) incident data.

Research has been commissioned separately by HSE on:

(i) the reliability of CO detectors (BGT)

(ii) incident data (BGT)

(iii) test methods for room-sealed appliance seals (BGT)

(iv) flue performance (at BRE).

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions what procedures exist to ensure that lessons learnt from inquiries into gas explosions are circulated to local authorities, housing associations, and those involved in gas installations. [123038]

Mr. Meacher: It is normal practice to publish public inquiry reports, for example those which covered gas explosions at Ronan Point and Putney. These and other serious accident investigations inform the development of regulatory controls governing gas installation and use, and related guidance for duty holders.

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions what funding his Department has allocated in the current year for research into gas safety. [123041]

Mr. Meacher: For the financial year 2000–01, £307,000 has been allocated by HSE for gas safety research.

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions when was the last time his Department issued guidelines to local authorities, housing associations and house builders on safety relating to gas installations. [123039]

Mr. Meacher: The Health and Safety Commission approved on 12 October 1998 a Code of Practice giving practical guidance on complying with the provisions of the Gas Safety (Installation and Use) Regulations 1998. Guidelines were issued to local authority enforcement officers on the enforcement of the Regulations in assigned premises in November 1999.

In addition, the Building Regulations make requirements for the safe accommodation of combustion installations in buildings. Approved Document J, which supports the legal requirements, gives technical guidance on some ways of achieving compliance when installing gas combustion systems; this would include following the recommendations in certain British Standards. Approved Document J was last amended in 1989, and the current edition came into effect on 1 April 1990.

Common Land

Mr. Swayne: To ask the Secretary of State for the Environment, Transport and the Regions what reasons underlay the decision not to include the New Forest in the reports commissioned by his Department entitled "Greater Protection and Better Management of Common Land and Good Practice Guide on Managing the use of Common Land". [123256]

Mr. Mullin: These two reports were not aimed at any specific commons, but were intended to cover issues and problems arising on the majority of common land throughout England and Wales.

The publications will be less relevant to those commons which benefit from their own legislation, and particularly those such as the New Forest which are exempted from registration under the Commons Registration Act 1965. It will be a matter for consideration how far, if at all, any new legislation should apply to those commons, and we will naturally listen to views in this respect. The advice contained in the Good Practice Guide may be applied in the New Forest, provided it is consistent with local legislation. Similarly, those who administer that legislation may pursue legislative changes consistent with those proposed in the consultation paper Greater Protection and Better Management of Common Land in England and Wales.

Methyl Tertiary Butyl Ether

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what the recommended limit is of methyl tertiary butyl ether (ug/L) in drinking water, and what monitoring the Drinking Water Inspectorate has made of drinking water supplies to detect methyl tertiary butyl ether. [123445]

Mr. Mullin: There is no standard for methyl tertiary butyl ether (MTBE) in drinking water. MTBE is detected in drinking water by its odour/taste at concentrations

much lower than concentrations that would be a risk to health. Because MTBE has the potential to contaminate groundwater sources used for drinking water supply, the Drinking Water Inspectorate has checked the monitoring for MTBE carried out by water companies. Apart from one site specific incident in 1990 which resulted in the water company treating water to remove MTBE, this monitoring has not revealed a problem. The water companies are aware of the potential problems and remain vigilant. The Inspectorate is liaising with the Environment Agency on MTBE.

Chinese Herbal Medicines

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what steps he takes to ensure Chinese herbal medicines on sale do not contain ingredients derived from endangered species. [122921]

Mr. Mullin: The Convention on International Trade in Endangered Species (CITES), which regulates and sometimes bans trade in endangered species including plants, is strictly implemented in the UK under both European and National legislation. Medicines derived from species listed on Appendix II or III of the Convention need an import permit issued by my Department before they can enter the country. Permits will not normally be issued for products containing the most endangered species listed on the Convention's Appendix I. Any products that are derived from, or even claim to be derived from, wild taken Appendix I specimens will not normally be allowed on sale in the UK.

The CITES Convention is actively enforced by Her Majesty's Customs and Excise and the Police who work together with my Department, other government departments and certain non-governmental organisations on the Government's Partnership for Action against Wildlife Crime. My Department produces general guidance on the Convention and has recently launched a dedicated website on CITES. We have also worked with the enforcement agencies to produce specialist material including leaflets, posters and videos aimed directly at Britain's Chinese speaking community. We are currently working on new guidance, to be produced in English and Chinese, for practitioners and retailers of traditional Chinese medicines and have signalled our intention to work with Middlesex University on new scientific research into the use of alternatives to replace endangered species contained in traditional medicines.

Plywood Timber

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the Government's plywood timber procurement originated in *(a)* Indonesia and *(b)* the Brazilian Amazon in the last three years. [123160]

Mr. Mullin: The information requested is not held centrally and cannot be provided without incurring disproportionate cost.

St. John's Wood Station

Mr. Kaufman: To ask the Secretary of State for the Environment, Transport and the Regions if he was consulted or informed in advance by London Underground about its plans to place restrictions for several hours per day on use of St. John's Wood Underground Station during the test match at Lords and on 10 June; if he will call for a report from London Underground on the cost of *(a)* additional staff at that station during this period and *(b)* buses used to provide alternative transport; what action has been taken in respect of the London Underground employees responsible for this situation; and if he will ensure that closures of this nature are not repeated. [123455]

Mr. Hill: The Secretary of State was informed in advance about the proposed restrictions at St. John's Wood. These are operational matters for London Underground and the Secretary of State does not propose to call for any further report. While we regret the inconvenience caused by the restrictions we recognise that London Underground must make decisions about station closures which give the highest regard to passenger safety.

Incinerators

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what the Government's criteria are for the siting of new incinerators. [123500]

Ms Beverley Hughes: The building of new incinerators will normally require the grant of planning permission from the waste planning authority under the Town and Country Planning Act 1990 (as amended) and an authorisation from the Environment Agency under the Environmental Protection Act 1990. Government guidance on the planning considerations which should be taken into account in the siting of new incinerators is contained in Planning Policy Guidance Note 10 "Planning and Waste Management".

Longbridge Rover Plant

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has held with the West Midlands Development Agency on the future of the Longbridge Rover plant. [123477]

Ms Beverley Hughes: Discussions on the future of the Longbridge Rover plant have been undertaken by my right hon. Friend the Secretary of State for Trade and Industry. My right hon. Friend established a Task Force to assess the impact of Rover restructuring on the West Midlands economy. He appointed Alex Stephenson, the Chairman of Advantage West Midlands, as Chairman of the Task Force, and received an interim report in April. My right hon. Friend met with the Task Force on two occasions, and is due to meet with them before they submit their final report in June. The Government Office for the West Midlands is involved in working with the Task Force, and helping to co-ordinate effort across a number of Government Departments.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what part was played by West Midlands RDA in connection with the recent negotiations over the Longbridge Rover plant. [123478]

Ms Beverley Hughes: Negotiations for the sale of the Rover Group were a matter for the owners, BMW, and prospective bidders. The West Midlands RDA, Advantage West Midlands, was not involved in those negotiations.

However, Advantage West Midlands supported the Rover Task Force established by my right hon. Friend the Secretary of State for Trade and Industry. Representatives of AWM, on behalf of the Task Force, were involved in discussions with BMW and the bidders about their proposals, in order to understand the likely impact on the regional economy.

"Environmental Snapshot for the East of England"

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions (1) for what reason figure 19 on page 13 of the Environment Agency's document, "Environmental Snapshot for the East of England", does not include landfill sites in Basildon and Thurrock; and if he will make a statement; [123385]

(2) what the cost was of the production of the Environment Agency's document, "Environmental Snapshot for the East of England"; and who its author was; [123271]

(3) for what reason figure 1 on page 2 of the Environment Agency's document, "Environmental Snapshot for the East of England", does not include the Unitary Borough of Thurrock. [123270]

Mr. Mullin: The omission of the Unitary Borough of Thurrock and the landfill sites in Basildon and Thurrock was an oversight, due to an editorial error. This has already been brought to the attention of the Environment Agency by local government and the Agency will amend the snapshot when it publishes the second edition in September 2000.

The cost of production of the "Environmental Snapshot for the East of England" was £4,470. The report was produced by Robert Runcie, Regional Director of the Environment Agency (Anglian Region).

Heathrow Airport

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions this year a mixture of landings and take-offs on the same runway has been allowed at Heathrow Airport because of congestion. [123259]

Mr. Mullin: The Tactically Enhanced Arrival Measures (TEAM) procedure at Heathrow involves the use of the departure runway to increase arrival rates and reduce holding delays. The procedure is approved only when it can be accommodated within the Heathrow Departure air traffic controllers' workload.

For environmental reasons, controllers are required to record the occasions on which the TEAM procedure is implemented. During the period 1 January to 18 May the TEAM procedure was implemented on the westerly runways at Heathrow on 53 occasions.

In accordance with local environmental restrictions, when the easterly runways are in use, arriving aircraft are permitted to use either of the parallel runways, Runway 09 Right or Runway 09 Left, at any time without restriction during the majority of the operating day. For environmental reasons, Runway 09R is normally used for all departures.

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the proposed Terminal 5 on the number of air traffic movements at Heathrow Airport. [123260]

Mr. Mullin: This matter was explored fully at the public inquiry into BAA's planning application for a fifth terminal at Heathrow Airport and because of the Secretary of State's quasi-judicial role in the planning system, it would not be appropriate to comment on the application or its implications until the inspector's report has been received and carefully considered.

Correspondence

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the letter from the hon. Member for West Derbyshire, dated 16 March 2000, regarding Mr. D. Williams of Kirk Ireton. [123306]

Mr. Mullin: This letter was sent for advice in March. Due to a clerical error the advice was delayed. However, I have now sent the hon. Member a full reply.

North Wales Main Line

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will verify the accuracy of Virgin Trains' commercial study of the electrification of the North Wales mainline by using external consultants. [123458]

Mr. Hill: The Franchising Director did use external consultants to satisfy himself of the validity of the Virgin study.

Local Authority Housing

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress towards the introduction of the new financial framework for local authority housing. [123709]

Mr. Raynsford: My right hon. Friend the Minister for Local Government and the Regions announced on 22 June 1999, *Official Report*, column 337W, that the Government intended to proceed with their proposals for the introduction of a new financial framework for local authority housing. Our Housing Green Paper "Quality and Choice: A Decent Home for All" repeated that commitment. The new financial framework will place authorities' accounts on a more businesslike footing and encourage more efficient investment in the stock. Together with Best Value, it will help ensure that local authority housing assets are managed in a way which will ensure that the resources which have been and will continue to be invested in them provide good-quality homes which reflect tenants' wishes and needs.

Our intention remains to introduce the new financial framework from 1 April 2001 with the exception of removing rent rebates from the HRA where primary legislation is needed. We are providing resources through HRA subsidy to help authorities with initial costs. Over recent months we have undertaken consultation on a number of detailed aspects of the new system and my officials have continued to work closely with local government and others. Significant progress has been

made and my officials are today writing to local authorities with detailed material on various aspects of the change. The material is also being made available in the Library of the House and will shortly be available on the Department's website.

We have consulted on four particular topics since my right hon. Friend's announcement of 22 June. On stock valuation, we are today publishing the final version of the guidance. There was general support for the approach proposed based on the identification and valuation of beacon properties. The final version of the guidance reflects a number of detailed comments made in response to consultation. It will help authorities in preparing the valuations which will be necessary for the new-style accounts.

On business planning, there has been a general welcome for the concept. We will be publishing final guidance taking account of comments made in response to consultation in June; authorities will be expected to produce initial business plans by 31 October.

On the methodology for calculating the Major Repairs Allowance, we have carefully considered the comments made and are sending authorities a detailed list of our responses. We have made some adjustments to the assumptions underpinning the calculations as a result of the consultation process. The Major Repairs Allowance will be part of HRA subsidy from April 2001, and will form part of our normal consultation on subsidy later this year. All this material, and the guidance on shadow accounts which the Chartered Institute of Public Finance and Accountancy expect to be issuing in June, will help authorities prepare for the new regime.

On removal of rent rebates from the HRA, there was general support for the principle involved. The majority of respondents agreed that it was right to regard local authority housing as a national programme and that assumed surpluses in authorities' housing accounts should be retained within housing and redistributed through a pooling mechanism. Some authorities in negative subsidy have expressed particular concerns about the impact of the new system, and the Under-Secretary of State, my hon. Friend the Member for Sunderland, South (Mr. Mullin), announced on 4 April 2000, *Official Report*, column 810, that we would introduce transitional arrangements for authorities in negative subsidy from 2001. We will be consulting on the details of the transitional measures.

I am grateful for the positive and helpful contribution that local authorities have made to the development of these important proposals. I hope that they will approach their implementation in the same way.

Councils (Beacon Status)

Mr. Hope: To ask the Secretary of State for the Environment, Transport and the Regions when he will invite councils to apply for beacon status. [123785]

Ms Armstrong: We will publish tomorrow an Application Brochure, inviting councils to apply for beacon status by 25 July. Copies of the brochure will be placed in the Libraries of the House.

EDUCATION AND EMPLOYMENT

School Security

Mr. Edward Davey: To ask the Secretary of State for Education and Employment (1) what was the total amount spent by schools on security measures in 1999 *(a)* by constituency and *(b)* by local education authority; [123134]

(2) how much the Government have awarded to local education authorities in each year since 1995 for schools to *(a)* implement security reviews and *(b)* undertake measures to make their premises more secure. [123167]

Ms Estelle Morris: The Department does not collect information in the level of detail requested. Expenditure by each local education authority in England supported by the Government's Standards Fund grant for school security, which is allocated directly to authorities, is shown in Table 1 for 1998–99, the latest year for which outturn information is available, along with the total sums available to authorities for 1999–2000.

Specific grants for school security measures have been made available since 1997–98, following a recommendation from the Government's Working Group on School Security. To date, £94 million has been made available to support a variety of security measures in schools in England, to help make a safer environment for pupils and staff. A breakdown, by year, of this total funding is given in Table 2.

Table 1: Local education authority (LEA) expenditure on school security measures from Standards Fund 1998–99 (Grant 18): School Security

£

LEA	*Expenditure*
Barking	57,343
Barnet	98,917
Barnsley	93,812
Bath and NE Somerset	71,095
Bedfordshire	165,727
Bexley	83,066
Birmingham	435,551
Blackburn with Darwen	72,095
Blackpool	46,787
Bolton	117,263
Bournemouth	37,421
Bracknell Forest	38,056
Bradford	229,894
Brent	62,517
Brighton and Hove	78,242
Bromley	61,553
Buckinghamshire	202,143
Bury	80,342
Calderdale	66,480
Cambridgeshire	177,651
Camden	56,116
Cheshire	307,766
City of Bristol	156,075
City of London	744
Cornwall	228,506
Coventry	128,675
Croydon	106,039
Cumbria	227,760
Darlington	46,026

Table 1: Local education authority (LEA) expenditure on school security measures from Standards Fund 1998–99 (Grant 18): School Security

£

LEA	Expenditure
Derby	88,046
Derbyshire	323,655
Devon	279,442
Doncaster	139,240
Dorset	148,057
Dudley	112,803
Durham	258,120
Ealing	82,388
East Riding of Yorkshire	140,287
East Sussex	177,407
Enfield	92,180
Essex	355,976
Gateshead	88,131
Gloucestershire	195,656
Greenwich	85,883
Hackney	70,910
Halton	63,538
Hammersmith	47,113
Hampshire	461,947
Haringey	82,116
Harrow	71,166
Hartlepool	41,836
Havering	86,857
Herefordshire	80,697
Hertfordshire	431,656
Hillingdon	58,193
Hounslow	84,224
Isle of Wight	56,920
Isles of Scilly	2,591
Islington	69,775
Kensington and Chelsea	28,176
Kent	440,642
Kingston-upon-Hull	110,399
Kingston upon Thames	43,291
Kirklees	178,478
Knowsley	77,815
Lambeth	66,129
Lancashire	542,965
Leeds	287,359
Leicester	118,430
Leicestershire	245,821
Lewisham	88,982
Lincolnshire	239,202
Liverpool	211,743
Luton	73,582
Manchester	197,201
Medway Towns	97,664
Merton	55,860
Middlesbrough	66,065
Milton Keynes	79,153
Newcastle upon Tyne	109,499
Newham	92,374
Norfolk	322,723
North East Lincolnshire	78,961
North Lincolnshire	76,228
North Somerset	75,587
North Tyneside	85,842
North Yorkshire	294,636
Northamptonshire	273,550
Northumberland	168,630
Nottingham City	119,138
Nottinghamshire	325,454

Table 1: Local education authority (LEA) expenditure on school security measures from Standards Fund 1998–99 (Grant 18): School Security

£

LEA	Expenditure
Oldham	116,562
Oxfordshire	260,896
Peterborough	62,385
Plymouth	105,454
Poole	38,216
Portsmouth	64,781
Reading	34,941
Redbridge	85,193
Redcar and Cleveland	69,194
Richmond upon Thames	50,854
Rochdale	90,501
Rotherham	129,465
Rutland	11,529
Salford	111,851
Sandwell	132,632
Sefton	126,222
Sheffield	184,912
Shropshire	128,600
Slough	36,063
Solihull	91,229
Somerset	217,409
South Gloucestershire	109,027
South Tyneside	74,491
Southampton	81,228
Southend-on-Sea	37,734
Southwark	79,363
St. Helens	79,938
Staffordshire	371,280
Stockport	124,564
Stockton-on-Tees	78,558
Stoke-on-Trent	112,479
Suffolk	297,308
Sunderland	132,781
Surrey	328,518
Sutton	48,845
Swindon	60,578
Tameside	98,379
Telford and Wrekin	65,972
Thurrock	45,912
Torbay	43,939
Tower Hamlets	98,230
Trafford	81,304
Wakefield	149,619
Walsall	114,389
Waltham Forest	82,633
Wandsworth	57,346
Warrington	88,164
Warwickshire	207,700
West Berkshire	62,404
West Sussex	283,477
Westminster	49,379
Wigan	128,984
Wiltshire	163,458
Windsor and Maidenhead	53,829
Wirral	137,247
Wokingham	33,422
Wolverhampton	113,821
Worcestershire	229,936
York	71,192
Total	19,708,368

Table 2: Total amount made available by Government to local education authorities (LEAs) each year since 1995 to undertake school security measures

£ million

	Government grant	*LEA contribution*	*Total amount*
1997–98			
New Deal for Schools	6	—	6
1997–98			
Grants for Education Support and Training (GEST)—Grant rate 60 per cent.	12	8	20
1998–99			
Standards Fund (Grant 18)—Grant rate 75 per cent.	15	5	20
1999–2000			
Standards Fund (Grant 23)—Grant rate 75 per cent.	16.5	5.5	22
2000–01			
Standards Fund (Grant 26)—Grant rate 75 per cent.	16.5	5.5	22

Notes:
1. GEST and the Standards Fund grants for school security had grant rates. This means Government provide the set grant rate and local education authorities are required to contribute the remainder in order to take up the grant.
2. In 1997–98 and 1998–99, an additional £2 million per year was made available to schools in the grant-maintained sector via the Funding Agency for Schools.
3. The Standards Fund school security grant is allocated to local education authorities by formula and can be used on a variety of physical measures and on security related training for staff and governors. Local education authorities are required to devolve at least 70 per cent. of their grant allocation to schools, while being allowed to retain a maximum of 30 per cent. of their allocation to co-ordinate a training programme for staff and governors.

Pre-school Education

Mr. Willis: To ask the Secretary of State for Education and Employment how many early childhood education places are provided for four-year-olds by maintained sector providers in each local education authority as part of their agreed Early Years Childcare and Education Development Partnerships. [122505]

Ms Hodge: The information is not available in the form requested. The latest estimates of the number of four-year-olds educated in maintained nursery and primary schools by local education authority area is shown in the following table.

Number of pupils[1] aged 4[2] in maintained nursery and primary schools by local education authority area in England January 2000 (provisional)

	Nursery schools	*Nursery classes in primary schools*	*All pupils in nursery provision*	*Other pupils aged 4 in Infant classes in primary schools*	*All pupils aged 4 in nursery and primary schools*
England	15,979	118,396	134,375	349,422	483,797
North East					
Darlington	184	152	336	810	1,146
Durham	376	1,226	1,602	3,683	5,285
Gateshead	15	514	529	1,495	2,024
Hartlepool	12	384	396	838	1,234
Middlesbrough	0	613	613	1,244	1,857
Newcastle upon Tyne	165	694	859	1,914	2,773
North Tyneside	50	664	714	1,530	2,244
Northumberland	20	788	808	2,527	3,335
Redcar and Cleveland	0	537	537	1,118	1,655
South Tyneside	117	547	664	1,179	1,843
Stockton-on-Tees	0	658	658	1,460	2,118
Sunderland	249	778	1,027	2,271	3,298
North West and Merseyside	3,017	18,681	21,698	64,687	86,385
North West	2,660	14,942	17,602	53,757	71,359
Blackburn with Darwen	244	201	445	1,448	1,893
Blackpool	0	131	131	1,069	1,200
Bolton	127	680	807	2,169	2,976
Bury	18	457	475	1,393	1,868
Cheshire	56	863	919	5,040	5,959
Cumbria	178	922	1,100	3,573	4,673
Halton	104	112	216	1,016	1,232
Lancashire	805	1,057	1,862	8,743	10,605
Manchester	16	1,759	1,775	3,363	5,138
Oldham	0	817	817	2,025	2,842
Rochdale	292	376	668	1,779	2,447

Number of pupils [1] aged 4 [2] in maintained nursery and primary schools by local education authority area in England January 2000 (provisional)

	Nursery schools	Nursery classes in primary schools	All pupils in nursery provision	Other pupils aged 4 in Infant classes in primary schools	All pupils aged 4 in nursery and primary schools
Salford	64	1,057	1,121	1,514	2,635
Stockport	229	514	743	2,223	2,966
Tameside	66	671	737	1,828	2,565
Trafford	0	651	651	1,589	2,240
Warrington	44	315	359	1,623	1,982
Wigan	60	620	680	2,432	3,112
Merseyside	357	3,739	4,096	10,930	15,026
Knowsley	0	750	750	1,417	2,167
Liverpool	123	1,257	1,380	3,562	4,942
Sefton	97	682	779	2,056	2,835
St. Helens	56	450	506	1,440	1,946
Wirral	81	600	681	2,455	3,136
Yorkshire and The Humber	1,692	19,097	20,789	34,126	54,915
Barnsley	64	1,672	1,736	804	2,540
Bradford	148	1,599	1,747	4,342	6,089
Calderdale	0	651	651	1,681	2,332
Doncaster	0	1,159	1,159	2,422	3,581
East Riding of Yorkshire	295	641	936	1,828	2,764
Kingston-upon-Hull, City of	153	1,552	1,705	1,384	3,089
Kirklees	119	1,129	1,248	3,445	4,693
Leeds	0	2,277	2,277	5,538	7,815
North East Lincolnshire	160	747	907	909	1,816
North Lincolnshire	0	654	654	1,052	1,706
North Yorkshire	100	846	946	4,228	5,174
Rotherham	197	1,694	1,891	1,036	2,927
Sheffield	281	2,234	2,515	2,496	5,011
Wakefield	137	1,809	1,946	1,777	3,723
York	38	433	471	1,184	1,655
East Midlands	1,133	12,383	13,516	26,376	39,892
Derby	235	753	988	1,582	2,570
Derbyshire	257	1,727	1,984	5,459	7,443
Leicester	21	2,057	2,078	1,440	3,518
Leicestershire	27	67	94	3,978	4,072
Lincolnshire	151	539	690	5,072	5,762
Northamptonshire	214	866	1,080	5,193	6,273
Nottingham	138	2,308	2,446	739	3,185
Nottinghamshire	90	4,028	4,118	2,680	6,798
Rutland	0	38	38	233	271
West Midlands	1,869	13,062	14,931	42,212	57,143
Birmingham	658	2,921	3,579	8,930	12,509
Coventry	20	892	912	2,398	3,310
Dudley	28	867	895	2,539	3,434
Herefordshire	0	203	203	1,160	1,363
Sandwell	0	1,350	1,350	2,440	3,790
Shropshire	0	828	828	1,003	1,831
Solihull	0	716	716	1,812	2,528
Staffordshire	290	892	1,182	7,486	8,668
Stoke-on-Trent	196	686	882	1,798	2,680
Telford and Wrekin	96	801	897	677	1,574
Walsall	182	877	1,059	2,239	3,298
Warwickshire	229	512	741	3,810	4,551
Wolverhampton	155	807	962	1,944	2,906
Worcestershire	15	710	725	3,976	4,701
East of England	1,844	13,480	15,324	35,456	50,780
Bedfordshire	339	1,098	1,437	2,568	4,005
Cambridgeshire	186	421	607	4,103	4,710
Essex	98	1,848	1,946	8,404	10,350
Hertfordshire	749	4,201	4,950	6,749	11,699
Luton	213	1,292	1,505	983	2,488
Norfolk	121	938	1,059	5,737	6,796
Peterborough	58	96	154	1,459	1,613
Southend-on-Sea	0	317	317	1,164	1,481
Suffolk	80	2,806	2,886	3,396	6,282
Thurrock	0	463	463	893	1,356

Number of pupils [1] aged 4 [2] in maintained nursery and primary schools by local education authority area in England January 2000 (provisional)

	Nursery schools	Nursery classes in primary schools	All pupils in nursery provision	Other pupils aged 4 in Infant classes in primary schools	All pupils aged 4 in nursery and primary schools
Greater London	2,387	23,938	26,325	49,963	76,288
Inner London	1,352	8,161	9,513	19,646	29,159
Camden	27	350	377	972	1,349
City of London	0	11	11	12	23
Hackney	43	638	681	1,575	2,256
Hammersmith and Fulham	179	493	672	552	1,224
Haringey	74	814	888	1,933	2,821
Islington	70	474	544	1,393	1,937
Kensington and Chelsea	72	222	294	595	889
Lambeth	117	606	723	1,682	2,405
Lewisham	66	783	849	1,893	2,742
Newham	281	1,097	1,378	2,681	4,059
Southwark	153	767	920	2,163	3,083
Tower Hamlets	163	834	997	1,903	2,900
Wandsworth	49	586	635	1,622	2,257
Westminster	58	486	544	670	1,214
Outer London	1,035	15,777	16,812	30,317	47,129
Barking and Dagenham	0	705	705	1,516	2,221
Barnet	130	606	736	2,210	2,946
Bexley	0	690	690	1,909	2,599
Brent	53	820	873	1,920	2,793
Bromley	0	117	117	2,362	2,479
Croydon	185	771	956	2,783	3,739
Ealing	101	1,052	1,153	2,341	3,494
Enfield	0	656	656	2,422	3,078
Greenwich	216	1,307	1,523	956	2,479
Harrow	0	495	495	1,567	2,062
Havering	0	286	286	1,809	2,095
Hillingdon	31	1,990	2,021	937	2,958
Hounslow	0	767	767	1,668	2,435
Kingston upon Thames	37	329	366	962	1,328
Merton	0	1,071	1,071	796	1,867
Redbridge	0	815	815	2,008	2,823
Richmond upon Thames	15	235	250	1,136	1,386
Sutton	106	1,523	1,629	62	1,691
Waltham Forest	161	1,542	1,703	953	2,656
South East	2,646	10,223	12,869	51,787	64,656
Bracknell Forest	0	680	680	146	826
Brighton and Hove	55	307	362	1,620	1,982
Buckinghamshire	149	721	870	3,476	4,346
East Sussex	0	270	270	3,413	3,683
Hampshire	68	205	273	9,624	9,897
Isle of Wight	0	45	45	838	883
Kent	10	582	592	10,424	11,016
Medway	0	190	190	2,170	2,360
Milton Keynes	74	454	528	1,446	1,974
Oxfordshire	713	1,909	2,622	1,578	4,200
Portsmouth	19	191	210	1,452	1,662
Reading	323	788	1,111	114	1,225
Slough	354	639	993	389	1,382
Southampton	28	143	171	1,644	1,815
Surrey	166	1,020	1,186	7,596	8,782
West Berkshire	139	753	892	253	1,145
West Sussex	142	301	443	5,176	5,619
Windsor and Maidenhead	270	482	752	102	854
Wokingham	136	543	679	326	1,005
South West	560	3,716	4,276	35,676	39,952
Bath and North East Somerset	0	126	126	1,152	1,278
Bournemouth	0	122	122	976	1,098
Bristol, City of	451	640	1,091	2,801	3,892
Cornwall	47	639	686	3,502	4,188
Devon	47	715	738	4,454	5,192
Dorset	23	83	83	2,524	2,607
Gloucestershire	0	39	39	4,269	4,308

Number of pupils [1] aged 4 [2] in maintained nursery and primary schools by local education authority area in England January 2000 (provisional)

	Nursery schools	*Nursery classes in primary schools*	*All pupils in nursery provision*	*Other pupils aged 4 in Infant classes in primary schools*	*All pupils aged 4 in nursery and primary schools*
Isles of Scilly	0	0	0	13	13
North Somerset	0	85	85	1,380	1,465
Plymouth	39	273	312	1,803	2,115
Poole	0	48	48	961	1,009
Somerset	0	228	228	3,675	3,903
South Gloucestershire	0	157	157	2,274	2,431
Swindon	0	209	209	1,623	1,832
Torbay	0	198	198	898	1,096
Wiltshire	0	154	154	3,371	3,525

[1] Includes headcount of full-time and part-time pupils
[2] Ages at 31 December 1999

Age Diversity

Mr. Alexander: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the code of practice on age diversity in employment on reducing discrimination in the workplace. [122524]

Ms Hodge: The Government have been encouraged by the high level of interest shown by employers, the media, other organisations and individuals in age diversity since the publication of the Code and we have made it clear that the effectiveness of the Code on reducing age discrimination in the workplace will be fully evaluated, with comprehensive findings published early next year.

To this effect an independent organisation, NOP (National Opinion Polls) has been commissioned to carry out a large scale research project in three stages, to help evaluate the effectiveness the Code is having on reducing discrimination. We will be publishing the first and second stage findings of the evaluation in June.

Lone Parents

Ms Kelly: To ask the Secretary of State for Education and Employment how much was spent in each year on the New Deal for Lone Parents; and how many lone parents have benefited from this scheme in each year. [122602]

Ms Hodge *[holding answer 18 May 2000]:* The full national New Deal for Lone Parents (Phase 3) was implemented on 26 October 1998. It had already been operating in eight prototype areas from July 1997 (Phase 1), and nationally for new and repeat claimants from 6 April 1998 (Phase 2).

The cost of implementing the New Deal for Lone Parents (NDLP) prototype phase 1 areas was £7.9 million. The cost of implementing the national programme has been £58.6 million—broken down as £0.311 million in 1997–98, £22.3 million in 1998–99 and £36 million in 1999–2000. The figure for 1999–2000 is provisional.

Both sums include the cost of project management, the development and provision of IT support, publicity, the cost of evaluation and the costs of NDLP Innovative Pilots.

The numbers of lone parents who have benefited from the scheme are set out in the following table.

	Prototype phase 1 [1]	*Phase 2* [2]	*National programme* [3]
Initial interviews attended	8,107	15,193	132,880
Number agreeing to participate	7,302	12,889	118,420
Number entering education/training	375	2,569	12,160
Jobs obtained	3,393	2,878	40,270

[1] July 1997 to October 1998
[2] April 1998 to October 1998
[3] October 1998 to February 2000

Dissection

Mr. Baker: To ask the Secretary of State for Education and Employment what his policy is in respect of the practice of dissecting animals for educational purposes in *(a)* maintained and *(b)* independent schools. [122941]

Jacqui Smith: There is no requirement in the National Curriculum for dissection to be carried out although individual teachers may choose to use dissection to illustrate various aspects of the science curriculum. In the key stage 3 schemes of work which have been published recently by the Qualifications and Curriculum Authority, organ dissection is suggested as one of a range of possible teaching activities in some contexts. Where dissection is used, teachers in both state and private schools must always take account of potential threats to the well-being of pupils, particularly in relation to health and safety, religious or ethnic background and individual sensitivities. GCSE and A level exam boards no longer require pupils to undertake dissection for assessment and there should therefore be no pressure on pupils to dissect or watch a dissection. Dissection of living vertebrates and bovine eyeballs is banned in all schools and further directives or advice may be given to teachers by their employers. In maintained schools this is provided by the local education authority, in foundation and voluntary aided schools by the governing body and in private schools by the head teacher or governing body.

HOUSE OF COMMONS

Human Rights

38. **Fiona Mactaggart:** To ask the President of the Council what consultations she has held about terms of reference for the Joint Committee on Human Rights. [121917]

Mr. Tipping: Preliminary consultations on principle have taken place between the usual channels. The House will, of course, have the opportunity to debate the proposed Standing Orders in due course, and I will ensure the motions appear well before the debate. The Government expect to propose very broad terms of reference for the Committee.

Trade Unions

39. **Angela Smith:** To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, when the Commission last met representatives of the recognised trade unions in the House. [121918]

Mr. Kirkwood: It is not the practice of the Commission to engage in direct negotiations with the trade unions. This function has been delegated to the Board of Management; senior staff are in frequent touch with trade union representatives.

Westminster Hall

40. **Miss McIntosh:** To ask the President of the Council what recent representations she has received on proceedings in Westminster Hall. [121919]

Mrs. Beckett: I have received no recent direct representations.

43. **Mr. Paterson:** To ask the President of the Council if she will make a statement on the *(a)* capital and *(b)* running costs of the Westminster Hall experiment to date. [121922]

Mrs. Beckett: The capital costs of refurbishment of the Grand Committee Room, brought forward to allow Westminster Hall to function, were given by the Chairman of the Accommodation and Works Committee as £882,000, *Official Report*, 23 November 1999, column 57W. It is not possible to state precisely how much of this sum is directly attributable to Westminster Hall; some £30,000 was spent on furniture, and a proportion of the professional fees of £71,000 went towards design services. For running costs, I refer the hon. Gentleman to the reply given on 20 March 2000, *Official Report*, column 456W.

Voting Methods

41. **Jean Corston:** To ask the President of the Council if she will make a statement on proposals for reform of the voting methods of the House. [121920]

Mr. Tipping: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson), *Official Report*, column 860.

Oral Questions

42. **Mr. David Heath:** To ask the President of the Council if she will recommend to the Select Committee on Modernisation of the House of Commons that it examines the benefits of reducing the period between tabling oral questions to Ministers and the date for answer. [121921]

Mrs. Beckett: I have no plans to do so.

Modernisation Committee

44. **Dr. Tony Wright:** To ask the President of the Council if she will make a statement on the progress made to date on reforms proposed by the Modernisation Committee. [121923]

Mrs. Beckett: A full analysis of the recommendations of the Select Committee on Modernisation of the House of Commons and their implementation is set out in that Committee's First Special Report of Session 1998–99, HC 865. Since that report was published, the Royal Parks (Trading) Bill has been debated in Standing Committee so 48 of the 56 recommendations of the Committee have now been implemented in whole or in part.

Voicemail

Mrs. Dunwoody: To ask the Chairman of the Information Committee, pursuant to his answer of 4 May 2000, *Official Report*, column 215W, on voicemail, for what reason he was not able to provide the installation cost; and on what basis the service cost of £92,000 was calculated. [122536]

Mr. Allan: I am advised by the Head of Telecommunications that the voicemail facility currently used by Parliament is purchased as a service from the Central Computing and Telecommunications Agency (CCTA). Since it is a service, and since it is provided globally via Parliament's voice network, there are no site specific installation costs.

The sum of £92,000 can be broken down as follows: megastream rental £8,225 (this provides the connection between Parliament's voice network and the external CCTA managed voicemail system); mailbox rental £37,900 (annual cost—the last quarter has been estimated); applications development and manual £800; and training £45,330.

I am advised that training costs are expected to fall in the current financial year, since the first and major tranche of roll-out to new users is now completed. Mailbox rental costs are expected to increase as the majority of mailboxes will now incur full-year rental costs.

Animal Welfare

Mr. Baker: To ask the Chairman of the Catering Committee what account his Committee takes of animal welfare issues in determining purchasing policy. [122917]

Mr. Dennis Turner: Purchasing policy is essentially a matter for the Refreshment Department. However, I am advised by the Director of Catering Services that the Department's purchasing guidelines include the following provisions related to animal welfare:

1. fresh meats must be sourced from livestock raised under an accredited "farm assurance scheme". Such schemes ensure that all stock is reared according to good animal husbandry and welfare practices. The Department periodically tests the claims of suppliers by requiring them to provide documentary evidence tracing the cut of meat delivered back to source and, where possible, to the animal;
2. fresh meat suppliers must meet standards set by the Meat and Livestock Commission, who provide both detailed and general advice to the Department about animal welfare issues in the meat industry;
3. veal must be from calves raised in group housing systems, not crate systems;

4. pigmeat supplied to the Department must be from pigs raised in loose-housed systems, not stall and tether systems; and

5. eggs must be from free-range flocks. The supplier is licensed under the RSPCA's Freedom Food Scheme.

The Refreshment Department consults widely with other organisations to ensure that its purchasing guidelines are regularly and authoritatively reviewed. In addition to working closely with the Meat and Livestock Commission, the Department is a member of the Soil Association, and periodically seeks advice from bodies such as the Freedom Food Association, Compassion in World Farming and the NFU.

Voting Procedures

Mr. Baker: To ask the President of the Council if she will propose to the Select Committee on Modernisation of the House of Commons that it examine changes to the House's voting procedures which would allow abstentions to be recorded. [121915]

Mrs. Beckett: The Modernisation Committee may examine this as part of its work on electronic voting.

CABINET OFFICE

Government Car Service

Mr. Redwood: To ask the Minister for the Cabinet Office what proportion of cars bought by the Government car service since May 1997 have been Rovers. [120862]

Mr. Ian McCartney: Since May 1997 the Government Car and Despatch Agency has purchased 16 Rovers. Six were purchased in the financial year 1996–97.

Civil Service Code

Dr. Tony Wright: To ask the Minister for the Cabinet Office when it is intended to introduce a Bill to give statutory basis to the Civil Service Code. [123281]

Marjorie Mowlam: I refer my hon. Friend to the answer given to the hon. Member for South Cambridgeshire (Mr. Lansley) on 8 May 2000, *Official Report*, column 215W.

People's Panel

Mr. Rooney: To ask the Minister for the Cabinet Office when the report of the first evaluation of the People's Panel will be published; and if she will make a statement. [123708]

Mr. Ian McCartney: I have today placed copies of the first report on the evaluation of the People's Panel in the Libraries of the House. The report is also available on the People's Panel website at www.servicefirst.gov.uk.

Business Regulation Costs

Mrs. Browning: To ask the Minister for the Cabinet Office if she will make it her policy to undertake an annual audit of the cost to business of regulations and to publish the result. [123305]

Mr. Stringer: All regulatory proposals likely to have a significant cost or benefit to business are subject to Regulatory Impact Assessment. These assessments are published by Departments and placed in the Libraries of the House. In addition, a series of twice yearly Command Papers, entitled Regulatory Impact Assessments, list the assessments for each six month period.

SCOTLAND

Honours System

5. **Mr. Swayne:** To ask the Secretary of State for Scotland what representations he has received about the honours system in Scotland. [121876]

Dr. Reid: I have received only one letter making representations about the honours system in Scotland.

New Deal

6. **Mr. Russell Brown:** To ask the Secretary of State for Scotland if he will make a statement on the most recent figures on the take-up of the new deal in Scotland. [121877]

Dr. Reid: Take-up of the New Deal in Scotland is good. 1,700 people joined the New Deal for Young People in February, bringing the number of starts to 48,400 since the introduction of the programme.

7. **Mr. Worthington:** To ask the Secretary of State for Scotland if he will make a statement on the impact of the new deal on employment in Clydebank and Milngavie. [121878]

Dr. Reid: The New Deal is making a significant impact, with employment in Scotland at its highest level since 1966.

9. **Mr. Jim Murphy:** To ask the Secretary of State for Scotland what discussions he has had about the application of New Deal programmes in Scottish football clubs. [121880]

Dr. Reid: I have regular discussions about the New Deal. The New Deal is good news for all jobseekers including those who want to work within football clubs. Hearts, Hibernian, Kilmarnock, Dunfermline, Raith Rovers, Dundee, Livingston, Ross County and Dumbarton Football Clubs participate in the New Deal as employers.

Ferry Services

8. **Mr. Tynan:** To ask the Secretary of State for Scotland what recent representations he has made to the Secretary of State for the Environment, Transport and the Regions regarding ferry services between Scotland and Northern Ireland. [121879]

Mr. Wilson: My right hon. Friend has frequent contact with the Secretary of State for the Environment, Transport and the Regions on a number of issues including ferry services between Scotland and Northern Ireland.

12. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland what discussions he has had with the Scottish Executive on the tender of Caledonian MacBrayne's ferry services under article 87.1 of the EC treaty and the 1992 European Regulations on Maritime Transport (Council Regulation 3577/92); and if he will make a statement. [121884]

Mr. Wilson: My right hon. Friend has discussions with the Scottish Executive on a number of issues including issues relating to ferry services.

Unemployment

10. **Mr. Browne:** To ask the Secretary of State for Scotland what steps he is taking to assist the unemployed in Scotland to take up available jobs. [121881]

Mr. Wilson: The Secretary of State and I take a close interest in assisting unemployed people in Scotland find work and in the New Deal. We frequently carry out New Deal engagements and take every opportunity to publicise its success and to encourage employers to participate. The Secretary of State wrote on 4 May encouraging all Scottish Members to work closely with the Employment Service to help bring together jobseekers and employers with vacancies within their constituencies. The New Deal has helped nearly 23,000 young people into work since its introduction in April 1998.

Fuel Poverty

11. **Mr. David Marshall:** To ask the Secretary of State for Scotland what recent discussions he has had with the Scottish Executive on fuel poverty issues in Scotland; and if he will make a statement. [121883]

Mr. Wilson: My right hon. Friend and I have frequent discussions with Scottish Ministers on a wide variety of issues, including poverty. There will be a meeting of the Joint Ministerial Committee on Poverty, which brings together UK Ministers and ministers from the devolved administrations, on 26 May, in Edinburgh. UK Ministers and ministers from the devolved administrations also meet in a ministerial group on fuel poverty.

The UK Government are taking a number of practical steps to alleviate fuel poverty. This past winter around £70 million was paid in Winter Fuel Payments to over 900,000 Scottish pensioners: £944,000 was paid out in my hon. Friend's constituency to 10,964 people. The payment will be increased next winter to £150 per eligible household. In addition, the Government made almost 20,000 Cold Weather Payments in Scotland this past winter. The Scottish Executive are responsible for the Warm Deal in Scotland, which provides a package of energy efficiency measures of up to £500 for those on low incomes. The Warm Deal is a devolved matter for the Scottish Parliament.

Minimum Wage

13. **Mrs. McKenna:** To ask the Secretary of State for Scotland how many enforcement actions have been taken in Scotland to ensure that employers meet their obligation to pay the national minimum wage. [121885]

Dr. Reid: As at the end of April this year, minimum wage inspectors in Scotland have received 356 complaints and served 14 enforcement notices. £13 million is being spent over three years in the United Kingdom on enforcement. The Low Pay Commission reported on 15 February that the Inland Revenue has made a successful start to enforcement and was working proactively to ensure compliance with the legislation.

Shipbuilding Industry

14. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what discussions he has had with bodies in the shipbuilding industry on raising the competitiveness of the industry. [121886]

Dr. Reid: This Government are firmly committed to improving the competitive position of the shipbuilding industry across the UK. Both the Department for Trade and Industry and the Scottish Executive chair industry forums which aim to address the issues involved. My regular contact with the Department for Trade and Industry and the Scottish Executive includes matters relating to the shipbuilding industry.

Freight Trains

15. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what meetings he has held with EWS Railway Freight Company to discuss the shortage of freight trains to meet the contracts with the Scottish coal companies over the last year. [121887]

Mr. Wilson: I had a very useful meeting with EWS on 13 April, together with representatives of coal producers and generators, to discuss issues relating to the transport of coal by rail.

I and my colleagues wish to ensure that the arrangements for transporting coal make the best use of the railway system, and provide a more secure future for all concerned.

Regional Selective Assistance

16. **Mr. Kirkwood:** To ask the Secretary of State for Scotland what discussions he has had with representatives of manufacturing interests on the areas in Scotland to be covered by Regional Selective Assistance; and if he will make a statement. [121888]

Dr. Reid: My Department and I have received a wide range of representations since the 10 April announcement of revised proposals for the Assisted Areas map which determines the potential coverage of the Regional Selective Assistance scheme.

Forth Railway Bridge

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his answer of 18 April 2000, *Official Report*, column 475W, what representations he has made to the Rail Regulator to ensure that Railtrack complies with its obligations under the Railways (Safety Cover) Regulations 1994, with particular reference to the Forth railway bridge. [121874]

Dr. Reid: Monitoring of Railtrack PLC's compliance with its railway safety case is carried out by the Health and Safety Executive's Railway Inspectorate who also considered Railtrack's safety case and any subsequent revisions. The safety case includes a strategy for the maintenance of structures on Railtrack's infrastructure. The Railway Inspectorate hold regular meetings with Railtrack to establish that they are maintaining this strategy robustly for the Forth Rail Bridge and other structures.

ADVOCATE-GENERAL FOR SCOTLAND

Ministerial Meetings

19. **Mr. Clappison:** To ask the Advocate-General how many meetings she has held with hon. Members in order to give guidance about the exercise by her of her powers. [121893]

The Advocate-General for Scotland: As I indicated in my response on 18 April 2000 to my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman), *Official Report*, column 816, I am delighted to meet hon. Members to discuss the Advocate-General's powers. To date, no such meeting has yet taken place, but I look forward to arranging meetings in the near future.

European Convention on Human Rights

Mr. Dalyell: To ask the Advocate-General for Scotland, pursuant to her answer of 18 April 2000 to the hon. Member for Aberdeen, North (Mr. Savidge), *Official Report*, column 476W, if she has visited the Department of the Environment, Transport and the Regions to discuss Scottish experience in applying the European Convention on Human Rights since devolution. [121889]

The Advocate-General for Scotland: I and my officials are regularly in contact with the UK Government Departments, including the Department of the Environment, Transport and the Regions, to discuss matters of common interest, which would include human rights issues.

LORD CHANCELLOR'S DEPARTMENT

Public Trust Office

22. **Mr. Colman:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress on reform of the Public Trust Office. [121898]

Jane Kennedy: My noble and learned Friend the Lord Chancellor made a statement on the reform of the Public Trust Office on 11 April. We are presently consulting all interested parties on the programme of reform set out in the document "Making Changes: The Future of the Public Trust Office".

24. **Dr. Naysmith:** To ask the Parliamentary Secretary, Lord Chancellor's Department if the Public Trust Office executive agency has met its key performance targets for 1999–2000; and if he will make a statement. [121900]

Jane Kennedy: The Public Trust Office had seven key performance indicators for the 1999–2000 financial year, and it met five of them. These figures are provisional pending National Audit Office audit of the Public Trust Office's accounts.

Mr. Darvill: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will be able to provide the detailed estimated costs to the Lord Chancellor's Department of implementing the recommendations of the Quinquennial Review of the Public Trust Office. [122805]

Jane Kennedy: My noble and learned Friend the Lord Chancellor announced his plans for the future of the Public Trust Office on 11 April in a consultative document called "Making Changes: The Future of the Public Trust Office". I expect to have detailed estimated costs of implementing the planned changes by the autumn.

Mr. Darvill: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the estimated additional cost to those individuals who have their financial affairs managed by the Receivership Division of the Public Trust Office of having their financial affairs managed by accredited panel solicitors. [122802]

Jane Kennedy: The provision of Receivership Division services by solicitors is just one of the options we are considering. There are other potential service providers who have the requisite skills to undertake this work. As the work will be put out to tender the estimated cost is, at present, commercially sensitive information. We will, however, be entering into detailed negotiations with potential service providers to ensure that we secure the best value for money for our clients that we possibly can.

Mr. Darvill: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the estimated cost to his Department of implementing the recommendations of the Quinquennial Review in developing supporting information and communications technology for the Public Trust Office, including the additional costs of training and monitoring external providers. [122804]

Jane Kennedy: This is a very early stage of a complex change programme. My officials are currently assessing the various computer and technology options available to us, prior to developing detailed design and implementation plans. As a result, specific costings are not available for the individual elements of the programme. I would anticipate that these will be available by the autumn.

Mr. Darvill: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the estimated cost to his Department of administering the Public Trust Office for the financial years *(a)* 1999–2000 and *(b)* 2000–01. [122803]

Jane Kennedy: The total, unaudited, cost of running the Public Trust Office in 1999–2000 was £22.2 million. The budgeted cost for 2000–01 is also £22.2 million.

Courthouse, Colchester

26. **Mr. Bob Russell:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress towards building a new courthouse at Colchester. [121903]

Jane Kennedy: There are no plans to build a new Crown court or county court in Colchester. I cannot say when a new magistrates court will be built there as the accommodation requirements for Essex is a matter for the Magistrate's Courts Committee. The need to improve magistrates courts accommodation in Essex has been accepted by the Lord Chancellor's Department and is in the Private Finance Initiative building programme.

County Court Actions

29. **Mr. Cousins:** To ask the Parliamentary Secretary, Lord Chancellor's Department what steps are being taken to reduce the time taken in bringing action for enforcement of payment to the county courts. [121907]

Mr. Lock: Since March 1998, we have been engaged in a comprehensive review of the enforcement of all civil court judgments. As part of that review, we will be looking at how to reduce delay in the enforcement process. I anticipate being able to report the conclusions of the review in June.

Rural Magistrates Courts

30. **Mr. Bercow:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the future of rural magistrates courts in Buckinghamshire. [121908]

Jane Kennedy: The Government's policy is that magistrates courts in Buckinghamshire are best managed locally by Thames Valley Magistrates Courts Committee under the provisions of the Justices of the Peace Act 1997. Decisions concerning the future of magistrates courts in their area, whether rural or urban, are for that magistrates courts committee to determine.

Bailiffs

Mr. Hilary Benn: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the Citizen's Advice Bureaux report "Undue Distress"; if he will review the powers and role of bailiffs; and if he will make a statement. [122820]

Mr. Lock: I am considering the CAB report, which was published on 15 May, and will respond to it in due course. Professor Beatson, of Cambridge University, is currently conducting a review of bailiff law on behalf of the Department and is due to report to us by the end of June 2000. We will look closely at the powers and role of bailiffs in the light of both these reports.

Commissioner for Judicial Appointments

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to appoint the Commissioner for Judicial Appointments; and if he will make a statement. [122808]

Mr. Lock: The Lord Chancellor intends to appoint the First Commissioner for Judicial Appointments this year.

Human Rights Act 1998

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department how much of the legal aid budget has been earmarked to support cases *(a)* with a Human Rights Act 1998 element and *(b)* based on the Human Rights Act 1998; and if he will make a statement. [122809]

Mr. Lock: In the Comprehensive Spending Review in 1998 we estimated that the cost to legal aid of implementation of the Human Rights Act 1998 would be of the order of £40 million per annum. However, no separate estimates were made to distinguish costs in cases involving a Human Rights Act element from those exclusively brought under the Act.

High Court Vacancies

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department how many vacant posts there are for the High Court Bench; when he proposes to fill the vacancies; by what procedure he will fill the vacancies; and if he will make a statement. [122807]

Mr. Lock: There are currently no vacancies on the High Court Bench. The assessment of my noble and learned Friend the Lord Chancellor is that the current demands on the High Court are fully met by the number of judges in post.

In November 1999 the statutory ceiling on the number of High Court judges was increased by eight, from 98 to 106. Since then, four additional High Court judges have been appointed in preparation for the implementation of the Human Rights Act in October 2000. This has taken the number of judges from 98 to 102 (excluding Mr. Justice Bratza, who is serving full-time on the European Court of Human Rights).

There remains capacity within the statutory ceiling to appoint a further four judges. The Lord Chancellor will continue to monitor the demands on the High Court, and he will recommend the appointment of further judges, within the statutory ceiling, when he considers it is necessary.

In February 2000, as part of his regular search for potential candidates, the Lord Chancellor again invited applications for consideration for appointment to the High Court Bench. When vacancies arise, appointment will be made on merit from those who have applied, either in 1998 or this year, or from others whom the Lord Chancellor regards as meeting the criteria to the required degree of distinction. Of the 19 High Court judges appointed since February 1998, eight had applied for appointment, and 11 were invited to accept appointment.

Careless Driving Charges

Mr. Bob Russell: To ask the Parliamentary Secretary, Lord Chancellor's Department how many careless driving charges authorised by the Crown Prosecution Service in Essex were heard by magistrates in the 12 months from May 1999 to the end of April 2000; and how many were still to be determined by the courts on 1 May 2000. [122902]

Jane Kennedy: Magistrates in Essex heard 942 careless driving charges in the period from January 2000 to the end of April 2000. Records before January are not readily available. There remain 644 charges to be determined.

Damages Act 1996

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he proposes to set a rate of return under section 1 of the Damages Act 1996; and if he will make a statement. [121902]

Mr. Lock: The Lord Chancellor published a consultation paper in March seeking views on the exercise of his powers under the Damages Act and raising alternatives to lump sum payments. The deadline for responses is 31 May and he will announce decisions following an analysis of the responses to that consultation paper.

Criminal and Civil Cases

Rev. Ian Paisley: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reason a non-molestation order is treated as a criminal case and an access order is treated as a civil case. [121499]

Mr. Ingram: I have been asked to reply.

The Family Homes and Domestic Violence (NI) Order 1998 creates a new unified and coherent legal regime for dealing with domestic violence. The old personal protection orders have been replaced by non-molestation orders. The non-molestation orders are civil orders made by the court for the protection of the applicant and any children who may be at risk of family violence. The breach of a non-molestation order, involving as it does the threat of violence to the protected person(s), is appropriately a criminal offence and police officers are empowered to arrest for breach of such an order.

An access order, since the introduction of the Children (NI) Order 1996 known as a contact order, is an order by the court to provide for contact between a parent and a child in circumstances where that parent is not living with the child. Breach of contact orders may be treated as contempt of court. However, difficulties in ensuring contact between children and parents may involve many complicated relationship factors and require to be dealt with sensitively within the family civil law system.

DEFENCE

Army Training Ranges

Mr. Neil Turner: To ask the Secretary of State for Defence if he will make a statement about the competition to find a strategic partner for the management of the Army's training areas and ranges. [123710]

Dr. Moonie: As my hon. Friend the then Under-Secretary of State for Defence, now Minister for the Armed Forces, said in his answer to my hon. Friend the Member for Dumfries (Mr. Brown) on 25 November 1998, *Official Report*, column 10W, we have been conducting a competition to seek a long-term strategic partner from the private sector to help introduce best commercial practice in supporting and managing the Army Training Estate. As a result of the work conducted thus far, it has been decided to include all non-core training support activities and services because there is scope for better value for money if the boundaries of the study were to be extended in this way. In addition, a site utility review is going to be conducted to establish the usage of sites and this may lead to rationalisation of some sites. It is too early to say what the impact of this work is going to be, both on jobs and individual sites, but the MOD Trades Unions will be consulted at every stage. Should any redundancies result from this study, these will be handled in accordance with MOD procedures agreed by the Trades Unions.

Logistic Information Systems Agency

Mr. Edwards: To ask the Secretary of State for Defence what performance targets have been set for the Logistic Information Systems Agency for 2000–01. [123715]

Mr. Spellar: The Chief Executive of the Logistic Information Systems Agency has been set the following Key Targets for 2000–01.

Key Target 1

To deliver all Customer-agreed outputs to budget.

Key Target 2

To maintain or improve the cost ratio of Information Systems Delivery staff to Administrative staff of 1:0.58.

Key Target 3

To improve delivery performance to customer requirements such that:

The average time for Requests For Change assessment is reduced by 4 per cent. to five days.

The average period required for Requests For Change Authorisation is reduced by 5 per cent. to 64 days.

Key Target 4

To be graded as three or better for overall delivery, on a scale of one (exceptional) to five (ineffective), based on 100 per cent. of customer reports.

Merchant Navy Reserve

Mrs. Gilroy: To ask the Secretary of State for Defence if he will make a statement on the Merchant Navy Reserve. [123786]

Mr. Spellar: I have recently decided, as part of my Department's continuous attempts to improve the effectiveness and operability of the naval reserve forces, to disband the Merchant Navy Reserve (MNR).

The MNR was formed in 1989 to provide a modest pool of experienced British Merchant Seamen to augment the crews of UK registered merchant ships in times of tension and war. The MNR's membership has never been called-out since its inception and there are no foreseen circumstances where the Government may be required to do so. The Cold War environment that generated the requirement for the Merchant Navy Reserve has changed fundamentally, resulting in the necessity for the Government to review all elements of the armed forces. Such reviews have demonstrated there is no longer a requirement to maintain the Merchant Navy Reserve in circumstances where there is no foreseeable need for its services.

My Department has therefore made arrangements for letters to be sent to individual members of the MNR thanking them for their past service and informing them of this decision and the reasons behind it. The letters encourage MNR personnel to consider joining the Royal Naval Reserve, an organisation which offers valuable training and personal development opportunities to all those with an interest in acquiring or maintaining the Nation's much-needed maritime skills.

The measure in no way effects the Government's wholehearted and continuing support for the Merchant Navy, a matter demonstrated amply in the 1998 White Paper "British Shipping: Charting A New Course". Industry, the unions and Government continue to work together to regenerate the UK merchant navy and seafaring skills base to meet the Nation's future needs.

Service Personnel (Marriage Statistics)

Mr. Keetch: To ask the Secretary of State for Defence how many members of *(a)* the Army, *(b)* the Royal Navy

and *(c)* the RAF of age group (i) 16 to 24, (ii) 25 to 29, (iii) 30 to 34, (iv) 35 to 44, (v) 45 to 49 and (vi) 50 years and over have changed from Maristat One in each year between and including 1989 and the current financial year, stating in each age category the (1) proportional change from strength, (2) proportional change from married strength, (3) proportional change from married to divorced from the national population as a whole and (4) proportional change from married to divorced from the national married population; and if he will make a statement. [123242]

Mr. Spellar: This information is not held centrally by my Department and could be provided only at disproportionate cost.

Mr. Keetch: To ask the Secretary of State for Defence what proportion of the married strength of the *(a)* Army, *(b)* RAF, *(c)* Royal Navy and *(d)* all services, are married to a serving member of the Armed Forces not including Reserve Forces; and if he will make a statement. [123159]

Mr. Spellar: The information requested is as follows:

	Total married strength	*Married to serving person*	*Proportion (Percentage)*
(a) Army	48,614	2,868	5.9
(b) Royal Navy	20,014	844	4.2
(c) Royal Air Force	34,219	2,400	7.0
(d) All services	102,847	6,112	5.9

The table may contain some inaccuracies as some personnel may not have amended their records following the discharge of their spouse from the Armed Forces.

Labour Committee on Ireland

Mr. McNamara: To ask the Secretary of State for Defence on what date permission was granted to conduct surveillance of the Labour Committee on Ireland; and for what period this surveillance was conducted. [122763]

Mr. Spellar: It has been the long-standing practice of successive Governments not to comment on alleged intelligence activities, which are covered by exemption 1 of the Code of Practice on Access to Government Information.

Mr. McNamara: To ask the Secretary of State for Defence how many *(a)* documents and *(b)* photographs are held relating to the activities of the Labour Committee on Ireland; and how many files on the Labour Committee on Ireland are currently being maintained. [122764]

Mr. Spellar: It has been the long-standing practice of successive Governments not to comment on alleged intelligence activities, which are covered by exemption 1 of the Code of Practice on Access to Government Information.

Bloody Sunday

Mr. McNamara: To ask the Secretary of State for Defence, pursuant to his answer of 17 February 2000, *Official Report*, column 648W, on Bloody Sunday, if he will make a further statement about the destruction of self-loading rifles. [122765]

Mr. Hoon: The Ministry of Defence/West Mercia police investigation, which is urgently investigating the whereabouts and possible recovery of the surviving so-called 'Bloody Sunday rifles' and the destruction of two rifles that had been previously identified, is still under way. It would be inappropriate to comment further until this investigation is complete.

Mr. Liam Clarke

Mr. McNamara: To ask the Secretary of State for Defence if he has asked the Metropolitan police Special Branch to conduct an investigation into Mr. Liam Clarke. [122757]

Mr. Spellar: No.

Sunday Times (Injunction)

Mr. McNamara: To ask the Secretary of State for Defence whom he consulted before seeking an injunction against *The Sunday Times* and others preventing publication of information obtained from the person known as Martin Ingram. [122758]

Mr. Spellar: My right hon. Friend the Secretary of State for Defence obtained advice on this matter from a number of sources within Government. The Secretary to the independent Defence Press and Broadcasting Advisory Committee was also consulted.

Mr. Tony Geraghty

Mr. McNamara: To ask the Secretary of State for Defence what was the cost of the 1998 Ministry of Defence police search of the home of journalist Tony Geraghty; how many hours this search lasted; how many personnel and of what rank were present; what items were removed from the premises; what items have been retained by the Ministry of Defence police; what items have been passed on to other agencies; what items have been returned to the owner; what charges were brought against Mr. Geraghty; what considerations led to charges being dropped; and what compensation has been offered to Mr. Geraghty. [122760]

Mr. Spellar: The additional cost of the Ministry of Defence Police (MDP) search of the home of Tony Geraghty was £606.00. The search lasted just under seven hours and was conducted by two detective sergeants and four detective constables. A computer, associated equipment and documentation was taken by the MDP. Items for use in a forthcoming court case involving one of Mr. Geraghty's associates have been retained by the MDP. Items relevant to a West Mercia police investigation, concerning Mr. Geraghty, were passed to that Force. All items not required for the forthcoming court case and not passed to West Mercia police have been returned to Mr. Geraghty. Mr. Geraghty was charged under section 5 of the Official Secrets Act 1989 on 13 May 1999. The decision not to proceed against Mr. Geraghty is a matter for the Attorney General. My Department has not made an offer of compensation to Mr. Geraghty.

Armoured Support Vehicles

Mr. Hancock: To ask the Secretary of State for Defence (1) if he will ensure that the requirement for armoured battle group support vehicles will be met by UK companies and that the vehicles will be built in the UK; and if he will make a statement; [122387]

(2) what is the cost of meeting the requirement for armoured battlegroup support vehicles; when this requirement will be met; and if he will make a statement. [122385]

Dr. Moonie: We require in total about 1,000 vehicles to provide armoured support to the front line, the majority of which will be Armoured Battlegroup Support Vehicle. Deliveries are planned to begin by the end of the decade. The programme is currently at the concept stage and initial estimates indicate an acquisition cost of around £1.5 billion including early years of in-service support.

The procurement strategy has yet to be finalised, but will be based on achieving best value for money for the tax payer. The MOD has a policy of open international competition whenever this is possible. However, all procurement options will be investigated taking account of security of supply, UK technological capabilities and the benefits to the MOD of potential exports.

Departmental Housing Stock

Mrs. Ewing: To ask the Secretary of State for Defence if he will list the regulations he intends to implement on the disposal of MOD housing stock; and what discussions he has held with relevant local councils and housing associations to reach an early conclusion. [122110]

Dr. Moonie *[holding answer 17 May 2000]:* The guidelines to which all Departments work when disposing of surplus property assets are contained in Chapter 32 of Government Accounting.

Houses in England and Wales which were included in the sale of service families accommodation to Annington Homes Ltd., are passed to the company for disposal in accordance with the terms of the sale.

When disposing of surplus housing owned by the Ministry of Defence my Department seeks to achieve the maximum return for the taxpayer generally. In most instances this is through sale on the open market.

Local authorities and Housing Associations formally become aware of our surplus housing through the planning and marketing process, and have the opportunity to take part in the purchase process should they wish to do so. There is of course extensive contact between officials in Defence Estates and local authorities on the range of estate planning and disposal issues.

It is our policy to dispose of surplus properties as soon as possible to enable their early and productive re-use.

Mrs. Ewing: To ask the Secretary of State for Defence if the Defence Housing Executive has reached a conclusion as to the method and timing of surplus MOD housing stock being released to council and housing association stock. [122109]

Dr. Moonie *[holding answer 17 May 2000]:* There has been no change in the Defence Housing Executive's (DHE's) policy on the method and timing of the release of surplus Ministry of Defence housing stock to local authorities and housing associations.

The bulk of Service Families Accommodation (SFA) in England and Wales are held by the Ministry of Defence on an underlease from Annington Homes Ltd. (AHL). Properties which become surplus to military requirements are handed back to AHL for disposal. Where appropriate, the DHE does release properties to housing associations and local authorities for short term let, but the properties which are available are often not attractive to them.

Surplus SFA in Scotland is passed to Defence Estates (DE) who determine the appropriate disposal strategy. All relevant factors are taken into consideration and DE will normally liaise with the local authority housing division to ensure that they are made aware of the intention to offer housing for sale. This is intended to allow the council time to plan accordingly and to consider whether they may wish to bid for the properties when they are offered for sale.

Where appropriate, consideration can be given to a sale to a local authority or housing association by private treaty at open market value, in line with existing Treasury guidelines.

Armed Forces Personnel Costs

Ms Squire: To ask the Secretary of State for Defence if he will estimate the average annual cost of paying and accommodating 20,000 armed forces personnel and their families. [121804]

Mr. Spellar *[holding answer 16 May 2000]:* The average annual cost of paying and accommodating 20,000 armed forces personnel and their families is £562 million. In calculating this figure, it has only been possible to take account of Pay, Employer's-Related National Insurance Contributions and Pensions contributions. Any calculation of overheads such as rents, rates, utilities costs, food, office equipment and services could be provided only at disproportionate cost.

Joint NBC Regiment

Mr. Key: To ask the Secretary of State for Defence (1) if he will place in the Library *(a)* the study and *(b)* the investment appraisal led by the Directorate of Joint Warfare on the final location of the Joint Nuclear Biological and Chemical Regiment; [123119]

(2) if transport costs of *(a)* personnel and *(b)* vehicles were included in the investment appraisal which informed the decision to locate the Joint NBC Regiment at RAF Honington; and if he will make a statement. [123116]

Mr. Spellar *[holding answer 22 May 2000]:* A copy of the investment appraisal will be placed in the Library of the House. I am withholding a copy of the study in accordance with Exemption 1 of the Code of Practice on Access to Government Information, which relates to defence, security and international relations.

Joannou and Paraskevaides Group

Mr. Loughton: To ask the Secretary of State for Defence what construction contracts his Department has awarded to the Joannou and Paraskevaides Group in the last three years. [123145]

Dr. Moonie *[holding answer 22 May 2000]:* The Ministry of Defence has not awarded any construction contracts to Joannou and Paraskevaides within the last three years.

Mr. Mullineux

Mr. Hancock: To ask the Secretary of State for Defence (1) *(a)* if he will make a statement on the reasons which underlay the decision (i) to remove the body of the son of Margaret Maurex from an NHS hospital to a Ministry of Defence site, where a post-mortem examination was performed and (ii) not to ask the permission of Margaret Maurex, *(b)* what tests were performed on the body, *(c)* what were the results of the post-mortem examination and *(d)* for what reasons such exercises were performed in secret; and if he will make a statement; [115926]

(2) what notification was given to Mrs. Margaret Maurex of the post-mortem conducted at a Ministry of Defence site on her son. [116283]

Dr. Moonie: Mr. A. I. Mullineux was discharged from the Regular Army on 10 August 1992 under Queen's Regulations 9.374—"At the Soldier's request on payment—transfer to the Regular Reserve". He was not employed in support of any UK sponsored military operations at the time of his death in Bosnia in February 1993. A careful examination of Mr. Mullineux's contemporary Service records indicates that the Ministry of Defence did not play any role in the repatriation of Mr. Mullineux's body to the UK, nor any post-mortem, which would properly have been the responsibility of the civil authorities.

Imported Meat

Mr. Key: To ask the Secretary of State for Defence if he will list the prescribed welfare standards included in the legislative requirements governing the supply of imported meat to Her Majesty's forces. [115639]

Dr. Moonie *[holding answer 22 May 2000]:* There are no prescribed welfare standards included in the legislative requirements governing the import of meat for consumption by HM Forces. However the hygiene standards to which meat imported into the EU most comply are regulated by EU legislation. Welfare standards applying to the rearing, transportation and slaughter of livestock within the EU is subject to regulation by EU Directives.

Gulf Veterans

Mr. Hancock: To ask the Secretary of State for Defence for what reasons his Department has performed post mortem examinations on Gulf veterans; how many post mortems have taken place and where they were conducted; what types of specimen have been taken and where they were tested; what tests were performed on cadavers and with what results; and if he will make a statement. [116284]

Mr. Spellar: The MOD has no specific arrangements to request post mortem examinations on Gulf veterans, nor is it routinely informed of the results of such examinations. While the MOD is aware that post mortems have been performed on some Gulf veterans, data on numbers, locations, types of specimen taken, tests and results could be provided only at disproportionate cost.

TRADE AND INDUSTRY

Press Officers

Mrs. Browning: To ask the Secretary of State for Trade and Industry how many press officers were employed by his Department in *(a)* March 1997 and *(b)* March 2000. [123304]

Mr. Byers: On 1 March 1997 there were 17 Press Officers employed in the DTI Newsroom. On 1 March 2000 there were 21 Press Officers.

Regulations

Mrs. Browning: To ask the Secretary of State for Trade and Industry what is the total cost to *(a)* business and *(b)* the public sector of regulations introduced by his Department since May 1997. [123303]

Mr. Byers: Details are contained in the Regulatory Impact Assessments that have been carried out for all regulations introduced by my Department that impose or reduce costs. Copies of all such assessments are available in the Library of the House.

Recruitment

Ms Walley: To ask the Secretary of State for Trade and Industry if he will publish summary information on his Department's recruitment for the calendar year 1999 and the use of permitted exceptions to the principles of fair and open competition and selection on merit, as required by the Civil Service Commissioners' Recruitment Code. [123767]

Dr. Howells: It is DTI policy that recruitment is carried out on the basis of fair and open competition and selection on merit, subject to the exceptions permitted by the Civil Service Commissioners. My Department has systems in place, which ensure that the principles of fair and open competition are understood and followed in accordance with the provisions of the Civil Service Commissioners' recruitment Code. These Systems are subject to internal check and to external check by the Commissioner's approved auditors.

The following table and narratives describe DTI recruitment other than for the DTI's Executive Agencies and the Government Office network who make separate arrangements for publishing recruitment data.

Recruitment information
Number of staff recruited 1 January 1999–31 December 1999

							Gender		Ethnic background[2]			
Range	*Permanent*	*FTA*	*Recurring temp*	*Standby*	*Short notice*	*Other*[1]	*M*	*F*	*White*	*Ethnic minority*	*Not stated*	*Disability*
Range 11	—	1	—	—	—	—	1	—	—	—	—	—
Range 10	13	3	—	1	—	—	4	13	9	1	7	—
Range 9	7	—	—	—	—	—	5	2	3	1	3	—
Range 8	3	1	—	—	—	2	1	5	6	—	—	—
Range 7	10	1	—	—	—	—	9	2	9	1	1	2
Range 6	8	3	—	—	—	1	8	4	11	1	—	2
Range 5	29	3	—	—	—	7	20	19	13	23	3	—
Range 4	31	—	—	—	—	10	17	24	32	8	1	8
Range 3	53	7	—	—	—	32	47	45	52	36	4	9
Range 2	72	10	—	—	—	17	38	61	49	42	8	9
Range 1	—	—	—	—	—	3	1	2	—	2	1	—
Fast Stream	13	—	—	—	—	—	6	7	12	1	—	2
Total	239	29	—	1	—	72	157	184	196	116	28	32

[1] Includes numbers of casuals, sandwich course students, legal trainees
[2] Note that ethnic data have been suppressed for those ranges where numbers recruited are five or less to avoid the possibility of identifying individuals.

The number of occasions on which the permitted exceptions to fair and open competition and selection on merit have been used at each level (except for appointments of up to 12 months) are categorised as follows. Details of the exceptions are underneath the relevant category.

Extensions of appointments of up to 12 months up to a maximum of 24 months—none

Short term appointment where highly specialised skills are required—One Range 10 on standby contract to set-up Joint Cambridge University/MIT Institute project. One Range 11 stayed beyond retirement to continue work on Omissions and trading group secretariat for the Environment group before the Budget.

Recurrent short term appointments—Two Range 3s, one Range 5, five Range 10s, all employed in the Queens Award office where the work is seasonal.

Extensions of short term appointments beyond the initial publicised period, including conversions to permanency—One Range 5 Statistical Officer whose appointment was extended for a further six months to oversee the completion of a project; one Range 7 Research Officer converted to permanency due to difficulty of recruiting a Research Officer.

Secondments—56

Re-appointment of former civil servants—Two Range 4s recruited by Employment relations resigned and asked for re-instatement.

Transfers of staff with their work (not under TUPE)—none

Transfer of staff from other public services without work (unless from a public body staffed exclusively by civil servants)—none

Appointments of surplus acceptable candidates to shortage posts—none

No disabled candidates were appointed under modified selection arrangements.

Any use of the exceptions reserved for the Commissioners (i.e. appointments on the basis of the proven distinction of the individual and appointments not in order of merit)—none.

Miners Strike

Ms Walley: To ask the Secretary of State for Trade and Industry if he will make a statement regarding dismissals by British Coal during the 1984–85 miners strike. [123768]

Mrs. Liddell: In their report, the Coalfield Task Force established by my right hon. Friend the Deputy Prime Minister recommended that the DTI review the pension entitlements of men who were not reinstated following their dismissal during that dispute. True to our commitment to investigate this matter, I have today distributed to interested parties a consultative document.

The document endeavours to present a broadly factual account of British Coal's dismissal and re-employment policy around the time of the strike and in its aftermath. It focuses in particular on those individuals who were not re-employed in the aftermath of the strike and whose cases were not considered by Industrial Tribunals at the time. It also addresses concerns which have been expressed over the pension rights of individuals who were found by Industrial Tribunals to have been unfairly dismissed.

The document also proposes a twin approach aimed at achieving a resolution which I hope will be seen as just in the eyes of all those who continue to live with the effects of this tragic period in the industry's history.

I am placing copies of the document in the Libraries of the House.

Parental Leave

Mr. Edwards: To ask the Secretary of State for Trade and Industry what plans he has to allow adoptive parents entitlement to parental leave. [123230]

Mr. Alan Johnson *[holding answer 22 May 2000]:* The Maternity and Parental Leave etc. Regulations 1999, which came into effect on 15 December 1999, entitle adoptive parents to 13 weeks unpaid parental leave.

My right hon. Friend the Secretary of State for the Department of Trade and Industry made an announcement on 9 May setting out the details of a review looking at the issues surrounding maternity pay and parental leave. The review will look at increasing adoption and whether rights to adoption leave are being taken up.

Mr. Edwards: To ask the Secretary of State for Trade and Industry what representations he has received on the subject of entitlement to *(a)* statutory maternity and *(b)* parental leave for parents adopting a child. [123229]

Mr. Alan Johnson *[holding answer 22 May 2000]:* The Department received 107 responses to the 1998 "Fairness at Work" White Paper proposal to provide adoptive parents with three months parental leave. Of these, 104 respondents agreed with Government's proposal.

The Maternity and Parental Leave consultation in summer 1999 invited views on the Government's detailed proposals for framing parental leave for adoptive parents. Over 200 responses were received on this subject, over three-quarters of which supported the proposals.

The Department has also received about 20 letters on adoption leave since 1999.

In addition to these representations we have discussed this issue with representatives of key adoption organisations.

Paternity Leave

Mr. Coaker: To ask the Secretary of State for Trade and Industry what improvements he plans for statutory entitlement to paternity leave; and when he intends to propose them. [121580]

Mr. Alan Johnson: My right hon. Friend the Secretary of State for Trade and Industry made an announcement on 9 May setting out the details of a review on maternity pay and parental leave. The review will look at ways of providing further support and choice for working parents with young children. We will consider how best to build on statutory parental leave entitlement in the context of the review.

Post Offices

Mr. Webb: To ask the Secretary of State for Trade and Industry what assessment he has made of the environmental impact of post office closures, with particular reference to the effect on the number and length of additional car journeys which result. [123279]

Mr. Alan Johnson: No such assessment has been made by my Department. But the Government remain fully committed to the maintenance of a nationwide network of post offices and fully recognise the valuable social and environmental role played by post offices in their local communities.

Indonesian Plywood

Mr. Chaytor: To ask the Secretary of State for Trade and Industry how much plywood from Indonesia was imported into the United Kingdom in each of the last five years. [123157]

Mr. Caborn *[holding answer 22 May 2000]:* The information is given in the table:

	£ million	*Thousand tonnes*
1995	56.5	105.9
1996	64.5	118.0
1997	76.1	139.5
1998	49.9	130.7
1999	60.2	147.9

Note:
Plywood is defined by headings 634.31 to 634.49 of the Standard International Trade Classification (Revision 3)
Source:
HM Customs and Excise

Export Licences

Ann Clwyd: To ask the Secretary of State for Trade and Industry how many open export licences for the export of aircraft spares to Kenya remained in force between January and April; what items have been supplied under these licences during this period; and what end-use assurances have been given by the Kenyan authorities in relation to the re-export of equipment supplied under these licences. [122554]

Dr. Howells: The export of military aircraft spares is controlled under entries ML5, ML10, ML11, ML15, ML16 and ML21 in the Export of Goods (Control) Order 1994, commonly known as the Military List. The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 January and 30 April 2000, 30 Open Individual Export Licences (OIELs) gave licence coverage to export to consignees or end-users in Kenya, goods with the relevant ratings.

Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the table in the total for all of the relevant ratings.

Open Individual Export Licences valid for the export to Kenya of goods with the relevant ratings

Rating	*Number of valid OIELs covering goods with this rating and including Kenya as a permitted destination (OIELs may cover a range of countries)*
ML5	5
ML10	19
ML11	9
ML15	2
ML21	2

In the period, there were no valid OIELs for Kenya covering goods with the rating ML16.

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

An Open Individual Export Licence (OIEL) is specific to an individual exporter and covers multiple shipments of specified goods to specified destinations and/or, in some cases, specified consignees. The exporter must obtain from each consignee an appropriate written undertaking for each export before the export takes place, or not later than one month after the date of exportation. Where the exporter intends to make more than one exportation to the same consignee in any period of one year, an annual written undertaking may be obtained in fulfilment of this requirement. As with SIELs, where goods are being consigned direct to a Government body, the DTI will normally accept a copy of the Government purchase contract order, or the relevant extracts from the contract.

In addition, Kenya is a permitted destination on certain Open General Export Licences covering the export of goods on the Military List. An Open General Export

Licence (OGEL) allows the export from the UK of goods specified in the goods coverage of the OGEL to specified destinations. In such circumstances, end-user undertakings are not required. Copies of OGELs are routinely placed in the Library of the House.

As regards the additional information requested, inquiries are being made under the Code of Practice on Access to Government Information. Where confidential information is involved, the parties concerned will be asked if they object to its disclosure, and this can take some time. I will write to my hon. Friend as soon as possible and place a copy of that letter in the Library of the House.

Ann Clwyd: To ask the Secretary of State for Trade and Industry since December 1998 how many *(a)* single and *(b)* open export licences have been issued for the export of aircraft spares to Kenya. [122555]

Dr. Howells: The export of military aircraft spares is controlled under entries ML5, ML10, ML11, ML15, ML16 and ML21 in the Export of Goods (Control) Order 1994, commonly known as the Military List. The entry in the relevant legislation under which the export of goods is controlled is known as their rating. The Export Control Organisation's computer databases have been interrogated. Between 1 December 1998 and 8 May 2000, one Standard Individual Export Licence (SIEL) and 12 Open Individual Export Licences (OIELs) were issued covering the export to consignees or end-users in Kenya of goods with the relevant ratings. Individual licences may cover a range of goods with various ratings. Where this is so, the licence is included in the total for all of the relevant ratings.

Open Individual Export Licences valid for the export to Kenya of goods with the relevant ratings

Rating	*Number of OIELs issued covering goods with this rating and including Kenya as a permitted destination (OIELs may cover a range of countries)*
ML5	3
ML10	8
ML11	3
ML15	1
ML21	2

The one SIEL issued covered goods with the rating ML10. There were no SIELs or OIELs issued covering goods with the rating ML16.

This information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report*, columns 307–08W.

In addition, Kenya is a permitted destination on certain Open General Export Licences covering the export of goods on the Military List; copies of all Open General Export Licences are routinely placed in the Library of the House.

Research Councils

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what the *(a)* total budget and *(b)* budget per head of the United Kingdom population was for each of the six research councils in each year since 1994. [122131]

Ms Hewitt: Details of the grant in aid paid to the Research Councils, the population figures and the budget per head of the UK population are set out in the tables.

£ million

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
Research Council budgets							
BBSRC	177.996	184.531	183.980	188.042	190.818	198.276	202.420
EPSRC	332.338	354.389	377.983	386.276	389.444	404.796	412.026
ESRC	59.215	61.508	64.070	65.227	67.506	70.782	71.300
MRC	270.576	271.599	282.083	289.078	293.998	305.566	319.151
NERC	167.939	169.281	159.341	168.150	174.967	178.715	181.450
PPARC	204.629	202.806	213.536	197.869	193.105	186.680	205.774
Total	1,212.693	1,244.114	1,280.993	1,294.642	1,309.838	1,344.815	1,392.121

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*
UK population (million) [1]	58.401	58.612	58.807	59.014	59.237	[2]—	[2]—
Amount per member of the UK population (£)							
BBSRC	3.05	3.15	3.13	3.19	3.22	—	—
EPSRC	5.69	6.05	6.43	6.55	6.57	—	—
ESRC	1.01	1.05	1.09	1.11	1.14	—	—
MRC	4.63	4.63	4.80	4.90	4.96	—	—
NERC	2.88	2.89	2.71	2.85	2.95	—	—
PPARC	3.50	3.46	3.63	3.35	3.26	—	—
Total	20.76	21.23	21.78	21.94	22.11	—	—

[1] Calendar year figures—mid-year estimate from Population Trends, Spring 2000

[2] Not available

Synchrotron

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what detailed assessment was made of the cost associated with building the new synchrotron at *(a)* Daresbury and *(b)* Oxford. [122447]

Ms Hewitt: In May 1999 the OST commissioned ADD Consultants to consider the comparative advantages, benefits and costs of the site location and its effect on the New Synchrotron project. Their report (completed in June 1999 and made public in January 2000) considered both the Daresbury Laboratory in Cheshire and the Rutherford Appleton Laboratory in Oxfordshire. This report indicated some saving in running costs if the facility were located at the Rutherford Appleton Laboratory.

My right hon. Friend the Secretary of State for Trade and Industry commissioned a further survey into the same two sites in November 1999 and this was carried out by Allott and Lomax. Their report (completed and made public in January 2000) concluded that there were no differences in cost between constructing the facility at the Daresbury Laboratory and at the Rutherford Appleton Laboratory site, within their estimation errors.

The issue of cost was not a significant factor in choosing to locate at the Rutherford Appleton Laboratory.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if the decision to place the synchrotron in Oxfordshire was based on a best value or similar review. [122452]

Ms Hewitt: I refer my hon. Friend to the answer given to my hon. Friend the Member for Pendle (Mr. Prentice) on the 21 March 2000, *Official Report,* column 480W.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry for what reason ADD was chosen as the consultant to report on the suitability of the sites for the new synchrotron. [122448]

Ms Hewitt: ADD Consultants were originally commissioned by CCLRC (the Council for the Central Laboratories of the Research Councils) to write a business case for the New Synchrotron in January 1999. Because of ADD's existing involvement in the project, and the time constraints, they were a natural choice to carry out the additional study on the suitability of the sites for the new synchrotron.

SMEs (East Devon)

Sir Peter Emery: To ask the Secretary of State for Trade and Industry what assistance he plans to give to small and medium-sized businesses in East Devon. [123075]

Mr. Caborn: The range of assistance available to new and existing small and medium-sized businesses in East Devon, and other parts of the UK, is included in this Department's "A Guide to Help for Small Business", a copy of which I am sending to the right hon. Member. In addition, the new Small Business Service will, from April 2001, provide an enhanced service to business in England. There is also new assistance under the £180 million Enterprise Fund which will provide risk capital to the UK's small companies with growth potential.

Wellcome Foundation

Dr. Gibson: To ask the Secretary of State for Trade and Industry what is the basis of his policy for co-operating with the Wellcome Foundation and its board of trustees in funding scientific research. [121759]

Ms Hewitt: The Office of Science and Technology is committed to working with all organisations that make a contribution to the science base and where there are clear benefits to be realised from working together. The Wellcome Trust is one of the largest biomedical research charities in the world. OST therefore co-operates with the Wellcome Trust on a number of funding initiatives aimed at ensuring the UK remains at the forefront of scientific research. In addition, the individual Research Councils work with the Trust on projects of mutual interest.

Such initiatives have been, and will continue to be, of great benefit to the Government, the Trust and the UK.

Shareholder Remedies

Ms Jenny Jones: To ask the Secretary of State for Trade and Industry what plans he has to take action on shareholder remedies *(a)* within the wider review of company law and *(b)* as a separate issue. [122822]

Dr. Howells: The independent Company Law Review is carrying out a fundamental review of all aspects of core company law, including shareholder remedies. The Company Law Review Steering Group is due to present its final report to my right hon. Friend the Secretary of State for Trade and Industry in the spring of next year. The Government will then set out their response and the proposed way forward in the light of the Steering Group's recommendations.

Spin-out Companies

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many spin-off companies have been established in each year since 1994 by each university in the United Kingdom; how many such companies failed in each year since 1994, broken down by university; and what basic research and science underpinned each such company. [122162]

Ms Hewitt: To date, this information has not been routinely collected by Government.

There have however been several surveys, two conducted on behalf of the Innovation Unit in the Department of Trade and Industry and one on behalf of the Higher Education Funding Council for England. These were, respectively, the University-Industry co-operation surveys of 1995 and 1996 and the Industry-academic links in the UK report (December 98/70 Hefce).

Further measures are being introduced to monitor the spin-out activities of universities more routinely, including through the Higher Education Reach-Out to Business and the Community fund, University Challenge Fund and Science Enterprise Challenge initiatives.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry on what basis he monitors the performance of spin-out companies; and what makes a company eligible to be classified as a university spin-off. [122163]

Ms Hewitt: The performance of spin-out companies created by universities are not monitored routinely by Government.

The Government have been using the definition of a university spin-out from the Industry-Academic links in the UK report by PREST, the Policy Research in Engineering and Science & Technology Unit in the University of Manchester (December 98/70 produced by the Higher Education Funding Council for England). The definition is encapsulated on page 35 in the sentence

> . . . spin-out companies from the HEI, which are established to exploit the commercialisation of results arising from a specific stream of research.

In addition, under the pilot data collection exercise which was part of the University Challenge Fund competition in 1998–99 the AUTM (Association of University Technology Managers in the USA) definition was used this states:

> Start-up (read spin-out) companies are companies that were dependent upon licensing the institution's technology for initiation.

The Government are currently refining their definition of a spin-out in order to improve future data collection initiatives.

AGRICULTURE, FISHERIES AND FOOD

Fur Farming Bill

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from members of the House of Lords on the proposals contained in the Fur Farming Bill. [122697]

Mr. Morley *[holding answer 18 May 2000]:* To date, we have received no representations from Members of the House of Lords.

Over-30-Months Scheme

Mr. Ruane: To ask the Minister of Agriculture, Fisheries and Food what has been the average yearly price of Over-30-Months scheme compensation; and what plans he has to raise it. [120339]

Ms Quin *[holding answer 2 May 2000]:* The information requested is as follows:

Year	*Compensation paid (£)*	*Number of animals*	*Average amount/animal (£)*
1996–97	669,709,000	1,346,195	497.48
1997–98	287,800,000	847,520	339.58
1998–99	253,031,000	922,401	274.32
1999–2000	262,754,000	977,749	268.73

Following the removal of the weight limit on payments for all cattle entering the OTMS higher payments will apply from 5 June.

Pig Industry

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a scheme to compensate pig farmers in the United Kingdom for the disposal of specified material on the same basis as that which applies in the Netherlands. [121770]

Ms Quin: The Dutch authorities have confirmed that there is not a specific compensation scheme for the disposal of specified material in the Netherlands. Like the UK, however, the Netherlands is planning to introduce a restructuring scheme for its pig industry.

Sea Defences

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will list those coastal areas of the UK in respect of which decisions have been taken since 1995 to abandon sea defences; and if he will make a statement. [122329]

Mr. Morley: I am replying in respect of England only because policy responsibility for sea defences elsewhere in the United Kingdom is devolved.

The responsibility for taking decisions on the abandonment of individual sea defences rests with the relevant operating authority (primarily the Environment Agency and local authorities) or private owners of defences. Information on local authorities and private owners is not readily available. The Environment Agency advise that they have taken no such decisions in this period.

Following the preparation of Shoreline Management Plans, operating authorities are undertaking detailed investigations into the continuing justification and sustainability of some sea defences. This may involve decisions about the abandonment of defences, but more likely decisions to establish a new line of defence.

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will ensure, in relation to hearings to be held in respect of the proposed decision to add the genetically modified maize variety Chardon LL to the UK National List, that *(a)* original trial data are made available in a full and timely manner to those requesting such a hearing and *(b)* officials will appear at the hearings, give evidence and be available for cross-examination. [121442]

Ms Quin: The data on which proposed National List decisions are based are made available on request. The consolidated data on which the Chardon LL proposed decision was based have already been made available to a number of individuals and organisations.

The Seeds (National Lists of Varieties) Regulations 1982 (as amended) provide for written representations to be made to Ministers by persons affected by a proposed decision to add a plant variety to the National List and for oral evidence to be given by them to a person appointed by the Ministers. There is no provision for the giving of evidence to the appointed person by Ministry officials, and the appointed person's role is to marshall the views put rather than to make recommendations. Were there to be an appeal to the Plant Variety and Seeds Tribunal after this hearing, the legislation provides both for officials to give evidence and to be available for cross examination.

Bovine Tuberculosis

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the savings which would result if testing for tuberculosis in cattle by the veterinary profession were put out to general tender. [R] [122690]

Ms Quin: The Ministry is carrying out a pilot project in North West England to assess whether competitive tendering for the provision of TB testing and brucellosis work carried out by local veterinary inspectors would improve the value for money and the quality of the services provided. Contracts under the pilot project will be awarded shortly and will run for one year from 1 July. The service provided under contract in the pilot area will be compared with that provided under present arrangements before decisions are made on whether to extend competitive tendering for local veterinary inspection work. At this stage no estimate can be made of the savings which might result from the introduction of competitive tendering.

Open Government

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121863]

Mr. Morley *[holding answer 18 May 2000]:* I refer my right hon. Friend to the reply given by the Secretary of State for the Home Department on 18 May 2000, *Official Report*, column 190W.

British Potato Council

Mr. Ben Chapman: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the first statutory review of the British Potato Council. [123769]

Mr. Nick Brown: The first statutory review of the British Potato Council (BPC) has been carried out in accordance with the requirements of the Industrial Organisation and Development Act 1947. I have considered the report of the review and the outcome of the BPC poll, together with the Minister for Rural Affairs at the Scottish Executive and the National Assembly for Wales Secretary for Agriculture and Rural Development. We agreed that the Council carries out a necessary function that could not be so efficiently carried out by other means. We have therefore decided that the BPC should continue for a further term while taking forward the recommendations of the report, in particular about ways of improving the Council's service to levy payers.

Flood Relief

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's policy on flood relief, and how this will be funded in future. [123390]

Mr. Morley: The Government's policy is to reduce the risks to people and the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures. The flood and coastal defence operating authorities (the internal drainage boards Environmental Agency, and local authorities) undertake these measures. In April 2000 the Government put in place a series of High Level Targets to help achieve a more certain delivery of its policies by the operating authorities. The Government have also set out a priority for the Environment Agency to work with other bodies, including local authorities and the emergency services, in achieving a seamless and integrated service of flood forecasting, warning and response.

The two main sources of funding for flood and coastal defence are (a) Ministry contributions towards approved capital schemes undertaken by the operating authorities and (b) that delivered to local authorities through the local government finance mechanisms. The latter is used to fund the levies that local authorities pay to the Environment Agency and internal drainage boards, as well as their own spend on flood and coastal defence. A review of the current funding mechanisms is currently being conducted.

Following the Comprehensive Spending Review, the Government increased the funding available from the Ministry by £23 million over three years from 1999–2000, to a total of £230 million. The Government have also increased flood defence Standard Spending Assessments beyond inflation. Future funding levels depend on decisions to be taken in the Spending Review later this year.

SOCIAL SECURITY

Mortgages

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what estimate his Department has made of the average difference between bank and building society mortgage interest rates over the past 12 months. [123236]

Mr. Bayley: A review of interest rates provided in the Office for National Statistics' financial table 7.1L over the period January to December 1999 shows that a combined building society/bank rate is on average just under 0.28 per cent. higher than the weighted average of the main building societies interest rates. Building Societies continue to provide a comprehensive range of products in a very competitive market. Recent figures show that they continue to outlend the mortgage banks.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what assessment his Department has made of the arrears that have accrued in mortgages taken out by income support and income-based jobseekers allowance recipients in the most recent year for which information is available. [123233]

Mr. Bayley: No information is collected by my Department about the accrual of arrears in mortgages taken out by income support and income based jobseekers allowance recipients. Benefit help for homeowners with housing costs is intended to provide reasonable protection to help secure the home. The mortgage lenders have agreed, under The Mortgage Code, to consider all cases of financial difficulty and mortgage arrears sympathetically and positively.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security how many people were in receipt of ISMI in each of the last five years for which figures are available. [123239]

Mr. Bayley: The information is in the table.

Income Support and income-based Jobseeker's Allowance claimants with mortgage interest, Great Britain: February 1995 to November 1999

Thousand

Quarter	*Income Support*	*Income Support for the unemployed/ income-based JSA*	*All Income Support/ income-based JSA*
November 1999	254	37	292
August 1999	259	40	300
May 1999	263	'44	'307
February 1999	269	'48	'317
November 1998	272	48	320
August 1998	278	51	329
May 1998	281	'54	'334
February 1998	288	'56	'344
November 1997	292	60	351
August 1997	298	69	367
May 1997	301	77	379
February 1997	308	90	398
November 1996	313	98	411
August 1996	319	112	431
May 1996	322	123	445
February 1996	326	134	460
November 1995	330	138	469
August 1995	340	161	501
May 1995	329	162	491
February 1995	327	175	502

' Provisional figures

Notes:

1. Customers who are in receipt of Income Support and income-based Jobseeker's Allowance are entitled to assistance with mortgage interest payments.

2. Figures are based on a 5 per cent. sample; as such they are subject to a degree of sampling error.

3. Figures are rounded to the nearest thousand.

4. Income-based Jobseeker's Allowance replaced Income Support for the unemployed from November 1996.

Sources:

1. Income Support Statistics Quarterly Enquiries, February 1995-November 1999.

2. Jobseeker's Allowance Statistics Quarterly Enquiries, November 1996-November 1999.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what plans he has to revise the index for calculating the ISMI rate to make it more representative of the mortgage lending market. [123234]

Mr. Bayley: We have no plans to revise the index. The standard interest rate used to calculate ISMI entitlement is based on the weighted average of the main building society rates. The building societies continue to provide a broad range of products in a very competitive market. Recent figures produced by the Building Societies Association show that building societies continue to outlend the mortgage banks.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what plans he has to make the ISMI mechanism more quickly responsive to changes in interest rates. [123235]

Mr. Bayley: There is no delay in the ISMI mechanism. As soon as the Department is informed by the Office for National Statistics of a change in interest rates, procedures are set in motion to amend regulations. Regulations are required to be laid 21 days before coming into force to allow for proper parliamentary scrutiny.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what estimate his Department has made of the average time between changes in the ISMI rate being triggered and higher payments being made to those in receipt of ISMI, in the most recent year for which figures are available. [123237]

Mr. Bayley: It normally takes five to six weeks from receipt of the official notification from the Office for National Statistics to implementation of a change in interest rates. This allows for the Department to reprogramme its computer systems and for new regulations to be laid and made available for proper parliamentary scrutiny.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security (1) what proportion of those entitled to ISMI have had their homes repossessed within nine months of starting to receive *(a)* income support and *(b)* income-based jobseeker's allowance in each of the last five years for which figures are available; [123238]

(2) how many repossessions of homes of those in receipt of ISMI there were in each of the last five years for which figures are available. [123240]

Mr. Bayley: This Department does not keep any figures relating to home repossessions. The benefit system is designed to provide homeowners with reasonable protection and we encourage everyone, particularly those taking out new loans, to consider how they would meet their mortgage repayments if they lost their income. The Council of Mortgage Lenders and the Association of British Insurers have recently announced a new minimum standard for mortgage protection insurance. Most repossessions are caused by wider, more serious difficulties than any shortfall in benefit. Recent figures produced by the Lord Chancellors Department show that in England and Wales repossession activity is declining.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what recent representations his Department has received on the current ISMI mechanisms. [123244]

Mr. Bayley: We have received a number of letters and Parliamentary Questions about the ISMI scheme. In addition, the Department is in close contact with the Council of Mortgage Lenders and are active members of a lending industry/Government partnership group. The remit of this partnership group includes ISMI and at various times discussions have taken place as to its current design and how it will operate in the future.

Mr. Gordon Marsden: To ask the Secretary of State for Social Security what discussions he has had with the Secretary of State for the Environment, Transport and the Regions on inclusion of reform of ISMI in the Urban White Paper. [123241]

Mr. Bayley: My right hon. Friend the Secretary of State has had no discussions with my right hon. Friend the Secretary of State for the Environment, Transport and the Regions on inclusion of reform of ISMI in the Urban White Paper. Options for reform of ISMI are included in the recently published Housing Green Paper.

Incapacity Benefit

Dr. Lynne Jones: To ask the Secretary of State for Social Security for each of the past five years for which figures are available, how many applications for Incapacity Benefit were refused and what proportion of total applications this represents; what proportion of applicants refused Incapacity Benefit appealed to the Appeals Service and how many were successful; and what proportion of applicants whose appeals were rejected by the Appeals Service appealed to the social security commissioners and how many were successful. [122152]

Mr. Bayley: Information on numbers of claims for Incapacity Benefit (IB), awards and disallowances are in table 1. The available information on appeals is in table 2. It should be noted that the time lags between stages of the process (e.g. between claim and disallowance, or between disallowance and the hearing of an appeal) means that there is no direct relationship between the numbers in the various categories in each. This in turn means that the figures cannot be used to derive proportions. However, it is estimated that around 22 per cent. of those referred are disallowed following a medical test, that of those disallowed around 30 per cent. appeal, and that around 3 per cent. of those who are not successful at tribunal appeal to the Social Security Commissioners. Claimants who are disallowed IB because they fail the contribution conditions may be awarded National Insurance credits ("credits only" cases): and disallowances following the All Work Test and appeals include IB recipients and credits only cases: it is not possible to disaggregate the figures.

Claims, awards and disallowances

	1995	*1996*	*1997*	*1998*	*1999*
Claims for IB	772,726	1,066,399	1,046,743	929,500	910,829
Disallowed due to failing the contribution conditions	267,910	438,476	446,583	395,665	400,471
IB spells commencing in the period	320,900	508,900	463,940	417,420	386,380
Disallowed following OOT test	880	3,268	4,346	4,948	6,505
Disallowed following AWT	54,080	189,571	208,545	219,007	196,928

Notes:

1. All figures are for calendar years except for the "spells commencing" which are for the period 1 December to 30 November each year. In 1995 all figures are from April 1995 when Incapacity Benefit replaced Sickness Benefit and Invalidity Benefit.
2. The sum of IB spells commencing and disallowances due to failing the contribution conditions does not equal the number of IB claims, as the figure for claims includes some that are subsequently withdrawn and accident declarations (which are made in case a claim to benefit becomes necessary at a later date as a result of an industrial accident).

Sources:

1. Claims received—100 per cent. clerical count.
2. IB spells commencing—5 per cent. sample of claimants.
3. Disallowance figures—100 per cent. of the computer system.

Appeals and decisions

Incapacity Benefit Appeals	*1995*[1]	*1996*	*1997*	*1998*	*1999*
Number of appeals lodged	22,487	62,303	95,119	92,117	61,221
Number cleared at hearing	8,092	41,593	57,286	90,987	73,154
Found in favour of the appellant	4,285	19,059	23,859	33,468	28,992
Original decision upheld	[3]—	[3]—	[3]—	36,618	32,906
Number of Commissioner's rehearing appeals lodged[2]	[3]—	[3]—	154	456	1,066
Number cleared at hearing	[3]—	[3]—	[3]—	280	973
Found in favour of the appellant	[3]—	[3]—	[3]—	188	643

[1] Figures for 1995 include Invalidity Benefit.

[2] Information on Commissioner's appeals is only available from autumn 1997 when the GAPS system was introduced.

[3] Not available.

Note:

The number of appeals in favour of the appellant plus the number of decisions upheld does not equal the total number of appeals cleared at hearing. Appeals cleared at hearing also include cases withdrawn or struck out at hearing.

Sources:

1. Figures prior to autumn 1997, 100 per cent. extract from ITS computerised records.
2. Figures after autumn 1997, 100 per cent. download from the Appeals Service Generic Appeals.
3. Processing System (GAPS) computer system.

Disability Living Allowance

Mr. Wigley: To ask the Secretary of State for Social Security if he will instruct the Benefits Agency to ensure that Disability Living Allowance is not withdrawn from a person to whom it had previously been awarded for life, without there first being a detailed personal letter explaining the reasons for the withdrawal being given to the beneficiary, and an immediate opportunity being made available to that person for a review of the decision which can consider further evidence from or on behalf of that person. [122684]

Mr. Bayley: As with any benefit, any person whose award of Disability Living Allowance (DLA) is changed, in any way and for whatever reason, is offered, and may demand, a reconsideration of that decision and a right of appeal. Any representations they make will be considered as part of these processes.

It has always been the intention that "life awards" of DLA should only run as long as a person is entitled to that rate of benefit, and the law has always allowed for awards to be altered when there are ground for doing so. People receiving the benefit have always been informed that changes in their circumstances needed to be reported to the Department, and that benefit entitlement could change, even where an award had been given for life.

Nonetheless, we recognise that the "life award" terminology in DLA caused problems; in particular, that the words used suggested that entitlement could continue even when the conditions for receiving the benefit were no longer met. We therefore took powers in the Welfare Reform and Pensions Act 1999 to remove references to "life awards". Accordingly, from 12 January this year the terminology was altered to replace "life award" with "indefinite award" to help clarify the situation. The rules that apply to altering awards, whether made for life, or for an indefinite period, have remained unchanged.

Mr. Wigley: To ask the Secretary of State for Social Security how many people who have been awarded Disability Living Allowance for life have had that benefit withdrawn during the past 12 months. [122683]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to the right hon. Member.

Letter from Alexis Cleveland to Mr. Dafydd Wigley, dated May 2000:

The Secretary of State has asked Alexis Cleveland to reply to your recent Parliamentary Question about how many people who have been awarded disability living allowance (DLA) for life have had that benefit withdrawn during the past twelve months. As she is on annual leave I am replying on her behalf.

The number of people awarded DLA for life whose award was terminated in the twelve months ending November 1999 was 80,200. This is the most recent figure available and it represents termination of benefit due to death; residence and presence conditions no longer satisfied; voluntary cancellation and cancellation by the Department.

I hope this is helpful.

Pensions (Part-time Workers)

Mrs. Lait: To ask the Secretary of State for Social Security if he will estimate the effect on the solvency of the UK's pension funds of the EC ruling of 16 May on part-time workers' access to pensions; and if he will make a statement. [122779]

Mr. Rooker: This is a complex ruling which needs careful consideration. It also has to be referred back to the House of Lords for their judgment.

Pensions

Mr. Flynn: To ask the Secretary of State for Social Security, pursuant to his answer on 18 April 2000, *Official Report*, column 439W, on pensions, what the National Insurance Fund balance would be, and how far above the minimum level recommended by the Government Actuary, at the end of each of the years *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04, if the basic pension and linked benefit rates remained at their present level in 2000–01 and were uprated in line with prices thereafter. [121195]

Mr. Rooker: Precise long-term forecasts of any excess to the Fund reserves would be misleading, given the sensitivity of the differences between forecasts of receipts and expenditure to the variables involved. The Government Actuary's report[1] shows a projected Fund balance of £16.6 billion at the end of the 2000–01 financial year, which is £8.8 billion in excess of the minimum recommended.

[1] Report by the Government Actuary on the drafts of the Social Security Benefits Uprating Order 2000 and the Social Security (Contributions) (Re-rating and National Insurance Funds Payments) Order 2000. Cm 4587, January 2000.

Taxes and Benefits

Mr. Willetts: To ask the Secretary of State for Social Security if he will provide illustrative examples of cases where taxes and benefits interact to produce a marginal income deduction rate of *(a)* 50 per cent. and above, *(b)* 60 per cent. and above, *(c)* 70 per cent. and above, *(d)* 80 per cent. and above, *(e)* 90 per cent. and above and *(f)* 100 per cent. and above on the same basis as Figure 37 in the departmental report, Cm 4614, p.81. [120382]

Mr. Rooker: Marginal net income deduction rates in Figure 37 of the latest departmental report were calculated by micro simulation modelling, using a sample of households from the 1996–97 Family Resources Survey. The following examples are drawn from the survey results underpinning the latest estimates, for 1999–2000. They are shown by 10 per cent. bands. As in Figure 37, the examples are restricted to households where at least one person is working for 16 hours or more per week.

50 to 59 per cent. rate: None of the cases in the 1996–97 survey are modelled to have a marginal net income deduction rate of between 50 and 59 per cent.

60 to 69 per cent. rate: a single person with no children, on the Housing Benefit taper and with earnings below the income tax and National Insurance thresholds.

70 to 79 per cent. rate: an earner in a couple with two children and on the Family Credit (which has now been replaced by the Working Families Tax Credit (WFTC)) taper, with earnings below the income tax and National Insurance thresholds.

80 to 89 per cent. rate: a lone parent with two children, with earnings below the income tax and National Insurance thresholds, receiving the maximum level of Family Credit (which has now been replaced by the WFTC) and on the Council Tax Benefit and Housing Benefit taper.

90 to 99 per cent. rate: a main earner in a couple with two children and on the Family Credit and Housing Benefit tapers, with both partners working but only the main earner earning enough to pay tax, at 23 per cent. (which has now been reduced to 22 per cent.), and National Insurance contributions, at 10 per cent.

100 per cent. + rate: a sole earner in a couple with one child, on both the Housing Benefit and Council Tax benefit tapers, working more than 30 hours per week and paying income tax at 23 per cent. (now reduced to 22 per cent.) and National Insurance at 10 per cent., receiving Family Credit (now replaced by WFTC) less than the value of the 30 hour credit at £11.05, which is not taken into account in assessments of Housing Benefit and Council Tax Benefit entitlement.

Written Answers to Questions

Wednesday 24 May 2000

HOME DEPARTMENT

Computer Viruses

Mrs. Lait: To ask the Secretary of State for the Home Department at what precise time his Department became aware of the computer virus known as the Love Bug. [122588]

Mr. Straw: Staff supporting the Home Office's main computer networks were first made aware of this computer virus between 09:00 and 09:30 on 4 May 2000.

Joe Wilkins

Jackie Ballard: To ask the Secretary of State for the Home Department if his Department has brought extradition proceedings against Joe Wilkins. [123047]

Mr. Charles Clarke: It is a long-standing policy in matters of this kind not to comment on whether an extradition request for a particular individual has been made.

Special Constables

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list, for each of the last 10 years for which figures are available, the number of special constables in each police force in England and Wales. [122029]

Mr. Straw *[holding answer 12 May 2000]:* The figures for the number of special constables in post in each police force area in England and Wales since 1989 were:

Force	*1989*	*1990*	*1991*	*1992*	*1993*	*1995*	*1996*	*1997*	*1998*	*1999*
Avon and Somerset	503	536	568	712	770	651	688	759	621	547
Bedfordshire	137	122	167	199	192	189	189	182	186	154
Cambridgeshire	169	173	198	182	245	279	275	303	320	310
Cheshire	219	244	299	274	387	321	274	475	459	407
City of London	60	56	68	85	89	83	77	86	76	64
Cleveland	139	143	177	195	232	212	195	160	164	126
Cumbria	210	193	246	230	248	241	201	189	198	204
Derbyshire	251	275	347	335	423	434	413	428	380	317
Devon and Cornwall	862	913	984	946	1,067	1,142	1,102	1,148	1,024	918
Dorset	218	214	254	563	239	221	254	289	315	305
Durham	149	152	165	203	258	200	187	184	144	159
Dyfed-Powys	189	210	315	260	271	302	314	283	254	237
Essex	445	482	642	759	751	674	608	634	638	544
Gloucestershire	209	206	224	274	315	320	330	297	276	233
Greater Manchester	473	517	530	570	617	768	746	685	598	523
Gwent	95	76	80	101	109	126	136	157	119	113
Hampshire	362	369	529	587	611	598	564	611	698	760
Hertfordshire	203	206	202	247	294	320	315	297	306	238
Humberside	249	273	316	422	446	427	391	340	324	269
Kent	500	501	484	554	587	569	555	589	592	526
Lancashire	432	377	474	539	565	608	531	483	489	449
Leicestershire	327	357	371	379	392	356	360	415	406	316
Lincolnshire	365	356	397	416	383	322	299	271	260	216
Merseyside	296	295	340	367	389	384	333	401	419	458
Metropolitan Police	1,353	1,365	1,435	1,489	1,615	1,550	1,850	1,714	1,282	1,138
Norfolk	269	268	312	346	366	345	319	402	337	336
Northamptonshire	240	218	271	302	330	303	289	316	288	230
Northumbria	538	534	571	512	517	506	471	533	400	342
North Wales	175	199	256	295	298	288	332	341	358	400
North Yorkshire	334	383	387	388	497	381	360	362	358	276
Nottinghamshire	486	470	556	593	551	552	537	620	558	461
South Wales	261	257	352	432	541	477	461	361	366	338
South Yorkshire	316	317	371	412	473	452	381	308	281	246
Staffordshire	566	592	702	733	770	725	702	685	595	468
Suffolk	329	354	373	386	414	409	407	379	397	420
Surrey	174	215	214	251	232	238	260	297	235	224
Sussex	530	495	571	548	512	527	511	472	442	393
Thames Valley	568	532	564	606	623	679	744	656	609	569
Warwickshire	347	361	384	350	350	352	340	381	345	261
West Mercia	542	509	526	611	629	582	613	582	512	515
West Midlands	673	743	843	955	918	818	897	945	889	731
West Yorkshire	568	562	735	613	708	777	709	690	589	559
Wiltshire	269	261	273	322	349	318	233	154	149	189
Total	15,589	15,881	18,073	19,243	20,573	20,026	19,753	19,864	18,256	16,484

The figures for the years 1989–1993 were recorded at 31 December of each year. Since 1995, the figures were recorded at 31 March.

The figures for the years 1989–1995 have been supplied by Her Majesty's Inspectorate of Constabulary. Those for 1996–99 have been supplied by the Home Office Research Development and Statistics Directorate.

Higher recruitment standards have been applied by police forces in the last few years to reflect the fact that special constables are being trained and deployed on a wider variety of duties than heretofore. Therefore, while there are currently fewer special constables than in previous years, they are now better qualified, trained and equipped, and offer a better service to both the police and the public.

Kosovan Refugees

Mr. Hilary Benn: To ask the Secretary of State for the Home Department how many applications for *(a)* an extension of stay and *(b)* asylum, have been received from Kosovan refugees in the United Kingdom in each of the last 12 months; and what proportion of each have been granted. [122732]

Mrs. Roche *[holding answer 18 May 2000]:* The information currently available relates to the 4,346 Kosovans who were evacuated to the United Kingdom under the Humanitarian Evacuation Programme. Since March 2000, 190 principal applicants have sought an extension of exceptional leave to enter, 45 have applied for asylum and 70 have applied for both exceptional leave and asylum. These applications are currently under consideration.

Dr. Godman: To ask the Secretary of State for the Home Department when he will make decisions on applications for *(a)* extensions of leave to remain and *(b)* asylum, made by Kosovans who went to Scotland on the Humanitarian Evacuation programme and whose exceptional leave to remain expired on 9 May; and if he will make a statement. [123330]

Mrs. Roche: We have set in place special arrangements to identify and deal as quickly as possible with applications from Kosovans who came to the United Kingdom under the Humanitarian Evacuation programme, but we do not identify cases on the basis of where applicants have been living in the United Kingdom.

Dr. Godman: To ask the Secretary of State for the Home Department what financial and other assistance is to be given to those Kosovan families returning to Kosovo from Scotland; and if he will make a statement. [123332]

Mrs. Roche: The current voluntary return programme from the United Kingdom began on 26 July 1999 and will end on 25 June 2000. The Programme is open both to Kosovans who arrived under the United Nations High Commission for Refugees (UNHCR) Humanitarian Evacuation Programme and those who arrived independently. It is open to Kosovans in all parts of the United Kingdom.

For humanitarian and economic reasons, it was decided to give a relocation grant of 720 Deutchmark (DM) per person (approximately £250), payable on arrival in Kosovo, to all those who chose to go back under the return programme. That grant was increased to 1,300 DM per person (approximately £400) with effect from the flight on 5 May. Arrangements have also been made to transport larger possessions overland to Kosovo. This will enable Kosovans to take back, for example, household goods and building materials, which they have bought or been given, and which they cannot take on an aeroplane.

In order to benefit from the grant and the overland transport of goods, Kosovans must register for return by 10 June and leave the United Kingdom on one of the organised voluntary return flights by 25 June.

Dr. Godman: To ask the Secretary of State for the Home Department (1) whether, during the period prior to an appeal being assessed Kosovans residing in East Lothian and Renfrewshire will be allowed to remain in their current local authority rented accommodation; and if he will make a statement; [123331]

(2) what financial assistance will be made available to Kosovans who wish to appeal against a refusal of extension to exceptional leave to remain; and if he will make a statement. [123329]

Mrs. Roche: We have no plans to set up any special arrangements for support of such cases. Depending on the circumstances of each case, those who appeal against a refusal of further leave will be eligible for support and accommodation in accordance with existing arrangements.

Tobacco Smuggling

Mr. Cox: To ask the Secretary of State for the Home Department what has been the *(a)* longest prison sentence and *(b)* largest fine imposed on a person convicted of tobacco smuggling into the UK in the last 12 months. [123046]

Mr. Charles Clarke: I refer to the reply I gave my hon. Friend on 23 May 2000, *Official Report*, column 403W.

Asylum Seekers

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many *(a)* public and *(b)* private sector accommodation providers have been contracted to provide accommodation for asylum seekers in (i) the North West region, (ii) Pendle, (iii) Burnley, (iv) Rossendale, (v) Blackburn with Darwen and (vi) Hyndburn; and how many units are to be provided in each location. [123032]

Mrs. Roche: The accommodation contracts which have been awarded do not require that property be provided in a specific geographical location. To date, a total of 1,189 bedspaces have been provided in the North West Region by four private sector providers. The bedspaces include 80 in Nelson (Pendle) and a further 88 in Burnley. There are no bedspaces in Blackburn and Darwin. Nor are there any recorded in Rossendale or Hyndburn.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department in each of the last five years, how many people were recorded as being detained who had sought asylum at some stage, broken down by stage of application and immigration status; at which institutions these individuals were detained; what was the age range

and nationality of those detained; and if he will make a statement. [123163]

Mrs. Roche: The information requested, on numbers of asylum applicants detained in each of the last five years, is not held centrally and could be obtained only at disproportionate cost.

The available information, relating to a snapshot of asylum applicants detained solely under Immigration Act powers as at 30 December 1998 for port applicants and 4 January 1999 for in-country applicants, by stage of application and immigration status, and by nationality, is given in the tables.

Number of people recorded as being detained [1,2] on 30 December 1998 [3] and 4 January 1999 [3] who had sought asylum at some stage, by stage of application and immigration status

Stage of application	*Port*	*Illegal entrants*	*Subject to deportation action*	*Total*
Awaiting initial decision	125	295	4	424
Awaiting result of appeal	127	42	11	180
Awaiting result of further challenge or documentation for removal[4]	45	77	15	137
Total	297	414	30	741

[1] Persons detained solely under the powers contained in Schedule 2 or 3 of the Immigration Act 1971.
[2] These figures are approximate because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period.
[3] After entry figures obtained at 4 January 1999. Port figures obtained at 30 December 1998.
[4] Includes those persons awaiting the result of a further appeal/other challenge or awaiting removal pending documentation.

Number of people recorded as being detained [1,2] on 30 December 1998 [3] and 4 January 1999 [3] who had sought asylum at some stage, by nationality

Nationality	*Total*
Nigeria	82
India	79
Albania	54
Pakistan	50
Federal Republic of Yugoslavia	38
Sri Lanka	38
Romania	35
Algeria	32
China	29
Poland	29
Lithuania	26
Turkey	20
Ghana	18
Ukraine	12
Bangladesh	11
Sierra Leone	10
Kenya	9
Iraq	8
Bulgaria	7
Gambia	7
Somalia	7
Egypt	6
Iran	6
Uganda	6
Afghanistan	5
Ivory Coast	5
Jamaica	4
Palestine	4
Russia	4
Columbia	3
Congo	3
Croatia	3
Czech Republic	3
Latvia	3
Liberia	3
Morocco	3
Angola	2
Cyprus	2
Democratic Republic of Congo	2
Libya	2
South Africa	2
Tanzania	2
Thailand	2
Togo	2
Nationality doubtful	41
Others	22
Total	741

[1] Persons detained solely under the powers contained in Schedule 2 or 3 of the Immigration Act 1971.
[2] These figures are approximate because of the delay in recording receptions into, and releases from, detention and the large number of persons detained for a short period.
[3] Port figures obtained at 30 December 1998. After entry figures obtained at 4 January 1999.

British Board of Film Classification

Mrs. Gilroy: To ask the Secretary of State for the Home Department when the British Board of Film Classification's Annual report for 1999 will be published; and if he will make a statement. [124077]

Mr. Straw: I have today placed in the Library copies of the Annual Report of the British Board of Film Classification for 1999, which gives details of the Board's financial accounts and activities for the year ended 31 December 1999.

On 16 May, the High Court dismissed the Board's application for Judicial Review in respect of appeals against their decision not to classify seven sexually explicit videos in the restricted (R)18 category—which are available only in licensed sex shops to those aged 18 and above. The Board had focused their application for Judicial Review on the consideration which they should give, when classifying videos in the R18 category, to the potential harm to children which may result from their exposure to this material. I am very disappointed with the outcome of this case and have instructed my officials to consider whether any additional steps can be taken to protect children from exposure to these sexually explicit videos. I intend to issue a consultation paper on the matter shortly.

Immigration Legislation

Mrs. Gilroy: To ask the Secretary of State for the Home Department what plans he has to strengthen immigration legislation to tackle abuse of the United Kingdom's immigration control. [124078]

Mrs. Roche: The Government are firmly committed to ensuring that those who seek to migrate to the United Kingdom but have no grounds for doing so under the Immigration Rules, are prevented from coming here.

From 00:01 hours on Thursday 25 May, we will require nationals of Colombia and Ecuador to obtain a Direct Airside Transit Visa even when they intend to remain airside while in transit through the United Kingdom. We have taken this action following evidence of abuse of the Transit Without Visa concession by such nationals.

Criminal Proceedings (Prosecution Appeals)

Mrs. Gilroy: To ask the Secretary of State for the Home Department what the terms of reference are for the Law Commission's review of the law governing prosecution appeals in criminal proceedings. [124079]

Mr. Straw: The Law Commission published a consultation document on the law of double jeopardy on 12 October 1999 following my request to them of 2 July 1999 as part of the Government's response to the Stephen Lawrence report. The consultation period ended on 31 January 2000 and the Commission is considering the responses received before making its final recommendations to the Government. As the terms of reference intended, the consultation document did refer to prosecution rights of appeal but not in any detail as to how these might be achieved.

I have, therefore, today formally asked the Law Commission to undertake a review of the law governing prosecution appeals against judge directed acquittals in criminal proceedings and other adverse rulings by a judge which may lead to the premature ending of the trial. The terms of reference for this review are:

"To consider

(a) whether any, and if so, what additional rights of appeal or other remedies should be available to the prosecution from adverse rulings of a judge in a trial on indictment which the prosecution may wish to overturn and which may have resulted, whether directly or indirectly, in premature termination of the trial;

(b) to what, if any, procedural restrictions such appeals would be subject and to make recommendations".

I should emphasise that the issue here is the question of a prosecution right of appeal against adverse rulings made by the judge, which leads to the ending of the trial before the jury has considered the evidence. The question whether, and in what circumstances, a jury's decision on the evidence to acquit can be challenged is the subject of the double jeopardy consideration by the Commission. Both these issues are entirely separate from the prosecution's right of appeal against an unduly lenient sentence after a jury has convicted a defendant.

Criminal Cases Review Commission

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what the current backlog is of cases being dealt with by the Criminal Cases Review Commission; and what the expected timescale is for considering the application in respect of Mr. Nasir Abbas Choudhary made on 5 April. [123504]

Mr. Charles Clarke: I understand that, at the end of April, the Criminal Cases Review Commission had 462 cases under review, and 921 awaiting review. The Commission screens all eligible new applications, in order to identify and review those cases where this will apparently require a total of five working days or fewer. Subject to any special factors that would justify giving them priority, cases that require a more extensive review then await allocation to a caseworker, on the basis of date order of receipt. The Commission hopes to screen Mr. Choudhary's application as soon as possible.

Secondments

Mr. Don Foster: To ask the Secretary of State for the Home Department how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123423]

Mr. Straw: The information is as follows:

Number	*Rank*	*Company*	*Duration*
May 1997 to April 1998			
1	Senior Civil Service	IBM	8 September 1997 to 7 August 1998
1	Grade 7	Price Waterhouse	3 September 1996 to 30 June 1998
May 1998 to April 1999			
1	Senior Civil Service	Woolwich Building Society	1 July 1998 to 1 January 1999
1	Senior Civil Service	Systems Union Ltd.	1 April 1998 to 31 January 2000
May 1999 to April 2000			
1	Senior Civil Service	National Westminster Bank Plc	18 January 1999 to 3 December 1999
1	Senior Civil Service	Capita RAS	1 October 1999 to 30 September 2001
1	Grade 6	British Telecom Plc	18 October 1999 to present

Other outward secondments of three months or more recorded centrally in the above periods were predominantly to local government, voluntary and charitable organisations and the European Union.

Mike Tyson

Mr. Lidington: To ask the Secretary of State for the Home Department what assurances he sought from Mike Tyson that while in the United Kingdom he would refrain from public appearances other than his boxing match; what assurances he has received; and if he will make a statement. [123571]

Mr. Straw: No assurances were either sought from or given by Mr. Tyson, but it was made clear to him that the entry clearance was granted for a three-week visit strictly for the purposes of the boxing match.

Mr. Lidington: To ask the Secretary of State for the Home Department on what date his Department first learned of Mike Tyson's proposed visit to Scotland. [123567]

Mr. Straw: My Department became aware in March from newspaper reports that Mr. Tyson was intending to make a visit. My hon. Friend the Member for Glasgow, Baillieston (Mr. Wray) wrote to me on 25 April requesting a meeting to discuss the proposed bout in Scotland. I met with my hon. Friend and his delegation, which included my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding), Lord Brooks of Tremorfa and Stephen Davies, on 3 May.

Mr. Tyson's application for entry clearance was submitted to the British Consulate General in New York on Friday 12 May 2000. It was then passed to the Home Office who received it on the morning of Monday 15 May.

Mr. Lidington: To ask the Secretary of State for the Home Department what account he took of the possibility of subsequent judicial review when making his decision on whether to admit Mike Tyson to the UK. [123566]

Mr. Straw: As with all such matters, in making my decision I was concerned to ensure that it was in accordance with the general law and the relevant Immigration Rule. It would be for the courts to decide what grounds existed for judicial review of that decision.

Mr. Lidington: To ask the Secretary of State for the Home Department (1) what consultations he has had on the impact on police resources of Mike Tyson's proposed visit to the United Kingdom; [123572]

(2) between which dates his Department carried out its assessment of the financial and commercial impact of a decision to refuse permission for Mike Tyson to enter the United Kingdom; [123569]

(3) which persons and organisations he consulted about the financial consequences of a decision to refuse permission for Mike Tyson to enter the United Kingdom; [123570]

(4) what estimate he made of *(a)* the financial cost to British business and *(b)* the number of companies which would have suffered financially, if he had refused Mike Tyson permission to enter the UK for his proposed boxing match. [123565]

Mr. Straw: In reaching my decision, I considered all relevant factors and weighed them against the statutory criteria in the Immigration Rules. In doing so, I recognised the potential economic benefits to the United Kingdom, as well as the policing implications. I also took account of the fact that there would be strength of feeling both for and against this entry into the United Kingdom. There is no statutory requirement for further consultation or assessment, and I was able to reach a decision on the basis of the information before us.

I would also refer the hon. Member to the observations of the Minister of State, Home Office, on 23 May 2000, *Official Report*, columns 191–98WH. As she told the House, both she and I sought information from the Deputy First Minister, Scottish Executive, as to the possible impact of any visit on the police in Strathclyde before the final decision was made.

Mr. Lidington: To ask the Secretary of State for the Home Department how many representations he has received about the proposed visit of Mike Tyson to Scotland; how many *(a)* supported and *(b)* opposed the visit; and if he will make a statement. [123568]

Mr. Straw: In support of Mr. Tyson's proposed visit to the United Kingdom, I received representations from Frank Warren on behalf of Sports Network Europe. On 18 May, I was sent a formal notification from the Presiding Officer of the Scottish Parliament of two parliamentary motions opposing the entry of Mike Tyson, but I was in any event well aware of the strong views felt on both sides on this matter, particularly in Scotland.

House of Commons (Metropolitan Police Officers)

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will review the variation of the contract of employment of Metropolitan Police Security Officers stationed at the House in relation to their compulsory retirement age; what consultations took place prior to the change; and if he will make a statement. [123274]

Mr. Charles Clarke: The Commissioner of Police of the Metropolis tells me that the contractual age of retirement for all civilian staff remains 60, with any extension of service beyond that age being granted at his discretion. The criteria for extension are set out in the Civil Staff Personnel Manual.

In recent years, some extensions have been made, to help with recruitment difficulties. These have now been overcome and, in order to give staff the maximum opportunity to look for fresh employment after they reach 60, they have been given some six months' notice that no extensions will be expected to be granted from this October. The Security Officers' manager discussed this with their Trade Union representatives before they were notified.

Police Precept

Mr. McNamara: To ask the Secretary of State for the Home Department what is *(a)* the average national police precept and *(b)* the Humberside police precept; and how many additional police officers could be employed if the difference between the Humberside and the national average police precept were employed for that purpose. [122798]

Mr. Charles Clarke: The average council tax precept (band D) for police authorities in England for 2000–01 is calculated at £69.29. The average for police authorities in Wales for 2000–01 is £79.84.

The council tax precept (band D) for Humberside police authority is £60.30.

The effect of increasing Humberside's precept to the average for English forces would be subject to the impact of Council Tax Benefit Subsidy Limitation and cannot, therefore, readily be translated into additional officers.

FOREIGN AND COMMONWEALTH AFFAIRS

European Union

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the European Union Centres for Study and Research which are funded by the European Commission; and if he will make a statement on their *(a)* purpose, *(b)* publications and *(c)* political neutrality, with special reference to contributions from the United Kingdom Government. [120849]

Mr. Vaz: I refer the hon. Gentleman to the office of the Commission in London.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies of "A New Idea for Europe: The Schuman Declaration 1950–2000" have been published by the European Union; for what purpose; and how many will be distributed in the UK. [121496]

Mr. Vaz: "A New Idea for Europe: The Schuman Declaration 1950–2000" was published by the Commission. I therefore refer the hon. Gentleman to the office of the Commission in London.

European Security

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs where responsibility lies for ensuring democratic oversight of the European Security and Defence Identity and ESDP. [121756]

Mr. Vaz: We are committed to parliamentary scrutiny of defence matters. In addition to the work of this House and that of the House of Lords on defence and security matters, Members of this Parliament sit in the NATO Parliamentary Assembly and the WEU Assembly. Any new defence arrangements within the EU will constitute part of the Common Foreign and Security Policy. The European Parliament is consulted about the main aspects and basic choices of the CFSP, all of whose decisions are submitted to the Scrutiny Committees of Parliament.

Chechnya

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution he made to the 106th Session of the Committee of Ministers of the Council of Europe on 12 and 13 May on war crimes and human rights violation in Chechnya; what response he has made to Recommendation 1456 (2000) of the Parliamentary Assembly; and if he will make a statement. [12329]

Mr. Vaz: Due to pressing parliamentary business, no UK Minister was able to attend the 106th session of the Committee of Ministers of the Council of Europe on 10 and 11 May; the UK was represented by our Ambassador, Mr. Andrew Carter. Mr. Carter was closely involved, on the basis of instructions, in the preparation of the influential statement to the meeting delivered by Portugal on behalf of the European Union and in the drafting of the final communiqué. The Chairman of the meeting, Mr. Brian Cowen, Minister for Foreign Affairs of Ireland, has made clear that the formal response to Recommendation 1456 (2000) of the Parliamentary Assembly is to be formulated by the Committee of Ministers before the Parliamentary Assembly next meets, from 26–30 June.

UN Earth Summit

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy to support the bid by South Africa to host the UN Earth Summit 2002. [123432]

Mr. Hain: UK Ministers have warmly welcomed South Africa's bid to host the UN Earth Summit 2002. The main UK objective at this stage is to ensure that a venue is agreed as soon as possible, so that the real work of preparing the Summit can begin.

British Firms (Government Support)

Mr. Roy: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on measures to clarify the Government's support for British firms trading internationally. [123866]

Mr. Battle: I am pleased to announce, also on behalf of my right hon. Friend the Minister for Trade, that the Government's support for international trade will in future be delivered under a single brand name.

Trade Partners UK will be the new name for the Government's network of support for British companies trading in world markets. Trade partners UK will replace the various promotional brands that have been used in the past and will make services clearer, more effective and easier to access. The aim is to encourage more firms—particularly Small and Medium Enterprises—to develop an international dimension to their business. We shall continue to provide support for those that are already successful outside the UK and we shall seek out and help UK firms with the potential to develop new opportunities in overseas markets.

The new brand will make the full range and reach of services much clearer to customers through the launch on 31 May 2000 of a new internet based "gateway"—www.tradepartners.gov.uk. The gateway will provide access to services for people on the move, anywhere in the world. By the end of this year, all the basic information available on international markets and business sectors will be available electronically. These new interactive services will play a crucial part in the Government's plan to make the United Kingdom a world leader in the knowledge economy by 2002.

Trade Partners UK will also act as a quality standard to show that the services, activities and organisations with which it is associated are endorsed by the Government's international trade development and promotion effort.

British Trade International will continue to provide the co-ordination for the services which now fall under the Trade Partners UK brand, working in partnership with Government departments, Devolved Administrations and regional bodies. British Trade International will continue to act as a voice within government for exporters and companies investing overseas.

Secondments

Mr. Don Foster: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff from

his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123425]

Mr. Battle: There were *(a)* 19 staff seconded to the private sector between May 1997 and April 1998, *(b)* 26 between May 1998 and April 1999 and *(c)* 27 between May 1999 and April 2000. The organisations involved were China Britain Business Council, Rolls-Royce, British Aerospace, International Committee of the Red Cross, Unilever, Shell, Standard Chartered Bank, Glencree Centre, New Millennium Experience Company, London Chamber of Commerce, BOC, PrincewaterhouseCoopers, BP Amoco, British Invisibles, Institute of Exports, Prince's Trust, Halcrow, AMEC, CBI, Smithkline Beecham International, Open Broadcast Network, Andersen Consulting, Oldham Chamber of Commerce, ICL, London First Centre, Fidelity, Reading University and Lehman Brothers.

The terms of each secondment differ. The rank of the officers varied between junior and senior management. The duration of secondments varied from three to thirty eight months. Please see the table.

It is not normal practice to name civil servants.

Staff undertaking a private sector secondment

Rank	Total number of officers	Length of secondments varied between (months)
May 1997-April 1998		
Junior management	4	11–24
Middle management	10	5–36
Senior management	5	5–38
May 1998-April 1999		
Junior management	7	10–36
Middle management	11	4–36
Senior management	8	3–38
May 1999-April 2000		
Junior management	88	3–36
Middle management	11	5–26
Senior management	8	3–38

LORD CHANCELLOR'S DEPARTMENT

Secondments

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123420]

Mr. Lock: Figures are available only for the period 1 April to 31 March each year and, for 1997–98 and 1998–99, are given in the table. The only secondments for more than three months were those arising under the terms of a Public Private Partnership with CSL Managed Services for accounting, IT and payroll services. Returns for 1999–2000 have not yet been commissioned but are likely to reflect a significant reduction in numbers now that the seconded staff have either returned to work for the Department or opted to transfer permanently to CSL.

	1997–98		1998–99	
	Secondments of more than three months	Secondments of less than three months	Secondments of more than three months	Secondments of less than three months
SCS[1]	0	[3]2	0	[4]1
SCS[2]	0	0	0	0
Grades 6, 7 and SEO[1]	1	0	0	0
Grades 6, 7 and SEO[2]	0	0	0	0
HEO and EO[1]	14	0	12	0
HEO and EO[2]	1	0	4	0
Below EO[1]	2	0	1	0
Below EO[2]	5	0	5	0
Total	[5]23	2	[5]22	1

[1] Male
[2] Female
[3] One to Shanks and McEwan Southern Waste Services Ltd. and one to the Halifax
[4] To Aon Risk Services Ltd.
[5] All to CSL Managed Services Ltd.

SCOTLAND

Secondments

Mr. Don Foster: To ask the Secretary of State for Scotland how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123418]

Dr. Reid: Staff of the Scottish Office were seconded to private sector organisations for the periods indicated, as follows.

Grade	Company	Duration
May 1997-April 1998		
SCS	Standard Life	October 1997-June 1998
B3	Scottish Financial Enterprise	February 1997-May 2000
B3	Scottish Business in the Community	February 1997-February 1999
B3	Scottish Chambers of Commerce	February 1997-February 1999
B2	Scottish Business in the Community	June 1997-June 2000
Trainee Solicitor	Shepherd and Wedderburn	April 1998-June 1998
May 1998-April 1999		
Trainee Solicitor	Shepherd and Wedderburn	September 1998-March 1999
Band A	Royal Bank of Scotland	June 1998-December 1998

For the year May 1999-April 2000, no staff of the Scottish Office were seconded before 1 July 1999, when most staff transferred to the Scottish Executive; and no staff of the Scotland Office were seconded between 1 July 1999 and 30 April 2000.

INTERNATIONAL DEVELOPMENT

Open Government

Dr. David Clark: To ask the Secretary of State for International Development how many applications for information she received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121861]

Clare Short: I refer my right hon. Friend to the reply given by the Home Secretary on 18 May 2000, *Official Report*, columns 216–17W.

Forests Action Programme

Mr. Chaytor: To ask the Secretary of State for International Development who is writing the report on the measures needed to implement the Action Programme on Forests to be considered by G8 Foreign Ministers at their meeting prior to the next summit in Okinawa; when the report will be ready; and if she will place a copy in the Library. [123164]

Clare Short: A report on the implementation of the G8 Action Programme on Forests agreed by Foreign Ministers at Birmingham in May 1998 has been produced by forest experts from each G8 country. The report will be considered in the run-up to the Okinawa Summit. I expect it to be released either at the Summit or at the prior meeting of Foreign Ministers. I will place a copy in the Library as soon as it is published.

Secondments

Mr. Don Foster: To ask the Secretary of State for International Development how many staff from her Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if she will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123422]

Clare Short: During all of the periods referred to, there has been one such arrangement in place, i.e. the secondment of Ms Joan Laurance (sub-band A2—equivalent to the former Home Civil Service Grade 7) who has been seconded to the consultancy firm Development In Practice. The secondment began in January 1997 and is expected to terminate in September 2000.

Development Council

Mr. Jim Marshall: To ask the Secretary of State for International Development what was the outcome of the Development Council held in Brussels on 18 May; and if she will make a statement. [123440]

Clare Short: In his opening statement at the Council, Development Commissioner Nielson made clear that the past record of EC development efforts was poor and that major improvement was needed if the strategic goal of EC development policy should in future be to combat poverty. He was committed to increasing the proportion of EC aid going to the poorest countries and to the poor in Middle Income Countries, although he said that this was constrained by political priorities and the budget process. Mr. Nielson thought that EC aid should focus on a limited number of areas where it could add most value, and that compatibility with internationally agreed strategies was vital. He said that a focal point would be set up in DG Development to analyse coherence between EC development policy and other EC policies affecting developing countries. Mr. Nielson thought that the planned reform of EC aid management would increase the sense of responsibility within the Commission and improve the quality of programming.

I welcomed the focus on poverty, impact and effectiveness in EC aid. I said that ensuring coherent support for development across EC policy was vital and that it had improved since Seattle. I added that closer integration between development policy and the Common Foreign and Security Policy was needed, and that in a globalising world the EU could no longer be concerned only with the near abroad. I emphasised that reform needed to address issues such as the pressure which drove proposals for unjustified levels of EC funding for the Western Balkans. I said that a strategic and regularly updated Action Plan was now needed to implement the reform process.

Subsequent annual reports, if they showed significant improvements in line with this plan, would give member states the confidence to reduce their control of individual EC projects. The Presidency concluded that discussion would continue, leading to the adoption by the next Development Council of a joint statement on EC development policy from the Council and the Commission, with the European Parliament involved in the process.

At dinner, I led the discussion on Sierra Leone. I said that the international community needed to be more willing to take risks to provide security, which was a prerequisite for development. I added that the UN had the moral authority to promote conflict resolution, but lacked the necessary tools to do so effectively. France and Italy praised the UK's action in bolstering the UNAMSIL operation. There was general agreement that the UN's credibility was at stake in Sierra Leone, that more support should be given to UN peace-keeping forces, that the whole approach to peace-keeping needed reviewing urgently and that Commission funds for the Disarmament, Demobilisation and Reintegration programme should be released more quickly in future. Discussion turned to Guinea Bissau, which the Presidency (Portugal) said now merited EU financial support. Finally, France described recent events and the constitutional reform debate in Côte d'Ivoire. It was agreed that the decision on whether or not to suspend EC aid would depend on the forthcoming Heads of Mission report.

The Council adopted conclusions which recommended further improvements to Operational Co-ordination between the Commission and member states in developing countries. I stressed the importance of wider co-ordination around Poverty Reduction Strategy Papers led by the partner countries. The Council then adopted three items without discussion. The UK supported the resolution on Structural Adjustment (budget and sector support for developing countries), which makes poverty reduction its ultimate objective and incorporates many examples of best practice. The UK also supported the procedural conclusions on integrating the environment and sustainable development into EC development policy, and in particular the link with poverty reduction and reinforcement of the importance of policy coherence. We are now keen to help devise a comprehensive strategy to implement these conclusions. The UK also supported the conclusions on HIV/AIDS, Malaria and Tuberculosis, which call on the Commission to examine what else the EC could do to confront major poverty diseases.

The Council followed up last year's evaluation of humanitarian aid by adopting a resolution which seeks to guide the Commission without micromanaging them. The proposal that the EC Humanitarian Office should add to its funding role by developing an emergency response capacity was not adopted; the UK view is that the case for this is not proven. This was followed by a discussion of conflict and crisis situations introduced by the Presidency, during which I reinforced my message on Sierra Leone. It was concluded that discussions on more rapid and effective instruments for conflict management should continue under the French Presidency.

At lunch, Italy opened the discussion on Ethiopia and Eritrea. I, supported by most member states, observed that the moral low ground was alternating between the two countries and that we needed to act firmly now to help resolve the conflict. Belgium then argued for more assistance for Burundi. I said that we should back Nelson Mandela's efforts to facilitate the implementation of the Arusha Accords, including by holding a pledging conference, but added that it would be premature to consider budgetary assistance for Burundi at present. This line met with broad agreement. Denmark then underlined the importance of election monitoring in Zimbabwe. I noted that the land question was currently being used as a smokescreen for terror tactics against the opposition. The Council agreed that the UNDP exercise on land reform should not offer money which was additional to the offers of finance which had been on the table since 1998. I supported the call from Germany and the Netherlands for the Commission to speed up implementation of the European Development Fund contribution to the HIPC trust fund. Ireland introduced the issue of HIV/AIDS, which France said would be a priority for its Presidency. I noted that the cost of anti-retroviral drugs would remain prohibitive, even after the announcement by a major pharmaceutical company of a price reduction for developing countries. The Commission said that this issue would be addressed at the EU-US Summit in Lisbon.

Under other business, the Presidency said that the outstanding differences between the Council and the European Parliament on the proposed environmental integration and tropical forest regulations would go to conciliation within the next few weeks. The Commission presented an information note on the Third UN Conference on Least Developed Countries in May 2001. Denmark presented a note on development aspects of the Sixth Conference of the Parties of the UN Convention on Climate Change in November.

HEALTH

Folic Acid

Mrs. Brinton: To ask the Secretary of State for Health when he will issue the consultation document on the conclusions and recommendations of the Committee on Medical Aspects of Food Policy in relation to folic acid and the prevention of disease. [120985]

Yvette Cooper: A joint consultation document will be issued shortly by the UK Health Departments and the Food Standards Agency.

Skin Cancer

Ms Kingham: To ask the Secretary of State for Health what discussions she has had with manufacturers of sun protection products, as part of the campaign to prevent skin cancer, on the prices charged for these products. [121520]

Yvette Cooper: The pricing of sunscreens is a matter for manufacturers to decide and the Government have no direct influence in the price setting process for these items, which are a commercial product. We would encourage manufacturers and retailers to ensure that sunscreens are affordable for all. In May 1998, my hon. Friend the then Parliamentary Under-Secretary of State for Competition and Consumer Affairs (Mr. Griffiths) wrote to the Perfumery and Toiletries Association pointing out that sunscreens should not be regarded as a fashion product. We recommend the use of sunscreens as a back-up measure to other sun protection measures such as wearing protective clothing and staying in the shade in the midday sun.

Breast Cancer

Ms Perham: To ask the Secretary of State for Health if he will estimate (1) how many additional patients per month could benefit from taxanes for the treatment of breast cancer in the NHS; [122470]

(2) how many additional lives would be saved per month through use of taxanes to treat all breast cancer patients in the NHS who could benefit from it. [122471]

Yvette Cooper: About 35,000 women are diagnosed with breast cancer each year and of these between 6,000 and 9,000 will progress to advanced cancer. The National Institute of Clinical Excellence has been asked to review the evidence for the clinical and cost effectiveness of the two taxane drugs (Taxol and Taxotere) in advanced breast cancer, and it would be wrong to pre-empt its advice.

Vaccination

Mr. Ruane: To ask the Secretary of State for Health what steps he is taking to monitor safety of childhood vaccinations; and if he will make a statement. [122158]

Yvette Cooper *[holding answer 15 May 2000]:* The Post-Licensing Division of the Medicines Control Agency (MCA) is responsible for monitoring the safety of all marketed medicines, including vaccines, licensed in the United Kingdom. Prior to licensing, all vaccines are thoroughly tested for safety, efficacy and quality. A manufacturer must demonstrate that the vaccine is safe and effective in preventing disease and that it is manufactured to appropriate standards before a Product Licence is given.

Suspected adverse reactions to vaccines, and other medicines, can be reported through the yellow card (YC) scheme by doctors, dentists, coroners, and pharmacists. In addition, vaccine manufacturers must submit details of all reports of suspected adverse drug reactions that are of a serious nature to the MCA. Reports received through the YC scheme and from companies are entered onto a specialised computer system called ADROIT (Adverse Drug Reactions On-line Information Tracking). This system allows rapid processing and detailed analysis of reports. Information collected through this system provides additional information on recognised reactions and can act as an early warning system for the identification of previously unrecognised reactions.

The YC scheme is well established and has been shown to be effective in identifying previously unrecognised adverse reactions. It is the key system for nation-wide surveillance in all age groups and can provide signals for very rare adverse events. The number and pattern of reports are regularly reviewed, and appropriate action initiated if there is indication of a problem.

Information from the YC scheme, together with information from other sources including published papers, large controlled trials, epidemiological studies, record linkage studies and screening of general practitioners and hospital databases provides comprehensive monitoring of the safety of childhood vaccines.

The question of vaccine safety is one that we take very seriously and is of the utmost importance. The benefits and risks of vaccination are always carefully considered and kept under constant review. Serious adverse reactions to vaccines are very rare. Reported suspected adverse reactions are carefully monitored both by the Committee on Safety of Medicines and the Joint Committee on Vaccination and Immunisation, independent expert groups which advise the UK health departments. Information on safety issues is considered in detail by the MCA and the Department and by its independent expert advisers on a regular basis.

The National Institute for Biological Standards and Control tests each batch of vaccine for potency, safety and purity before it is issued for use. Only batches that reach the required standard are released for use. No vaccine is issued in the UK unless it passes the highest standards for quality. As a result, the childhood immunisation programme remains the safest way for parents to protect their children against disease.

Mr. Baker: To ask the Secretary of State for Health what advice parents are given about the side-effects of the Meningitis C vaccine; whether the vaccine carries a risk of brain-damage or death; and whether all risks are made clear before parental consent is requested. [122913]

Yvette Cooper *[holding answer 19 May 2000]:* A leaflet for parents—"Meningitis C. Reduce the risk. Your guide to the new meningitis C vaccine"—provides information on the possible side effects of the meningococcal Group C conjugate vaccine. The consent form for the meningococcal Group C immunisation tells parents to "Make sure you have read and understood the leaflet". It goes on to advise "Before you fill in the rest of the form, please make sure you have read this leaflet carefully" and then explicitly draws attention to "the possible side effects of the immunisation (read page 6)". Brain damage and death are not recognised risks.

About 26 million copies of the parents' leaflet have been printed and it has been mailed to general practitioners' surgeries, pharmacies and schools for every parent to receive and also made widely available though high street pharmacies and post offices. Copies of the leaflet and the consent form are available in the Library.

Breast Implants

Ann Clwyd: To ask the Secretary of State for Health what progress the Government have made in the introduction of compulsory registration of the details of each breast implant and removal operation on a National Breast Implant Registry. [122553]

Yvette Cooper: Registration of each implant and explant operation on the National Breast Implant Registry cannot be compulsory as the entry of information on the registry requires consent of the patient.

However a number of actions are being taken to increase compliance with registration. These include promoting awareness of the National Breast Implant Registry; guidance to be issued by the Royal College of Surgeons on clinical practice for breast surgery, and the Care Standards Bill.

Human Papilloma Virus

Mrs. Brinton: To ask the Secretary of State for Health if he will list the members of the expert advisory group which will oversee the commissioning and running of the pilot sites for human papilloma virus testing. [122786]

Yvette Cooper: The membership of the expert advisory group on the pilot for human papilloma virus testing has not yet been agreed. Prospective members will be approached shortly and will include representatives from colposcopy, cyto-pathology, virology, primary care, epidemiology and

consumer groups. When the membership is finalised, details will be posted on the United Kingdom National Screening Committee's website at http://www.nsc.nhs.uk/

Beta Interferon

Mr. Sawford: To ask the Secretary of State for Health when he expects the National Institute for Clinical Excellence to publish its report on the use of beta interferon. [122930]

Mr. Denham: The National Institute for Clinical Excellence (NICE) has been asked to provide authoritative guidance on a range of health topics, of which the appraisal of the drug beta interferon was one. The timetabling of this work is a matter for NICE, although I understand that NICE is intending to disseminate its guidance to the National Health Service during August.

Race Equality

Mr. Woodward: To ask the Secretary of State for Health what plans he has to establish NHS race equality units outside London. [123087]

Ms Stuart: We have no plans to establish National Health Service race equality units outside London.

Accommodation (South-East)

Mr. Woodward: To ask the Secretary of State for Health what schemes he plans to introduce to increase accommodation provision for public health care staff in the south-east of England. [123062]

Ms Stuart: A national housing co-ordinator for the National Health Service has been appointed from 1 April 2000 with responsibilities for addressing the provision of adequate and affordable residential accommodation for nursing and other key National Health Service personnel.

Any shortfalls are currently being identified in the south-east region of the National Health Service as well as other areas of the country to target improvement strategies.

Residential and Nursing Homes

Mr. Alexander: To ask the Secretary of State for Health what assessment he has made of the number of employees providing nursing care in residential and nursing homes who have recognised nursing qualifications. [123079]

Mr. Hutton: The table provides details of the number of nursing staff employed in private nursing homes, hospitals and clinics.

Number of whole-time equivalent nursing staff in private nursing homes, hospitals and clinics

England

1 October 1996 to 31 March 1997	*Number of nursing staff (WTE)*	*Of which qualified nursing staff (WTE)*
All establishments[1]	136,650	51,230
General and mental nursing homes[1]	127,280	43,570
Private hospitals and clinics	9,370	7,660

[1] Includes those in dual registered homes

Source:
KO36 form

Mr. Alexander: To ask the Secretary of State for Health what steps his Department is taking to ensure high quality of care in residential and nursing homes in the United Kingdom. [123080]

Mr. Hutton: We are reforming the regulatory arrangements for residential care and nursing homes. The Care Standards Bill, which covers England and Wales, will establish a National Care Standards Commission for England to regulate all care homes to national minimum standards to ensure consistency and improve the quality of care and protection for vulnerable people. In Wales, the National Assembly will take on the same regulatory functions as the Commission.

In Scotland there will be a Scottish Care Commission regulating services on a broadly similar basis to that in England.

The specific arrangements for Northern Ireland will be a matter for the Northern Ireland Assembly to decide in due course.

GM Food

Mr. Drew: To ask the Secretary of State for Health what proposals he is evaluating for introducing product liability for GM food. [123389]

Ms Stuart *[holding answer 23 May 2000]:* Manufactured food, which includes all genetically modified food which has been approved to date, is already covered by the product liability provisions of Part 1 of the Consumer Protection Act 1987, a copy of which has been placed in the Library.

Correspondence

Mr. Terry Lewis: To ask the Secretary of State for Health when he will reply to the letters from the hon. Member for Worsley of 17 November 1999 and 4 April 2000, regarding his constituent Lucy Darwell. [123401]

Yvette Cooper: I replied to my hon. Friend on 22 May.

Human Rights Act 1998

Mr. McNamara: To ask the Secretary of State for Health what advice he has given the National Health Service on the implications for the NHS of the coming into force of the Human Rights Act 1998. [123255]

Ms Stuart: We shall shortly be issuing guidance alerting the National Health Service and Social Services to the coming into force of the Human Rights Act on 2 October 2000.

TRADE AND INDUSTRY

Plutonium Exports

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what were the *(a)* origin of the reactor, *(b)* isotopic composition, *(c)* point of departure, *(d)* mode of transport and *(e)* final end-use of the United Kingdom plutonium exported to the United States of America between 1970 and 1988 in (i) the form of fuel elements and (ii) other forms. [119256]

Mrs. Liddell: Whenever the United Kingdom Atomic Energy Authority or BNFL export United Kingdom plutonium under civil arrangements they keep certain records. These records include the total amount of plutonium exported and the United Kingdom owner of the plutonium. They do not include details of the particular reactor in which the plutonium was produced. This reflects the fact that spent fuel from different UK civil reactors and belonging to different owners may be reprocessed at the same time and that the plutonium arising from reprocessing ceases to have a separate reactor-specific identity. Plutonium is attributed to an owner based on an estimate of the fissile content of the irradiated fuel originally supplied, usually on an annual basis. The specific plutonium atoms allocated to an owner are not necessarily the same atoms that the owner originally supplied.

All exports of United Kingdom plutonium to the United States under civil arrangements have been subject to relevant bilateral and international arrangements to ensure that the material exported is used exclusively for peaceful, non-explosive purposes. The precise end use to which such exported plutonium has been put is however, a matter for the United States.

Information relating to the isotopic composition, point of departure and the mode of transport used for each export is not readily available and could be obtained only at disproportionate cost.

Export of United Kingdom plutonium to the United States under non-civil arrangements are a matter for the Ministry of Defence.

BNFL

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the memorandum sent by Rupert Wilcox-Baker of British Nuclear Fuels to Claire Lambert in his Department's Nuclear Industry Directorate, dated 8 March 1996, concerning information about a parliamentary question asked by the hon. Member for Blaenau Gwent in respect of plutonium exports to the United States. [120059]

Mrs. Liddell: I have placed a copy of the relevant letter in the Libraries of the House.

Industrial Diseases (Claims)

Mr. Cummings: To ask the Secretary of State for Trade and Industry how many claims for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger have been settled, in each area in (i) January, (ii) February, (iii) March and (iv) April; and when he expects all present claims to be settled. [122817]

Mrs. Liddell: In the four months from January the Department had made payments in full or part settlement of claims totalling some £6.7 million to 1,771 respiratory disease claimants and some £30.3 million to 3,940 VWF claimants—broken down as follows:

	England		*Scotland*		*Wales*	
Month	*Respiratory diseases*	*VWF*	*Respiratory diseases*	*VWF*	*Respiratory diseases*	*VWF*
January	397	863	44	79	83	152
February	277	672	21	49	98	77
March	282	1,062	9	98	109	163
April	365	520	25	95	61	110
Total	1,321	3,117	99	321	351	502

With regard to VWF, the Department remains on track to have tested all claims registered to date by summer next year, with interim settlement offers following shortly afterwards. The majority of claimants will receive final settlement offers by summer the following year.

As for respiratory disease, given the number of claimants—over 104,000 to date—it may take two to three years before all claims are complete. We introduced in March last year a national programme of spirometry, the first state of the Medical Assessment Process, which has seen nearly 50,000 claimants tested, with a further 11,000 invited to make appointments. With nearly 69,000 live claims this means in just over 12 months we have contacted 90 per cent. of claimants.

By the end of June we expect that 2,000 claimants will have gone through the second stage of the MAP and by September that the number of second stage medical assessments will be up to 4,000 a month. In order to sustain these levels we will of course require similar numbers of completed form packs from solicitors.

National Grid Company

Miss McIntosh: To ask the Secretary of State for Trade and Industry what permanent derogations have been granted to the National Grid Company; and at what locations. [123434]

Mrs. Liddell: Ofgem has issued derogations to the National Grid Company and other system users relating to security standards and the technical rules for connection to the system. Derogations are not permanent as they can be amended or revoked at any time.

International Organisation of Legal Metrology

Ms Walley: To ask the Secretary of State for Trade and Industry what recommendations of the Organisation Internationale de Metrologie Legale in the last five years have *(a)* been and *(b)* not been implemented. [123450]

Dr. Howells: In the last five years the International Organisation of Legal Metrology (OIML) has published 31 Recommendations. Of these, 17 deal with measuring instruments which fall within my responsibilities. OIML Recommendations are used as the basis for legislation wherever practicable. The situation on implementation is set out in the table.

Number	*Title*	*Implementation*
R31	Diaphragm gas meters	None. Council Directive 71/318/EEC as amended has not been brought into line with R31. The Directive has been implemented by SI 1988/296
R49	Water meters intended for the metering of cold water	Implementation at the planning stage
R50 -1 and -2	Continuous totalizing automatic weighing instruments (Belt weighers). Part 1: Metrological and Technical requirements—Tests; Part 2: Test report format	Draft legislation in preparation
R51 -1	Automatic catchweighing instruments. Part 1: Metrological and technical requirements—Tests	Draft Regulations sent out for comments on 28 April 2000. (These only cover catchweighers and not checkweighers and weight-graders, on which there is no UK legislation)
R60	Metrological regulation for load cells	No separate UK legislation. These are components of non-automatic weighing instruments and automatic weighing instruments
R61 -1	Automatic gravimetric filling instruments. Part 1: Metrological and technical requirements - Tests	Implemented by SI 2000/388
R79	Labelling requirements for prepackaged products (including prohibiting misleading packaging practices)	None. Council Directives 75/106/EEC and 76/211/EEC as amended have not been brought into line with R79. The Directives have been implemented by SI 1986/2049 as amended
R81	Dynamic measuring devices and systems for cryogenic liquids (including tables of density for liquid argon, helium, hydrogen, nitrogen and oxygen)	No UK legislation
R85	Automatic level gauges for measuring the level of liquid in fixed storage tanks	No UK legislation
R106 -1	Automatic rail-weighbridges. Part 1: Metrological and technical requirements—Tests	Draft legislation in preparation
R107 -1	Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers). Part 1: Metrological and technical requirements—Tests	Implemented by SI 1996/797
R117/R118	R117 Measuring systems for liquids other than water. R118 Testing procedures and test report format for pattern evaluation of fuel dispensers for motor vehicles	Implemented by SI 1995/1014 as amended by 1998/2218
R119	Pipe provers for testing measuring systems for liquids other than water	No UK legislation
R120	Standard capacity measures for testing measuring systems for liquids other than water	Not yet considered
R125	Measuring systems for the mass of liquids in tanks	No UK legislation
R129	Multi-dimensional measuring instruments	No UK legislation

Ms Walley: To ask the Secretary of State for Trade and Industry how much money was spent in each of the last five years *(a)* subscribing to and *(b)* supporting the UK's committee representatives on the Organisation Internationale de Metrologie Legale. [123451]

Dr. Howells: The UK pays an annual subscription to the Organisation Internationale de Metrologie Legale (OIML). In the last five years the subscriptions paid have been as follows:

Year	*£*
1995	35,646
1996	40,293
1997	36,118
1998	33,004
1999	30,371

Support for UK participation in the committees of OIML comes from a number of Government departments and other organisations (including industry associations). It is not therefore possible to quantify the cost of this support.

Ms Walley: To ask the Secretary of State for Trade and Industry what is the policy of the Government towards the work of the Organisation Internationale de Metrologie Legale. [123452]

Dr. Howells: The United Kingdom is one of more than 100 countries participating in the work of the Organisation Internationale de Metrologie Legale (OIML). The Government support the work of this important organisation, which contributes to the removal of barriers to trade by publishing technical recommendations in the form of draft model laws and through its system of OIML certificates. These help manufacturers of measuring instruments to obtain approval for their products in OIML member countries. The UK participates in those areas of OIML's work where we have a specific interest.

Recruitment Industry

Dr. Cable: To ask the Secretary of State for Trade and Industry what representations he has received in response to his proposals relating to regulation of Temp to Perm in

the private recruitment industry as contained in his Department's draft regulation of 16 March; what assessment his Department has made of *(a)* the potential effect of these proposals on the permanent recruitment market and *(b)* the extent to which the proposals may create a disincentive to recruitment firms to train and develop their temporary workers; and if he will make a statement. [123399]

Mr. Alan Johnson: We have received representations from agencies, workers, unions and employers. There has been general support for the principle that hirers should have the option of a hiring extension of negotiable length, followed by free transfer, as an alternative to a "temp to perm" fee and also that there should be a limit on the period agencies may continue to demand a transfer fee after a hirer has ceased to engage a worker. Some respondents have endorsed our suggested four week limit but others have advocated shorter and longer periods.

Employers wishing to recruit permanent staff will generally continue to do so from the outset, because they will wish to attract applicants who are looking for permanent work. This is confirmed by our analysis of independent research showing the level of market segmentation between the permanent and temporary sectors.

We do not believe that a disincentive for bureaux to train and develop temporary workers will be created. Hirers will continue to seek skilled staff, and bureaux will continue to be able to recoup their training costs, in the event of a temporary worker transferring to permanent employment, either through an extension of the hiring period or the charging of a "temp to perm" fee.

Business Links

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many businesses with more than *(a)* one employee and *(b)* 10 employees used the Business Link Service in each region in (i) the most recent available year and (ii) 1997–98. [123535]

Ms Hewitt: As part of the Management Information requirement, Business Links provide SBS with total usage data which is broken down to usage by number of employees.

The data requirement is to count all businesses using Business Link services for non-trivial activity. The table shows that activity for periods 1997–98 and 1999–2000. A business which receives advice twice within a quarter is only counted once, but a business which receives assistance in two separate quarters will be counted in each quarter. It is not possible, because of the risk of double counting, to give precise total usage of businesses being assisted each year.

Businesses using Business Link

Quarter	Number of employees	England Total	East	East Midlands	London	North West	North East	South East	South West	West Midlands	Yorkshire and Humberside
1999–2000											
Q1 April-June	1–9	40,984	3,998	2,762	4,059	7,905	1,839	7,019	4,675	4,890	3,837
	10+	46,399	5,012	3,407	4,416	8,925	2,219	6,785	4,504	6,562	4,569
Q2 July-September	1–9	42,811	3,822	3,078	4,927	7,680	1,954	6,482	5,013	5,826	4,029
	10+	49,802	5,915	4,109	4,502	9,434	2,423	6,881	3,996	8,351	4,191
Q3 October-December	1–9	42,200	4,033	3,104	5,110	7,558	1,654	6,349	4,199	5,650	4,543
	10+	47,955	5,577	3,286	5,899	8,568	2,305	6,821	3,333	7,399	4,767
Q4 January-March	1–9	42,604	4,256	3,627	4,447	7,322	1,845	6,812	3,919	5,710	4,666
	10+	47,916	5,732	3,979	4,273	9,255	2,059	6,869	3,489	7,180	5,080
Average	1–9	42,510	4,027	3,143	4,636	7,616	1,823	6,666	4,452	5,519	4,269
	10+	48,018	5,559	3,695	4,773	9,046	2,252	6,839	3,831	7,373	4,652
1997–98											
Q1 April-June	1–9	39,296	8,176	1,693	2,770	9,973	2,126	4,234	3,914	3,748	2,662
	10+	36,693	6,843	2,186	2,121	6,989	1,378	3,942	3,898	6,864	2,472
Q2 July-September	1–9	42,140	7,895	2,036	2,770	8,809	2,352	7,116	4,257	3,692	3,209
	10+	39,243	7,121	2,230	2,599	7,051	2,399	4,954	3,820	6,651	2,418
Q3 October-December	1–9	41,340	5,933	2,124	2,937	9,121	3,313	7,784	3,972	3,189	2,967
	10+	39,659	5,714	2,440	3,372	7,781	3,254	5,201	3,613	5,568	2,716
Q4 January-March	1–9	44,176	6,483	2,264	3,591	10,483	1,686	7,625	4,139	3,960	3,943
	10+	42,876	7,656	2,341	4,075	8,002	2,075	4,797	3,823	6,476	3,631
Average	1–9	41,738	7,122	2,029	3,017	9,597	2,369	6,690	4,071	3,647	3,195
	10+	39,618	6,834	2,299	3,042	7,456	2,277	4,724	3,789	6,390	2,809

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry which Business Links Partnerships have developed centres of enterprise, and which business areas are covered by each centre. [123544]

Mr. Alan Johnson: There are currently 22 centres of expertise within the Business Links Partnerships funded specifically for that purpose. The Business Links Partnerships and the 22 centres of expertise are set out in the following table. A number of these projects are not sector specific and are designed to support all businesses.

Centres of expertise

Government office	*Business Links*	*Name of project*	*Sector*
GO-E	BL Bedfordshire	Green Link	Environment
	BL Hertfordshire	Benchmarking for the SME	Benchmarking
GO-EM	BL Leicestershire	East Midlands Business Angels	All
	BL Southern Derbyshire	Exploitation of Major Investment Opportunities	All
	BL Lincolnshire	Foodnet	Food
GO-L	BL London North West	Ethnic Minority Business	Ethnic Minority
	BL London North	CE Mark Conformance	—
GO-NE	BL Newcastle-upon-Tyne	Energy Efficiency, Environmental Efficiency and Waste Management	Environment
	BL Northumberland	Export Services	Export
	BL County Durham	Business Improvement Micro Benchmarking	Benchmarking
GO-NW	BL Chester and Ellesmere Port	Business and Intelligence Service	All
GO-SE	BL Hampshire	Improving SME Access to DERA and CLRC Expertise	Defence
	BL Kent	Knowledge Management for SME's	All
GO-SW	BL West	Centre of Expertise for Aerospace/Defence	Defence/Aerospace
	BL Swindon	Automotive Centre of Expertise	Automotive
	BL West	"Print Link"	Print
GO-WM	Staffordshire TEC	Ceramics Industry	Ceramics
	Wolverhampton Chamber and Business Link	West Midlands Overseas Trade Services	Export
	BL Sandwell	Centre for Management Excellence	All
GO-YH	Barnsley and Doncaster TEC	Management Development and Entrepreneurship	All
	Rotherham Chamber and TEC	Technology Transfer	Technology
	Humberside TEC	Centre of Expertise for Food	Food

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many businesses in each region have received expert advice on the use of information and communications technologies from Local Support Centres associated with Business Links. [123539]

Ms Hewitt: As part of the Management Information requirement, Business Links provide SBS with usage data for the Information Society Initiative Centres (formally known as Local Support Centres).

We do not collect national records of the nature of every assistance given, in order to minimise the management requirement of Business Links. However, we do ask them to omit trivial activity. The table shows activity for the period 1999–2000. The figures given are the numbers of businesses assisted in each quarter. A business which receives advice twice within a quarter is only counted once, but a business which receives assistance in two separate quarters will be counted in each quarter. It is not possible, because of the risk of double counting, to give a precise total number of businesses being assisted each year.

Businesses using Information Society Initiative Centres (1999–2000)

	Q1 April-June	*Q2 July-September*	*Q3 October-December*	*Q4 January-March*	*Average*
England total	3,126	4,969	4,141	5,587	4,456
East	46	105	136	246	133
East Midlands	594	467	544	471	519
London	577	937	579	557	663
North West	639	755	617	1,015	757
North East	118	144	209	62	133
South East	303	554	384	1,111	588
South West	145	337	358	449	322
West Midlands	516	1,126	901	526	770
Yorkshire and Humberside	188	544	413	1,140	571

Skills Training

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list the members of the group developing a best practice model for large businesses to work with suppliers and customers to improve the skills of their workforce. [123564]

Mr. Alan Johnson: The group working on this Competitiveness White Paper commitment were: Mike Kinski, then at Stagecoach; Howard Bentley from Sainsburys; Jerry Cope from Post Office Counters; Stephen Dunn from Scottish Power; Barrie Oxtoby, then at Rover; and Les Shearn from British Aerospace.

Learning through Business Networks—the final output from this work—was published in September 1999.

"Fit for the Future" Campaign

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many partner organisations and champions have been recruited to the "Fit For The Future" campaign. [123552]

Mr. Alan Johnson: Currently there are 52 organisations involved as partners within the campaign and 103 individuals have been identified as best practice champions.

National Campaign for Enterprise

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of the National Campaign for Enterprise. [123546]

Mr. Alan Johnson: The DTI is supporting the business-led Enterprise Insight, the formal name for the National Campaign for Enterprise, which aims to create a more entrepreneurial culture throughout the UK. So far we have committed funding towards the costs of setting up the Campaign office and organising an 'ambassador' programme.

Enterprise Insight was launched by the Prime Minister on 11 May. My right hon. Friend the Secretary of State for Trade and Industry attended, taking part in discussion groups with entrepreneurs, business leaders and young people.

Two young people's forums have already been held in Hull and Wales and further regional activities are currently being co-ordinated by the Enterprise Insight team.

200 entrepreneurs and business people have signed up to the Campaign so far. These 'ambassadors' will participate in a range of activities to raise awareness and understanding of the role and value of enterprise in the community.

"Creating a Great Place to Work"

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if the booklet, "Creating a Great Place to Work", has been distributed to business. [123563]

Mr. Alan Johnson: The leaflet has been distributed to a large number of businesses, business support organisations and business representative organisations.

Management Training and Development

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list the Departments which are involved and the nature of their involvement in developing a national strategy for the delivery of management training and development. [123553]

Mr. Alan Johnson: My right hon. Friends the Secretary of State for Trade and Industry and the Secretary of State for Education and Employment have jointly sponsored the formation of the Council for Excellence in Management and Leadership to undertake the development of a national strategy for Management and Leadership Development. The Council was officially launched on 4 April 2000.

The aim of the Council is:

"To ensure that the UK is able to develop the managers and leaders of the future to match the best in the world. To sustain the UK's competitive performance, this must be achieved in both the public and private sectors".

The Council proposes to pursue this aim by:

(a) identifying key issues for management and leadership in England in consultation with the Management Councils established in Scotland, Wales and Northern Ireland, and to make proposals to address them;

(b) identifying key stakeholders and challenging them to take action on the basis of the investigations undertaken by the Council and its members;

(c) articulating a vision for management development, in particular by developing a management development strategy for the UK, which incorporates leadership issues and specifically addresses the needs of SMEs;

(d) reviewing the quality, relevance and support for management and leadership education and training;

(e)monitoring progress on issues identified by the Council as in need of action; and

(f) reporting annually to Government and to stakeholders on the progress of those responsible for taking action.

People Skills Scoreboard

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what progress has been made in extending the People Skills Scoreboard to a wider range of sectors. [123554]

Mr. Alan Johnson: In addition to the People Skills Scoreboard for the engineering sector (published by the Engineering and Marine Training Authority), Scoreboards are being developed, in partnership with National Training Organisations, in a range of manufacturing and service sectors, such as Clothing, Textiles and Footwear, Information Technology, and Computer Services, Multimedia and Steel.

The objective is to publish and disseminate the Scoreboards to raise business awareness about the importance and value of training.

Late Payment of Commercial Debts

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will estimate how many businesses have benefited from the provisions of the Late Payment of Commercial Debts (Interest) Act 1998. [123562]

Mr. Alan Johnson: Small firms responding to a survey in late 1999 by the Credit Management Research Centre at Leeds University Business School were asked if they had used the Late Payment of Commercial Debts (Interest) Act 1998 since its introduction.

5 per cent. of small firms who responded stated that they had used the legislation, up from 3 per cent. in the previous six months. 11 per cent. stated that they were planning to use it.

We are also monitoring the effect on the Act on payment times in the UK. Recent research published in the Grant Thornton European Business Survey confirms that the average payment period for sales invoices in the UK now stands at 45 days, against an EU average of 54 days, identifying a downward trend in UK payment times in recent years.

Small and Medium-sized Enterprises (Internet)

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how many small and medium-sized enterprises have gained the ability to buy and sell over the Internet with the help of Local Support Centres associated with Business Links in each year since 1997 *(a)* in each region and *(b)* as a percentage of all businesses. [123538]

Mr. Alan Johnson: Usage figures for Information Society Initiative (ISI) Centres associated with Business Links are published quarterly as part of Business Link

Management Information, copies of which are placed in the Library of the House. Figures are not available prior to 1998. Since 1 January 1998 ISI Centres associated with Business Links in England have provided support to thirty seven thousand (37,016) businesses.

The International Benchmarking Study (DTI/Pub 4108/3k/4/99/NP URN 99/797) provides data on uptake of information and communication technologies among small and medium sized companies. However, such uptake cannot be attributed to any single provider of advice.

Small Firms Loan Guarantee Scheme

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the Enterprise Fund on *(a)* the availability of venture capital for very early stage high technology firms and *(b)* the delivery of the small firms loan guarantee scheme. [123548]

Mr. Alan Johnson: One of the key elements of the Enterprise Fund is the UK High Technology Fund which is being established to address an acknowledged weakness of the venture capital market in this area. On 3 April David Irwin announced that the fund manager, Wesport Private Equity, had been successful in raising £57 million from the private sector, alongside £20 million of Government money, for the UK High Technology Fund. The Fund has been set a final closing target of £125 million, of which £105 million will be from the private sector. Wesport Private Equity continues to raise money from the private sector towards this closing target.

The Small Firms Loan Guarantee Scheme has been running since 1981 and is periodically evaluated by independent consultants. A report of the most recent study, which looked at all aspects of the scheme including its delivery, was published in March 1999. The recommendations of this report are currently being considered.

Enterprise Fund

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the Enterprise Fund on *(a)* (i) local and (ii) regional provision of equity on smaller amounts to growing businesses and *(b)* finance for a wider range of new products and services. [123550]

Mr. Alan Johnson: One of the key elements of the Enterprise Fund is the support available from Regional Venture Capital Funds, which will specialise in the provision of small scale equity to businesses with growth potential. Bidding guidance for potential sponsors of new regional funds was issued on 22 December 1999 and 21 notifications of intention to bid have subsequently been received. Should all of these come forward, all of the English regions will have access to at least one new, viable fund.

The Enterprise Fund was established to address gaps in the markets providing finance to SMEs. New programmes will be developed under the Fund in response to market needs.

Business Starts

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will make a statement on the growth in the number of business start-ups since the launch of the Public Service Agreement. [123533]

Mr. Alan Johnson: Since the Public Service Agreement was launched in December 1998 it is estimated that there have been 549,000 business start-ups in England and Wales.

Competitiveness Objectives

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list his *(a)* national and *(b)* regional competitiveness objectives. [123545]

Ms Hewitt: My Department's aim is to increase competitiveness and scientific excellence in order to generate higher levels of sustainable growth and productivity in a modern economy. To achieve that, we have set ourselves four over-arching national objectives: to promote enterprise, innovation and increased productivity; to make the most of the UK's science, engineering and technology; to create strong and competitive markets; and to develop a fair and effective legal and regulatory framework. Specific targets in pursuit of these objectives are set out in the DTI Public Service Agreement, which is in the Library of the House.

At regional level, our objective is to raise the economic performance of all regions, working with other Government Departments and Regional Development Agencies. My Department pursues its policies in ways which recognise regional differences. Regional competitiveness strategies have been developed by the Regional Development Agencies, and the Department works closely with them to ensure that its regional policies, including Regional Selective Assistance, the Assisted Areas map, EU Structural Funds and new initiatives such as the enterprise grant scheme contribute towards achieving the objectives set out in these strategies.

Secondments

Mr. Don Foster: To ask the Secretary of State for Trade and Industry how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123457]

Dr. Howells: From the information that is held centrally within the Department, the details we have on outward secondments are as follows:

DTI Outward secondments from 1 May 1997–30 April 1998

25 outward secondments, made up of:

3 @ R6

1 @ R7

9 @ R8

1 @ R9

9 @ R10

1 @ Fast stream

1 @ Senior Civil Service.

DTI outward secondments from 1 May 1997–30 April 1998

Company name	*Grade*	*Length*
Cambs Tech	R8	10 months
Nat West	R7	4 months
Warwick Manufacturing Group	R10	8 months
London First Centre	R10	1 year 11 months
Business Link Sussex	R10	8 months
Mobil North Sea Ltd.	R10	6 months
SMMT Industry Forum	R10	3 years
BG Plc	R10	2 years 2 months
Nat West	R8	5 months
Mezzo Studios	R6	6 months
Sheffield Tec	R10	6 months
Independent Television Commission	R10	1 year 8 months
Northern Development Company	R8	5 months
British Footwear Association	R8	2 years 3 months
Chemical Industries Association	R10	2 years 2 months
MG Telecommunications	R6	4 months
Northern Development Company	R9	4 months
European Bank for Reconstruction and Development	R8	6 months
INWARD	R8	6 months
Sachetpack Ltd.	R8	3 months
British Standards Institute	R8	2 years
BP Exploration	FS	4 months
Ernst and Young	R8	7 months
British Council Kuala Lumpur	R6	6 months
Lloyds TSB Group	SCS	6 months

DTI Outward secondments from 1 May 1998–30 April 1999

19 outward secondments, made up of:

1 @ R6

1 @ R7

5 @ R8

1 @ R9

6 @ R10

3 @ R11

1 @ Fast stream

1 @ Senior Civil Service.

DTI Outward secondments from 1 May 1998–30 April 1999

Company name	*Grade*	*Length*
British Standards Institute	R10	1 year 3 months
Financial Services Authority	R10	6 months
Committee for Middle East Trade	R8	6 months
Financial Services Authority	R10	5 months
Interregnum Venture Marketing	R11	1 year 1 month
Financial Reporting Council	SCS	4 years 9 months
Action 2000	R10	1 year 8 months
London Chamber of Commerce and Industry	R6	9 months
Nat West	FS	4 months
National Physical Laboratory	R11	2 years
British Industries Printing Federation	R7	6 months
Action 2000	R11	1 year 3 months
The Centre for Tomorrow's Company	R9	1 year 5 months
Asia House	R8	2 years
SITPRO	R10	3 years
Pritchitt Foods	R8	2 months
British Executive Service Overseas	R8	1 year
BG Plc	R10	1 year 3 months
Latin American Trade Advisory Group	R8	7 months

DTI Outward secondments from 1 May 1999–30 April 2000

25 outward secondments, made up of:

3 @ R6

2 @ R7

7 @ R8

2 @ R9

5 @ R10

4 @ R11

1 @ Fast stream

1 @ Senior Civil Service

DTI outward secondments from 1 May 1999–30 April 2000

Company name	*Grade*	*Length*
BP Gas Marketing Ltd.	FS	6 months
The ILB Partnership Ltd.	R6	6 months
Pritchitt Foods	R10	7 months
Times Newspaper	R10	1 year
Partnership Sourcing Ltd.	R10	1 year
London Chamber of Commerce and Industry	R6	1 year
ICL	R7	2 years
ICL	R7	2 years
The British Council	R8	2 years
Civil Service Sports Council	R8	3 years
University for Industry	R11	3 years
British Invisibles	R10	2 years
Manchester City Council	SCS	5 years
Confederation of British Industry	R9	1 year
Eureka Secretariat	R9	2 years
British Standards Institute	R10	2 years
Gas Consumer Council	R11	7 months
British Standards Institute	R8	2 years
China Britain Business Council	R6	2 years
Gas Industry Safety Group	R11	1 year 3 months
G. F. Design	R8	1 year
University for Industry	R11	1 year 6 months
BP Amoco Plc	R8	8 months
Enterprising Britain Ltd.	R8	1 year 8 months
Gas Consumer Council	R8	7 months

British Trade International and the Invest in Britain Bureau

Mr. Goggins: To ask the Secretary of State for Trade and Industry if he will make a statement on the relationship between British Trade International and the Invest in Britain Bureau. [124030]

Mr. Caborn: I am pleased to announce, also on behalf of the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, West (Mr. Battle), that the Invest in Britain Bureau will move alongside Trade Partners UK (the new brand for the Government's trade services) under the British Trade International umbrella, with Sir David Wright as the single Group Chief Executive of British Trade International. The Board of British Trade International will remain under the chairmanship of DTI and FCO Ministers and its responsibilities will be enlarged to cover inward investment. This will lead to more coherent presentation—and, over time, management—of the Government's international trade and investment activities at home and overseas. It builds on an issue which was identified in the Cabinet Secretary's 1999 review of export promotion.

The Invest in Britain Bureau will retain a distinct identity within the enlarged organisation and will continue to have its own Chief Executive. We plan to review the IBB brand, building on work which has already been undertaken following the 1998 Competitiveness White Paper. The name of the umbrella organisation will also be reviewed in the light of these changes.

This announcement heralds important advantages for business. The new, combined organisation will focus on the single goal of developing business competitiveness in the UK, as it interfaces with the global marketplace. Working under one umbrella the two operations will

focus on investment into the UK from overseas, on opportunities for business growth from investments abroad and on the broad spectrum of trade development and support at national, regional and local levels.

The new arrangements will strengthen and better co-ordinate the relationship between investment and trade activities in central Government, devolved Administrations and Regional Development Agencies, each of which will continue to be represented on the Board of British Trade International. The enlarged responsibilities of British Trade International will further strengthen the close relationship between trade and investment work in the network of commercial offices in overseas posts, focusing them on economic advantage for the UK, whether through new opportunities for international trade or for investment in this country by overseas firms or partnerships.

Petrol Undertakings Review

Mr. Hoyle: To ask the Secretary of State for Trade and Industry (1) what the reasons are for the delay in the completion of the Review of the Petrol Undertakings; when the review will be completed; and if he will publish the results of the review; [122942]

(2) what discussions he, his officials and the Office of Fair Trading have held with *(a)* the major oil suppliers, *(b)* the United Kingdom Oil Producers Association and *(c)* the Institute of Petroleum, to discuss the Review of the Petrol Undertakings since January 2000; and what the outcome of those meetings was. [122943]

Dr. Howells: DTI Ministers and officials have not held discussions with the parties mentioned regarding the Office of Fair Trading's review of the petrol undertakings. During the course of the review the Office of Fair Trading have had discussions with, or invited views from, all sides of the industry. This has included major oil companies and retailers associations. Industry views have helped to inform the Office of Fair Trading's review.

The completion of the review has been delayed because of consultations with the industry and because the Office of Fair Trading has had to allocate resources between several areas of high priority including the investigation of fuel prices in the Highlands and Islands.

The Office of Fair Trading expect to advise ministers shortly on whether the undertakings should be retained, removed or amended. Policy advice from the Director General of Fair Trading to Ministers is not published. However, Ministers will announce their decision on the matter in due course.

TREASURY

Working Families Tax Credit

Mr. Cousins: To ask the Chancellor of the Exchequer if he will identify on what basis, and in what numbers, those receiving working families tax credit *(a)* are and *(b)* are not, entitled to passported benefits; and what advice is given to those on working families tax credit on the category to which they belong. [119322]

Dawn Primarolo *[holding answer 18 April 2000]:* Working Families Tax Credit can be used as a "general passport" to various benefits so that those benefits are made available to everyone receiving Working Families Tax Credit. Other benefits, for example, help with NHS charges, are targeted on families receiving Working Families Tax Credit who have net incomes of £11,370 per year or less. At the end of March around 900,000 families were passported this way.

Lending Rates

Mr. Steinberg: To ask the Chancellor of the Exchequer if he will list the average *(a)* interest rates and *(b)* mortgage interest rates in each year since 1992. [123286]

Miss Melanie Johnson: The table lists the average 2-week repo rate, 10 year UK gilt rate, and the average mortgage interest rate in each year to May since 1992.

	2-week repo rate	*10-year gilt rate*	*Building society average mortgage rate*
Year ending May			
1992	10.8	9.6	11.7
1993	8.1	8.5	9.7
1994	5.7	7.2	7.9
1995	5.9	8.5	7.8
1996	6.6	7.9	7.5
1997	5.9	7.7	6.6
1998	7.0	6.4	7.4
1999	6.7	4.9	7.4
2000	5.4	'5.3	'6.5

' 10-year gilt estimates for May 2000 year provided by Bloomberg (average of year till May 2022). Average mortgage rate includes data up till March 2000.

Source:

ONS. Repo rate data provided by the Bank of England.

The figures show that by aiming to secure low inflation and sound public finances, the macroeconomic policy framework has helped keep interest rates historically low while meeting the Government's objectives of achieving high and sustainable levels of growth and employment.

Taxation (I-E Formula)

Mr. Jack: To ask the Chancellor of the Exchequer what the tax yield has been from financial instruments or products whose taxation is subject to the I-E formula in each of the last eight financial years. [123394]

Dawn Primarolo: The information requested is not available.

Mr. Jack: To ask the Chancellor of the Exchequer if he will list *(a)* the financial (i) instruments and (ii) products whose taxation is subject to the I-E formula, *(b)* the relevant composite rates of tax applied to each such instrument and product and *(c)* the rates of tax used in each of the last eight financial years in respect of each such instrument and product. [123395]

Dawn Primarolo: There are no statutory restrictions on the type of financial instruments that an insurer may invest in to provide funds to meet payments due to policy holders. The funds that are subject to the I-E treatment are those held to meet payments due to policy holders in respect of policies of life insurance, life annuity contracts and capital redemption policies other than those relating to pension business, overseas life assurance business,

individual savings account business and life reinsurance business. The rates of tax payable on the income and profits from those investments broadly reflect the tax that policy holders might have paid had they held the underlying investments directly.

The tax paid by the insurer under I-E is treated as satisfying the basic rate tax liability of the policy holder. Policy holders will have no further tax to pay when they obtain the proceeds of their policies unless the policy is not a qualifying policy and they are themselves liable to tax at the higher rate. Qualifying policies are broadly those with regular premiums and a substantial death benefit that last for at least 10 years.

The rate of tax payable by the company on the underlying investments, so far as they are building up for the benefit of policy holders, for each of the last eight years is shown in the table:

Percentage

	Rate of tax			
Year	*Dividends on UK company shares and securities*	*Income from gilts and corporate bonds*	*Capital gains*	*Other property*[1]
2000–01	[2]—	20	22	22
1999–2000	[2]—	20	23	23
1998–99	[2]—	20	23	23
1997–98	[2]—	20	23	23
1996–97	[2]—	20	24	24
1995–96	[2]—	25	25	25
1994–95	[2]—	25	25	25
1993–94	[2]—	25	25	25

[1] Land, underwriting commissions etc.
[2] Not chargeable

MEP Pensions

Mr. Wigley: To ask the Chancellor of the Exchequer what was the cost to his Department of funding the pensions of members of the European Parliament in each of the last three years; to how many beneficiaries these payments are made; and what estimate he has made of the future annual liability for making such pension payments. [119585]

Mr. Andrew Smith *[pursuant to his reply, 3 May 2000, c. 147W]:* I regret that my earlier answer was incomplete.

MEPs receive two pensions: one from the EU and a national pension. Expenditure on the former is met from the European Parliament section of the EC budget, as my earlier answer noted.

Regarding the latter, under the European Assembly (Pay and Pensions) Act 1979, the basic costs of the European Parliament (United Kingdom Representatives) Pension Scheme are met from the Consolidated Fund. Pension increases are funded from the Civil Superannuation Vote. Details of the costs are published annually in the Supplementary Statements to the Consolidated Fund and National Loans Fund Accounts.

In each of the last three financial years, the basic costs were as follows:

£000

	Basic pension incl. Widows and dependents	*Lump sums*
1997–98	202	0
1998–99	219	135
1999–2000[1]	403	616

[1] 1999 was an election year to the European Parliament, many MEPs who stepped down were of retirement age or above. Resettlement grants totalling £1,364K were also funded from the Consolidated Fund.

Note:
As at 31 March 2000, there were 54 beneficiaries in receipt of pensions under the scheme. No estimate has been made of future annual liabilities.

SOCIAL SECURITY

Secondments

Mr. Don Foster: To ask the Secretary of State for Social Security how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123417]

Mr. Rooker: The information is not available in the format requested. Such information as is available is in the table.

Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

Number of staff recorded as having been seconded to private sector companies

Grade	*Number*	*Company*	*Start date*	*End date*
May 1997 to April 1998				
G5	1	PA Consulting	March 1997	June 1998
HEO	1	National Association of Pension Funds	April 1997	April 1999
G7	1	EQUUS Group Consultancy	April 1997	March 1998
G7	1	McKechnies Ltd.	May 1997	August 1997
G7	1	Ernst and Young	July 1997	February 1998
G7	1	British Aerospace	September 1997	December 1997
May 1998 to April 1999				
G7	1	Barclays Bank plc	October 1998	July 1999
HEO	1	European Foundation for Quality Management	December 1998	June 1999

Number of staff recorded as having been seconded to private sector companies

Grade	Number	Company	Start date	End date
May 1999 to April 2000				
G7	1	Oracle	August 1999	May 2000
SEO	1	Kazakhstan Central Bank	October 1999	December 1999
2×EO, 9×AO, 1×AA	12	Action for Employment	November 1999	—[1]
15×AO, 1×AA	16	Reed Shaw	November 1999	—[1]
8×EO, 32×AO	40	Deloitte Consulting	November 1999	—[1]

[1] Continuing

Note:

Names of individuals have not been provided in accordance with part II of the "Code of Practice on Access to Government Information".

Economic Inactivity (Males)

Mr. Willetts: To ask the Secretary of State for Social Security how many men aged 16 to 24 were economically inactive, according to the Labour Force Survey, in each year since 1992, broken down by *(a)* students and *(b)* others. [117557]

Miss Melanie Johnson: I have been asked to reply.

The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from John Pullinger to Mr. David Willetts, dated 24 May 2000:

The Director of the Office for National Statistics (ONS) has been asked to reply to your recent question about men aged 16–24 who are economically inactive. I am replying in the Director's absence.

The attached table shows non-seasonally adjusted estimates from the Labour Force Survey (LFS) which is the main source of labour market data on individuals. It gives the percentage of economically inactive men aged 16–24 by whether or not they are full-time students in the spring (March-May) quarter of each year since 1992.

People aged 16 or over are classed as economically inactive by the LFS if they are not in employment and do not satisfy the criteria for International Labour Organisation (ILO) unemployment. This includes those who want a job but who have not been seeking work in the last 4 weeks, those who are seeking work but are not available to start and those who do not want a job (for example, students not working or seeking work).

The LFS classifies people as full-time students if they are at school, on a sandwich course or full time at university, polytechnic or college.

Economically inactive men aged 16–24 by educational status UK, 1992–99 Spring (March-May) of each year
Not seasonally adjusted

Spring each year:	Aged 16–24 (Thousand)	Full-time students Rate (%)[1]	Others Rate (%)[1]
1992	837	81.4	18.6
1993	860	81.1	18.9
1994	865	83.5	16.5
1995	868	85.8	14.2
1996	822	81.9	18.1
1997	833	84.3	15.7
1998	865	85.9	14.1
1999	867	85.3	14.7

[1] Full-time students/others as a percentage of the total

Note:

From spring 1997 LFS estimates of the totals of people in education include people who were waiting to start, or restart, a course, and hence the figures for those in (and not in) full-time education are not comparable with earlier periods.

Source:

Labour Force Survey, ONS

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Social Security if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122023]

Mr. Rooker: Where appropriate DSS contracts are drawn up to incentivise suppliers to provide acceptable or better levels of service.

Details of all such contracts could be obtained only at disproportionate cost.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 24 May. [123070]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. member to the reply I gave today to my hon. Friend the Member for Exeter (Mr. Bradshaw), *Official Report*, column 960.

SOLICITOR-GENERAL

Jay Abatan

Mr. Peter Bottomley: To ask the Solicitor-General if he will call for a report from the Crown Prosecution Service on its actions following the attack on Jay Abatan in Brighton in January 1999. [122482]

The Solicitor-General *[holding answer 16 May 2000]:* The death of Jay Abatan in Brighton on 29 January 1999 is a tragedy. To his family, his widow and two young children, the criminal justice system appears to have let them down.

I informed the hon. Member in a written answer on 16 May 2000, *Official Report*, columns 80–81W, that I was making further inquiries about the criminal proceedings brought against those who were allegedly involved in the incident that resulted in Jay Abatan's death.

I have now met with the Chief Crown Prosecutor for Sussex, the Branch Crown Prosecutor responsible for the prosecution team, and prosecuting counsel who had

the conduct of the case throughout. I am satisfied that everything that could have been done by them to secure a successful conclusion to the criminal proceedings was done.

I know that the hon. Member attended parts of the trial, which lasted six days. It concluded on 9 May 2000 with the acquittal of two defendants.

The history of the proceedings is this: two defendants were jointly charged on 1 February 1999 with manslaughter, affray and causing actual bodily harm.

During the course of preparing the case for committal proceedings the Crown Prosecution Service took the unusual steps of obtaining reluctant witness summonses against two men in an attempt to clarify the sequence of events leading up to the assault on Jay Abatan. In the event they added nothing to the prosecution case and so were not used in evidence.

The charges related to an incident which occurred in the early hours of Sunday 24 January 1999 when a dispute arose over a taxi outside a nightclub in Brighton. The dispute involved two groups of men. No witness actually saw Jay Abatan being punched. However, as a result of being struck he fell to the ground, sustained a fracture to his skull and died in hospital on 29 January 1999 without regaining consciousness. His death was the basis of the manslaughter charge against the two men.

Prior to committal a conference was held with prosecuting counsel, the Crown Prosecution Service lawyer with conduct of the case and the police to discuss the evidence against both defendants. It was clear at the end of that conference that there was no evidence of joint enterprise and if both defendants were to be pursued for manslaughter then there was no prospect of a successful prosecution against either of them. Of the circumstantial evidence available the stronger evidence was against the first defendant, who on the evidence available was the closer of the two men to Jay Abatan at the crucial time and who had allegedly made a comment in the taxi after the incident was over: "I only hit him once". The second defendant was further away and had distanced himself from the argument at the time it was taking place in a comment to an independent witness. The decision was therefore made that the manslaughter case against the second defendant would be discontinued, unless the outstanding DNA evidence provided a link between him and Jay Abatan.

On 24 June, the day of the committal proceedings, the results of the DNA evidence were obtained. The results added nothing to the prosecution case against the second defendant. Consequently, in accordance with the decision reached in conference, the Crown Prosecution Service withdrew the manslaughter charge against the second defendant. It pursued the manslaughter charges against the first defendant. However, the magistrate refused to commit the first defendant for manslaughter because of what he held was insufficient evidence.

Notwithstanding this decision the prosecution, after taking counsel's advice, decided to pursue the charge of manslaughter at trial in the Crown Court. A draft indictment, which included the manslaughter charge, was therefore lodged at Lewes Crown Court on 22 July 1999.

The prosecution wanted to continue with the manslaughter charge against the first defendant and made every effort to ensure that it remained on the indictment. The leader of the South Eastern Circuit, Mr. Michael Lawson QC, was instructed by the Crown Prosecution Service to appear and resist the defence application that the manslaughter count be struck from the indictment.

However, on 30 September 1999, following legal argument, the resident judge at Lewes Crown Court granted the defence application to have the manslaughter count struck out. In the light of this ruling there was nothing further the Crown could do to pursue the manslaughter allegation.

The trial of the defendants on the two remaining counts, affray and causing actual bodily harm to Michael Abatan (Jay's brother), commenced on 2 May 2000. During the course of the proceedings the defence applied to the judge that there should be no reference or mention of the fact that Jay Abatan had died in the incident. The Crown resisted this on the basis that the jury would raise questions as to why Jay Abatan was not giving evidence. However, the judge ruled that as the fact of his death could prejudice the jury and the fairness of the trial no reference should be made to it at trial. The judge also ruled that some other evidence obtained by the prosecution was inadmissible. On 9 May 2000 the jury returned a verdict of not guilty on both counts against each defendant.

I think this case did contain some unusual features. One of these was the proactive course of action adopted by the Crown Prosecution Service in trying to get the count of manslaughter reinstated. As I have said the manslaughter charge against the second defendant was withdrawn because there was no evidence of a joint enterprise and no evidence that this second defendant had thrown the punch that led to Jay Abatan's death.

Another feature, perhaps less unusual given the rules of evidence that apply in criminal trials, was the decision of the trial judge not to let the jury know that Jay Abatan had died in the course of the alleged affray and assault on his brother, Michael. Counsel for the Crown had argued that the jury should be told of his death because unless they were they would want to know why they were not hearing from Jay. In the event, I understand that the jury did ask to see the hospital notes but as the judge had already ruled that the fact of Jay's death could prejudice the jury and the fairness of the trial they were not told about that aspect of the case.

The group containing the two defendants were all white. The other group were of white, black and other ethnic backgrounds. On the face of the statements available to the prosecution, many of them made on the day of the incident, nothing was said to indicate that Jay Abatan died as the result of a racist attack. Indeed one witness, who is not white, stated to the contrary. "I do not believe that this incident was a racially motivated attack". This did not mean that the Crown Prosecution Service treated the incident any less seriously. At all stages of the inquiry they were alert to the possibility that this was a racist attack but this has simply not been borne out by the evidence.

I understand that the Chief Crown Prosecutor for Sussex will be happy to meet the hon. Member or his constituent to discuss the case in greater detail. As I am sure the hon. Member will appreciate, it would not have been appropriate for the Crown Prosecution Service to discuss the case with a prosecution witness, such as Michael Abatan, when the proceedings were still ongoing since the defence could have claimed that his evidence was tainted as a result.

The police have not closed the file and the appeal for witnesses and further evidence is continuing. An appeal is scheduled to be made on the Crimewatch UK programme this evening.

CABINET OFFICE

Electronic Communications Bill

Ms Rosie Winterton: To ask the Minister for the Cabinet Office what use will be made of the powers in the Electronic Communications Bill to remove statutory barriers to the electronic delivery of Government services. [124031]

Mr. Ian McCartney: The Bill contains in clause 8 a power to amend legislation to authorise or facilitate electronic communications or storage. The use of this power will support the Government's target of making all its services available electronically by 2005. Cabinet Office Central IT Unit will maintain on its website a register of all orders made under the Bill and include a report on the use of the powers under the Bill as part of its six-monthly reports towards meeting the Government's targets for electronic service delivery.

In its response (HC 168) to the Trade and Industry Committee's report (HC 862) on the Bill, the Government accepted the recommendation that Departments should publish their priorities for using secondary legislation to update statutory requirements currently expressed in the law by the use of such words as 'writing' or 'signature', and timetables for implementation. Some Departments have not identified any such statutory requirements that require updating. Others may use primary legislation to update them. While some Departments have identified many items of legislation to be updated by the Electronic Communications Bill, departmental priorities for the use of the powers in the Bill, or other powers, for this purpose are given in the table:

Department	*Legislation*	*Comments*
Department of Trade and Industry	Companies Act 1985	Will allow: companies to communicate electronically with shareholders (e.g. distributing annual reports); appointment of proxies by electronic means electronic incorporation; electronic filing of certain documents/forms. A consultative document on a draft order to amend the law has already been issued.
Department of the Environment, Transport and the Regions	Vehicle Excise and Registration Act 1994, section 22	To allow a statutory off-road declaration to be made electronically. As the process involves signatures, a clause 8 order will not be made until after clause 7 (electronic signatures and related certificates) has come into force.
Lord Chancellor's Department	Law of Property Act 1925; Land Registration Act 1925; Settled Land Act 1925; Trustee Act 1925; Administration of Estates Act 1925; Powers of Attorney Act 1971; Law of Property (Miscellaneous Provisions) Act 1989	Electronic conveyancing: it is hoped that the first draft order will be issued for consultation later this year with a view to it being made at or around the end of the year.
Public Record Office	Public Records Act 1958	To allow electronic authentication of public records for court proceedings.
Department for Education and Employment		A single order will be made to remove barriers to electronic communication and storage in legislation on education.
Home Office	Race Relations Act 1976	To facilitate electronic communication with the Commission for Racial Equality.
Office for National Statistics	Statistics of Trade Act 1947	To facilitate electronic submissions of trade statistics to the Office for National Statistics, and related procedures.
Department of Social Security	Social Security Act 1998 Welfare Reform and Pensions Act 1999	To facilitate electronic communication between members of the public and the Department on claims to benefit, child support issues, decision-making and appeals. There is significant provision under primary legislation, and the current review of operational requirements will identify any other legislative areas for orders by the end of September 2000.
Cabinet Office (HMSO)	Documentary Evidence Acts 1868 to 1895	To amend the current provision that the official version of legislation is that printed under the authority of the Queen's Printer, so as to make the Official Legislation website version acceptable.
	Statutory Instruments Act 1946 and associated Regulations	To amend provisions about the admissibility in evidence of printed issue lists, and also how SIs are transmitted to HMSO by Departments after being made. Currently they have to be sent with signed certificates but electronic alternatives to this procedure are being considered.

Department	Legislation	Comments
HM Treasury	Financial Services and Markets Bill	Consideration is being given to recognition of electronic signatures in order to support the Financial Services Authority's intention to accept applications by electronic means; and to allow for electronic communication of certain notices which the Financial Services and Markets Bill currently requires to be in writing.

Minority Group Representation

Mr. Woolas: To ask the Minister for the Cabinet Office what is being done to increase the representation of women, members of ethnic minority groups and disabled people on the boards of public bodies. [124032]

Mr. Stringer: I have today placed in the Libraries of the House "Quangos: Opening Up Public Appointments 2000–03".

This publication details the Government's plan of action together with individual departmental plans for increasing the participation of under-representation groups in public life.

"Quangos: Opening Up Public Appointments 2000–03" is the third in an annual series of reports setting out the Government's commitments to the equal representation of women and men in public appointments, a pro-rata representation of members of ethnic minority groups, and the increased representation of disabled people in public life.

Copies are being sent to all hon. and right hon. Members as well as being made available on the Internet.

Rural Affairs

Mr. Breed: To ask the Minister for the Cabinet Office if she will list the *(a)* research and *(b)* initiatives related to rural issues being undertaken by her Department. [123398]

Marjorie Mowlam: My role as Chair of the Cabinet Committees for rural affairs involves co-ordinating the work of other Departments, but I have no direct responsibility for rural policy. For this reason, it is for DETR, MAFF and others as appropriate to commission research or undertake projects on specific rural issues.

Mr. Breed: To ask the Minister for the Cabinet Office how many staff employed by her Department specialise in rural issues; and what percentage this represents of the total number of staff in her Department. [123396]

Marjorie Mowlam: No staff in the Cabinet Office work exclusively on rural affairs. Some staff in the Cabinet Secretariat support me in my role as Chair of the Cabinet Committee on rural affairs, but they have other responsibilities as well. Officials elsewhere, principally in MAFF and DETR, support their Ministers and me on specific rural issues.

Senior Civil Servants (Salaries)

Dr. David Clark: To ask the Minister for the Cabinet Office what the average percentage increase in salaries of members of the senior civil service was for 1999–2000; and to what extent the pay awards were staged. [123415]

Mr. Stringer: The average individual award for 1999–2000 was 4.51 per cent. The awards were not staged.

Secondments

Mr. Don Foster: To ask the Minister for the Cabinet Office how many staff from her Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if she will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123430]

Mr. Stringer: There was one secondee out of the Cabinet Office between May 1997 to April 1998. The secondment was with Coopers and Lybrand and lasted more than a year.

There were no secondees from the Cabinet Office to the private sector for the period 1 April 1998 to 31 March 2000.

ENVIRONMENT, TRANSPORT AND THE REGIONS

GE Virus Pesticide

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions when and in what form the release of a GE virus at University Farm, Wytham, Oxfordshire (grid ref SP47170884) will take place; and what information he has received regarding the biosafety implications of this type of pesticide. [122513]

Mr. Meacher: Larvae of the Cabbage looper (*Trichoplusia ni*) infected with an insect-specific genetically modified baculovirus that lacks the ecdysteroid glucosyltransferase (*egt*) gene (responsible for promoting moulting in insects), will be released into netted enclosures this year at grid reference SP 4717 0884 near Wytham in Oxfordshire.

Baculoviruses are a family of viruses restricted in host range to insects and a number of other arthropods. They are not infectious to man, other vertebrates, plants, non-arthropod invertebrates or other micro-organisms and are routinely used as a naturally occurring insecticide.

The Advisory Committee on Releases to the Environment has considered the full risk assessment for the release of this genetically modified baculovirus and advised that the release will pose no risk to human health or the environment. The full application and risk assessment is available on the GMO Deliberate Release Public Register held in the Department of the Environment, Transport and the Region's offices at Ashdown House, 123 Victoria Street, London, SW1.

Task Forces

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions how many task forces have been set up by his Department dealing with transport since May 1997; if he will list the membership of all such task forces with their qualifications and place of residence; and if he will list the dates on which they are expected to report and their terms of reference. [122593]

Mr. Hill: Since May 1997 my Department has set up three task forces dealing specifically with transport issues, the Cleaner Vehicles Task Force, the Shipping Task Force and the Task Force for London Transport. The information requested has been placed in the Libraries of the House.

Air Traffic

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what communication he has received from the Commission on proposals to create a European common aviation area, an aviation safety agency, and amendments to regulation 95/93 concerning airport slot allocation, and proposals for strengthening the powers of Eurocontrol air traffic services; and when each of their numbered programme initiatives are due for consideration at *(a)* UKREP and *(b)* the Transport Council. [122680]

Mr. Mullin: The initiatives are due for consideration at (*a*) UKREP and (*b*) the Transport Council. The European Commission was granted a mandate in 1996 to negotiate a European Common Aviation Area with 10 Central and Eastern European countries. The negotiation process is now largely completed and the Commission hopes that it will be able to present a final Agreement for signature at a Transport Council later this year.

With regard to communication on the establishment of a European aviation safety authority, I refer my hon. Friend to my answer given on 16 May 2000, *Official Report,* column 83W. At the Transport Council on 28 March 2000, the Council agreed that further analysis should be undertaken of the best legal form for the EASA, with the aim of taking a decision at its June meeting.

There has been no recent communication on amendments to regulation 95/93 concerning airport slot allocation.

The Commission's Communication entitled "The creation of a single European sky", to which I also referred in my answer of 16 May 2000, did not include proposals for strengthening the legal powers of Eurocontrol air traffic services. Rather it envisaged measures to strengthen the provision of air traffic control services in Europe. To that extent, it is fully in line with the Government's proposals for a Public Private Partnership for NATS, which will enhance aviation safety through securing the investment needed for NATS' modernisation programme and the injection of key management skills to deliver that programme to time and budget.

In June 1998 the Transport Council, under UK Presidency, agreed a mandate for the Commission to negotiate Community accession to Eurocontrol. EC membership of Eurocontrol would not strengthen the legal powers of Eurocontrol but would provide the impetus for both the reform of the Eurocontrol organisation, and to compel States to make collective commitments and to implement decisions on measures to improve the European Air Traffic Management System. The terms of Community accession to Eurocontrol are now effectively agreed, but the Commission cannot bring forward a proposal for the Council to authorise Community signature of the Protocol until the UK and Spain reach agreement on the inclusion of Gibraltar within the territorial scope of the Protocol.

Partnership Investment Programme

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what recent discussions he has had with the European Commission on gap funding; and if he will make a statement. [122819]

Ms Beverley Hughes: I refer my hon. Friend to my answer of 21 March 2000, *Official Report,* columns 471–72W. My right hon. Friend the Minister for Local Government and the Regions met Commissioner Monti on 2 March to discuss the problems we face in partnership working with the private sector in regeneration, since the Commission's decision that the Partnership Investment Programme breached the state aid rules. These discussions continue at official level.

DVLA

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many successful claims for compensation for actual financial loss were submitted to the Driver and Vehicle Licensing Agency as a direct consequence of the Agency's maladministration during *(a)* 1997, *(b)* 1998 and *(c)* 1999; [122827]

(2) how much compensation was paid to claimants by the Driver and Vehicle Licensing Agency arising from claims for actual financial loss incurred as a consequence of the Agency's maladministration in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [122828]

Mr. Hill: The information requested is as follows. It covers ex-gratia payments made by the Agency where customers have incurred actual financial loss as a result of delays or errors:

Year	*Number of cases*	*Amount paid (£)*
1997	262	7,663.73
1998	262	8,529.95
1999	367	[1]21,423.73

[1] The amount excludes 143 cases, totalling some £5,521.38 where compensation has been paid for missing identity documents associated with Photocard Licences. DVLA are in negotiation with the Royal Mail to seek reimbursement of some of the costs incurred.

Roads (Greater London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what is the mileage of *(a)* red routes and *(b)* cycle lanes in the Greater London area. [122906]

Mr. Hill: The length of the red route network is 315 miles. There are at present some 865 miles of cycle lanes in the Greater London area comprising 27 miles on the red route network and 838 miles on the London Cycle Network.

Departmental Properties

Mr. Faber: To ask the Secretary of State for the Environment, Transport and the Regions if his Department or the Highways Agency are the registered owners of the property known as No. 3, Upton Lovell, Warminster, Wiltshire; on what date the property was purchased; and for what reasons. [122929]

Mr. Hill: I have asked the Acting Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the hon. Member.

Letter from Peter Nutt to Mr. David Faber, dated 24 May 2000:

The Transport Minister, Keith Hill has asked me to reply to your recent Parliamentary Question about Landau Cottage, Upton Lovell, Warminster.

The Highways Agency owns this property. It was acquired on 16 November 1990 because the former owners served a blight notice requiring us to purchase it. The notice was accepted because the preferred route of the A36 Codford to Heytesbury Improvement scheme affected the property.

Bus Stop (Bridge Street)

Mr. Kaufman: To ask the Secretary of State for the Environment, Transport and the Regions if he will call for a report from London Transport on when the stop for southbound buses on the east side of Bridge Street will be reinstated. [123065]

Mr. Hill *[holding answer 22 May 2000]:* I understand from London Transport that the stop cannot be reinstated until the completion of road and pavement resurfacing work associated with the Portcullis House and Jubilee Line developments. The work is being managed, on behalf of the Parliamentary Works Directorate, by consultants who estimate that it will be completed by the end of September.

Genetically Modified Organisms

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the risks involved in using genes from the cauliflower mosaic virus in the development and application of genetically modified crop varieties. [122999]

Mr. Meacher *[holding answer 22 May 2000]:* The Advisory Committee on Releases to the Environment (ACRE) have considered this issue in detail. A full copy of their advice has been placed in the House Library.

ACRE conclude that the cauliflower mosaic virus, when used in the development and application of genetically modified crop varieties, represents an extremely low risk to human health and the environment.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct SCIMAC to revise separation distances between GM and non-GM crops growing experimentally in the United Kingdom following the disclosure of new information on cross-pollination of oil seed rape plants in Canada. [123268]

Mr. Meacher *[holding answer 23 May 2000]:* We are investigating this and will report soon.

HFCs

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the contribution which replacing HFCs in refrigeration and air conditioning with non-global warming alternative technologies could make in helping the UK reach its Kyoto targets. [122855]

Mr. Meacher *[holding answer 23 May 2000]:* The recently published draft climate change programme estimates that emissions of HFCs from refrigeration and air conditioning in 2010 will be the equivalent of around 1.6 million tonnes carbon (0.9 per cent. of total UK emissions).

Our new HFC policy sends a clear signal to industry and users that they should look closely at all the alternatives and select those that are more environmentally acceptable where they do exist. Safety, technical feasibility and cost effectiveness also need to be taken into account before investment decisions are taken. At the same time we recognise that HFCs are necessary to replace ozone-depleting substances in some applications, and that HFC emissions reduction strategies should not undermine commitments to phase out ozone-depleting substances under the Montreal Protocol.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is with regard to encouraging the use of non-global warming alternatives to HFCs in refrigeration and air conditioning systems which are commercially available. [122857]

Mr. Meacher: The Government policy on the use of alternative refrigerants to HFCs is encompassed in our new longer-term policy on HFCs set out in the recently published draft climate change programme. It states that

HFCs are not a sustainable technology in the long-term

but recognises that they are necessary to replace ozone-depleting substances in some applications, and that the HFC emission reduction strategies should not undermine commitments to phase out ozone-depleting substances under the Montreal Protocol. HFCs are used in a wide range of applications, and they will continue to be used where they are needed. At the same time our new policy sends a clear signal to industry and users that they should look closely at all the alternatives and to select those that are more environmentally acceptable where they do exist. Safety, technical feasibility and cost effectiveness also need to be taken into account before investment decisions are taken.

St. John's Wood Station

Mr. Kaufman: To ask the Secretary of State for the Environment, Transport and the Regions if he will call for a report from London Underground on how long St John's Wood underground station has been without two functioning escalators; what the cost is of the replacement of the two escalators; what additional cost has been

incurred as a result of delays in the installation of the second escalator; how many dates have been announced for the completion of the work; for what reason London Underground supplied him with inaccurate information about the completion date for installation of the second escalator; and what action has been taken in respect of the London Underground employees responsible for this situation. [123456]

Mr. Hill *[holding answer 23 May 2000]:* These are operational matters for London Underground, who have informed me that the escalator replacement project at St. John's Wood station started on 11 September 1998 and involves complete replacement of both machines. During the works, there has been one 'up' escalator and a staircase.

The total cost of the replacement of the two escalators is £4,688 million, including the relevant publicity, policing and standby engineers etc. for the cricket matches. There have been extra costs of £150,000 due to the overrun of the project.

Completion of the second escalator was originally announced for 18 May but has been put back to 21 June 2000. I understand the delay in completion of the project has been due to water entering the mechanism causing a build up of sediment on the steelwork; this meant that repairs had to be made to corroded steelwork and new drainage installed. London Underground's escalator replacement contractors were unable to work on the escalators while this work was taking place (19 January to 17 February 2000).

Dioxin

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what recent research the Government have commissioned on dioxin levels in the environment. [123489]

Mr. Meacher *[holding answer 23 May 2000]:* The UK Government have sponsored substantial research programmes to assess and monitor the levels of dioxins in the environment. Dioxin levels in air have been monitored as part of the DETR Hazardous Air Pollutants Programme since 1991. Work is under way to measure levels in sewage sludge and a new UK soil survey is due to begin shortly. The Food Standards Agency, and formerly MAFF, regularly monitor dioxin levels in a wide range of foodstuffs which are also useful indicators of environmental concentrations. Results from all monitoring programmes are available on the internet.

Incinerators

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what recent guidance the Government have given on the disposal of ash produced in incinerators. [123487]

Mr. Mullin *[holding answer 23 May 2000]:* Guidance on technical issues such as this is the responsibility of the Environment Agency.

The disposal of ash from incineration processes is controlled under the Waste Management Licensing Regulations 1994. Guidance on the regulations is contained in DETR circular C11/94 and Waste Management Papers 4 and 4a. Some incinerator ash will be classified as special waste. In these cases guidance is contained in the Environment Agency Guidance Note, "Special Wastes: A Technical Guidance Note on their definition and classification" (The Stationery Office, ISBN 0–11–310158–9).

Secondments

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123426]

Ms Beverley Hughes: Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

From May 1997 to April 1998

The following numbers of staff were seconded to private sector companies:

One Grade 5 officer to Tarmac Ltd. for a period of one year five months

One Grade 3 officer to SBC Warburg for two years

One Grade 6 (on temporary promotion) to Capita RAS for one year seven months

From May 1998 to April 1999

No new secondees—continuation of the above secondments only

From May 1999 to April 2000

No new secondees to private sector organisations.

Rent Act Order 1999

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has *(a)* to appeal to the House of Lords in relation to the judgment of the Court of Appeal on the Rent Act Order 1999 and *(b)* to introduce primary legislation relating to the matters in the Order. [122856]

Mr. Mullin: We are awaiting the outcome of our petition to another place for leave to appeal the Court of Appeal's decision to quash the Rent Acts (Maximum Fair Rent) Order. If leave is granted we will seek an expedited hearing; if it is refused we will urgently consider all the options open to us.

Waste Strategy

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the policies in the United Kingdom Management Plan for Exports and Imports of Waste. [124080]

Mr. Meacher: Existing policies on exports and imports of waste are set out in the United Kingdom Management Plan for Exports and Imports of Waste, which came into

effect on 1 June 1996. These reflect the long-standing UK commitment to self-sufficiency in waste disposal and the well-established proximity principle, namely that waste should be disposed of in, or as close as possible to, the country of origin.

Since the Plan has been in force, there have been a number of changes at national and international level which have altered the arrangements for transfrontier shipments of waste. My Department will be issuing tomorrow for public consultation a revised draft of the United Kingdom Management Plan for Exports and Imports of Waste, copies of which will be placed in the Libraries of the House.

The main proposals for changes to existing UK policies are:

to permit shipments between Northern Ireland and Ireland for local disposal, provided they are in accordance with waste management plans being drawn up by the Northern Ireland District Councils;

to permit exports and imports for trial runs provided that strict criteria are met; and

further limited restrictions on imports of waste for disposal.

Furthermore, the Plan reiterates the UK's commitment to the self-sufficiency principle. The UK will allow wastes to be imported for disposal in the UK from developed countries only in extremely limited circumstances. Imports from developing countries are not quite so tightly restricted, but the expectation is still that such countries will as quickly as is feasible put in place the appropriate facilities to dispose of their own waste, as far as is compatible with environmentally sound and efficient management.

This Plan is separate from, but consistent with, the various domestic strategies in the UK, including the England and Wales Waste Strategy which will be launched tomorrow.

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the waste strategy; and if he will make a statement. [124081]

Mr. Meacher: The Government and the National Assembly for Wales will publish "Waste Strategy 2000—a Waste Strategy for England and Wales" tomorrow, and copies will be placed in the Libraries of the House. The strategy has two aims: to reduce the amount of waste we produce; and to get more value from that which we do produce—in particular through a substantial increase in household recycling.

NORTHERN IRELAND

Public Sector Budget

Mr. Walker: To ask the Secretary of State for Northern Ireland if he will list the main provisions for the capital budget for the public sector in Northern Ireland, broken down by *(a)* sponsoring department and *(b)* main public service function, included in the total of (i) £570 million allowed in 1998–99 and (ii) £575 million allowed in 1999–2000; and if he will publish information under the same headings for the (A) actual and (B) expected expenditure for the same years. [121454]

Mr. Ingram: The information requested is shown in the tables.

It should however be noted that the capital budgets quoted in the question are indicative figures compiled by Her Majesty's Treasury for the purpose of presenting the outcome of the 1998 UK Comprehensive Spending Review (CSR) in the CSR White Paper, published in July 1998. These do not reflect the actual capital allocations decided upon by my predecessor in the Northern Ireland Comprehensive Spending Review, which did not conclude until the following December. The relevant capital budgets are reflected in the 1999 Northern Ireland Departmental Report (Cm 4217), published in March 1999 and are set out in the format requested.

Table 1: Departmental Capital Analysis

£ million

Department	*A(i) 1998–99 Actual expenditure*	*A(ii) 1999–2000 Project expenditure*[1]	*B(i) 1998–99 Plan*	*B(ii) 1999–2000 Plan*
Agriculture	24	23	24	25
Economic Development	142	144	147	158
Education	92	113	87	123
Finance and Personnel	4	4	3	4
Health and Social Services[2]	−35	−39	−30	−41
Environment	195	189	203	146
Other	1	2	—	6
NIO	30	35	35	31
Total[3]	453	470	469	451

[1] Actual expenditure figures for 1999–2000 are not yet available
[2] These capital figures include receipts from the Health Trusts Debt Remuneration
[3] Due to roundings, individual figures may not necessarily sum to the totals in the tables

Table 2: Main Programme Capital Analysis

£ million

Main programme	*A(i) 1998–99 Actual expenditure*	*A(ii) 1999–2000 Projected expenditure*[1]	*B(i) 1998–99 Plan*	*B(ii) 1999–2000 Plan*
Agriculture, Fisheries and Forestry	24	23	24	25
Trade, Industry, Energy and Employment	142	144	147	159
Roads and Transport	32	36	32	−26
Housing	58	38	58	55

Table 2: Main Programme Capital Analysis

£ million

Main programme	*A(i) 1998–99 Actual expenditure*	*A(ii) 1999–2000 Projected expenditure*[1]	*B(i) 1998–99 Plan*	*B(ii) 1999–2000 Plan*
Environmental Services	101	111	107	113
Law, Order and Protective Services	34	39	40	36
Education, Culture and Recreation	93	113	87	123
Health and Personal Social Services[2]	–38	–42	–33	–43
Social Security	2	2	2	2
Other	4	6	3	9
Total[3]	453	470	469	451

[1] Actual expenditure figures for 1999–2000 are not yet available
[2] These capital figures include receipts from the Health Trusts Debt Remuneration
[3] Due to roundings, individual figures may not necessarily sum to the totals in the tables

Paramilitary Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) between Monday 29 November 1999 and Friday 11 February how many violent incidents involving paramilitary groups which took place in Northern Ireland indicating how many involved *(a)* Loyalists and *(b)* Republican groups; [122687]

(2) between Monday 29 November 1999 and Friday 11 February how many punishment *(a)* beatings and *(b)* shootings took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalists and (ii) Republican groups. [122688]

Mr. Ingram: The number of security incidents during the period 29 November 1999–11 February 2000 are as follows:

	Number
Deaths	1
Shooting incidents	15
Bombing incidents	5

The number of casualties as a result of paramilitary style attacks during the period are as follows:

	By Loyalist	*By Republican*
Assaults	18	2
Shootings	8	0
Total	26	2

Notes:
1. Figures may be subject to minor amendment
2. The shooting and bombing incidents cannot yet be fully attributed to groupings

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) between Saturday 12 February and the week ended Saturday 13 May how many violent incidents involving paramilitary groups took place in Northern Ireland, indicating how many involved *(a)* Loyalists and *(b)* Republican groups; [122686]

(2) between Saturday 12 February and the week ended Saturday 13 May how many punishment *(a)* beatings and *(b)* shootings took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalists and (ii) Republican groups. [122689]

Mr. Ingram: The number of security incidents during the period 12 February to 13 May 2000 are as follows:

	Number
Deaths	2
Shooting Incidents	70
Bombing Incidents	10

The number of casualties as a result of paramilitary style attacks during the period are as follows:

	By Loyalist	*By Republican*
Assaults	17	18
Shootings	26	19
Total	43	37

Notes:
1. Figures may be subject to minor amendment.
2. The shooting and bombing incidents cannot yet be fully attributed to groupings.

Open Government

Dr. David Clark: To ask the Secretary of State for Northern Ireland how many applications for information he received under the Open Government: Code of Practice on Access to Government Information in the last parliamentary session; and how many were granted. [121859]

Mr. Mandelson: I refer my right hon. Friend to the answer given by the Secretary of State for the Home Department on 18 May 2000, *Official Report*, columns 216–17W.

Police Bill

Mr. McNamara: To ask the Secretary of State for Northern Ireland to which *(a)* individuals and *(b)* political parties he has (i) shown and (ii) given draft copies of the proposed Police Bill for Northern Ireland, indicating what undertakings he has given relating to incorporating (A) the name of the RUC in the name of the new police service and (B) part or all of the present insignia of the RUC or the George Cross in the insignia of the new service. [122799]

Mr. Ingram: The drafting of the Police (Northern Ireland) Bill has required consultation and discussion with a wide range of individuals, bodies and parties, as did the consultation process when Patten was published.

The Government's position on the name and insignia has been made clear. On the name this was done in the Secretary of State's statement to Parliament on 19 January 2000, *Official Report*, column 848, and in response to an oral question from my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) on 17 May 2000, *Official Report*, column 319. On the badge, the Secretary of State said in the House on 19 January 2000, *Official Report*, column 848, that the badge would incorporate the new name in autumn 2001 and on 6 April 2000, *Official Report*, column 1221, he told the House that he was not convinced the badge need be entirely free of association with both traditions. The published Bill contains enabling provisions on both issues.

WALES

Pig Farming

8. **Miss McIntosh:** To ask the Secretary of State for Wales what recent representations he has received on state aid for pig farmers in Wales. [122184]

Mr. Paul Murphy: I have received no representations on state aid for pig farmers, who proportionately play a very minor part in the Welsh livestock industry.

Waiting Lists

9. **Mr. Clifton-Brown:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary on the impact of funding on the change in NHS waiting list times in Wales for those waiting over six months since 1 May 1997. [122185]

Mr. Hanson: My right hon. Friend the Secretary of State and I regularly meet the First Secretary and the Assembly Health Secretary to discuss health issues in Wales. Discussions often include funding of the NHS in Wales and the issue of waiting lists/waiting times.

10. **Mr. Stephen O'Brien:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary and the Welsh Health Secretary with regard to the number of people currently waiting over 18 months for an operation. [122186]

Mr. Hanson: My right hon. Friend the Secretary of State and I regularly meet the First Secretary and the Assembly Health Secretary to discuss health issues in Wales. Our discussions do, of course, include the subject of waiting lists and times.

19. **Mrs. Spelman:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about the number of patients waiting over 18 months for an operation on the NHS. [122195]

Mr. Hanson: My right hon. Friend the Secretary of State for Wales and I regularly meet and discuss health issues with both the First Secretary and the Assembly Health Secretary. Our discussions often include the subject of waiting times and lists.

A483 Upgrade

11. **Mr. Öpik:** To ask the Secretary of State for Wales what progress he has made in securing agreement to an upgrading of the A483 north-south Wales road in the mid-Wales and North Shropshire area. [122187]

Mr. Paul Murphy: As the hon. Member is aware, the improvement of Welsh trunk roads is a matter for bilateral discussion between the National Assembly for Wales and the lead Whitehall department in cases such as this where decisions affect communities on the English-Welsh border. I have, however, raised this issue with the First Secretary and written to my hon. Friend the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions.

Manufacturing Industry

12. **Ms Julie Morgan:** To ask the Secretary of State for Wales what discussions he has had with the Secretary of State for Trade and Industry about the effect of the value of the pound and the euro on manufacturing industry in Wales. [122188]

Mr. Paul Murphy: I am in frequent contact with my right hon. Friend the Secretary of State for Trade and Industry. The Government understand the concerns of businesses, and particularly manufacturers, trading within Europe, about the weakness of the euro. But it is determined to take a long-term view. Short-term fixes would be the biggest threat of all to industry, with the illusion of temporary relief followed by the threat of long-term damage.

Policing

13. **Mr. Simon Hughes:** To ask the Secretary of State for Wales what consultations he plans to hold with *(a)* the Home Secretary and *(b)* the First Secretary on policing in Wales. [122189]

Mr. Paul Murphy: I meet both the Home Secretary and the First Secretary regularly to discuss a range of issues, including policing in Wales.

New Deal for the Over-50s

14. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on implementation of the New Deal for the Over-50s in Wales. [122190]

Mr. Paul Murphy: The New Deal 50-plus pathfinder in north-east Wales has been in operation since October 1999 and was launched by my hon. Friend the Parliamentary Under-Secretary for Wales. The all-Wales roll-out of the New Deal 50-plus was launched on 3 April this year at Merthyr College by the Prime Minister.

Farming

15. **Mr. Gill:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the state of farming in Wales. [122191]

Mr. Paul Murphy: I meet the First Secretary on a regular weekly basis and we discuss a wide range of issues, including the state of farming in Wales. The Government have clearly shown their commitment to the farming industry by the Action Plan announced at the Prime Minister's Summit on 30 March and the package of aid worth £28 million to Wales.

The National Assembly for Wales meanwhile is taking forward a number of measures to support rural development and diversification in agriculture.

Learning and Skills Bill

16. **Mr. Ruane:** To ask the Secretary of State for Wales what discussions he has had with the National Assembly on the impact of the Learning and Skills Bill [*Lords*] on skill levels in Wales. [122192]

Mr. Hanson: I regularly meet Tom Middlehurst, Assembly Secretary responsible, to discuss a range of issues including the impact of the Learning and Skills Bill, which will establish a new Council for Education and Training for Wales. The CETW will focus education and training more purposefully and effectively to enable young people and adults in Wales to develop the skills they need in the labour market.

Health Funding

17. **Mr. Alan Williams:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about health funding in Wales. [122193]

Mr. Hanson: My right hon. Friend the Secretary of State for Wales and I meet regularly to discuss health funding issues with the First Secretary and the Assembly Health Secretary. We have both been interested to hear how the Assembly plans to allocate the additional funding for Wales that was announced in the March budget.

24. **Mr. Edwards:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about health funding in Wales. [122200]

Mr. Hanson: My right hon. Friend the Secretary of State for Wales and I regularly meet the First Secretary and the Assembly Health Secretary to discuss health issues in Wales. Health funding, of course, forms part of our agenda but it is for the Assembly to decide how health funding is allocated in Wales.

Airbus (A3XX Project)

18. **Mr. Ben Chapman:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary with regard to the employment implications of the A3XX project coming to Airbus UK in Broughton. [122194]

Mr. Paul Murphy: I meet the First Secretary weekly, and we frequently discuss Broughton. I was pleased to hear that the first orders have been received for the A3XX, and welcome the announcement by my right hon. Friend the Secretary of State for Defence that the United Kingdom will be placing an order for 25 A400M aircraft.

Sterling

20. **Mr. Wigley:** To ask the Secretary of State for Wales what assessment he has made of the impact of the present level of the pound against the euro on the Welsh economy; and what discussions he has had with the First Secretary. [122196]

Mr. Paul Murphy: I am in regular contact with the First Secretary and we frequently discuss the key issues facing the Welsh economy. The Government understand the concerns of businesses about the weakness of the euro, but is determined to take a long-term view.

Short-term fixes would be the biggest threat of all to industry, with the illusion of temporary relief followed by the treat of long-term damage.

23. **Mr. Flynn:** To ask the Secretary of State for Wales what assessment he has made of the impact of the value of sterling on Welsh manufacturing employment. [122199]

Mr. Paul Murphy: The Government understand the concerns of businesses, and particularly manufacturers trading within Europe, about the weakness of the euro. Nevertheless, recent manufacturing export volumes have been robust across the UK as a whole, growing by 9 per cent. overall and by 6 per cent. to European markets.

Strategic Trunk Roads

21. **Mr. Paterson:** To ask the Secretary of State for Wales if he will make a statement on discussions he has had with the First Secretary about strategic trunk roads. [122197]

Mr. Paul Murphy: Management of the Welsh trunk road network, including improvements to cross-border links with England, are matters which have been devolved to the National Assembly and are for the First Secretary to consider.

I have, however, discussed with the First Secretary the A483 at Pant and Llanymynech, particularly the concerns of the hon. Member about road safety.

New Deal for Young People

22. **Mr. Bercow:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary on the implementation of the new deal for young people in Wales. [122198]

Mr. Paul Murphy: I meet the First Secretary to discuss Welsh employment issues, and my hon. Friend, the Parliamentary Under-Secretary of State for Wales holds quarterly liaison meetings with the Assembly Secretary for Post-16 Education and Training. The New Deal is a Central Government initiative with programmes delivered mainly through the Employment Service, so my hon. Friend and I are also in regular contact with ministerial colleagues on the subject. I am pleased to note that 27,131 young people in Wales have joined the New Deal programme since it was launched in the West Wales Pathfinder in January 1998, and that there has been a corresponding 61 per cent. fall in the number of 18 to 24-year-olds unemployed and claiming Jobseeker's Allowance for six months or more.

Rail Services

25. **Mrs. Lawrence:** To ask the Secretary of State for Wales what recent discussions he has had with companies providing rail services in Wales. [122201]

Mr. Paul Murphy: I shall be meeting representatives from the rail industry today to discuss services in Wales. In addition, I discuss rail transport with the First Secretary as part of our weekly meetings, as does my hon. Friend the Parliamentary Under-Secretary of State for Wales, in his quarterly liaison meetings with the Assembly Secretary responsible for transport.

26. **Mr. Win Griffiths:** To ask the Secretary of State for Wales what recent discussions he has had with representatives of the rail industry in Wales. [122202]

Mr. Paul Murphy: I shall be meeting representatives from the rail industry to discuss services in Wales. In addition, I discuss rail transport with the First Secretary as part of our weekly meetings, as does my hon. Friend the Parliamentary Under-Secretary of State for Wales, in his quarterly liaison meetings with the Assembly Secretary responsible for transport.

European Structural Funds

27. **Mr. Simon Thomas:** To ask the Secretary of State for Wales what representations he has made to the Chancellor of the Exchequer on behalf of the National Assembly for Wales concerning provision in the comprehensive spending review of additional funds to match spending under European Structure Fund programmes; and if he will make a statement. [122203]

Mr. Paul Murphy: I meet the Chancellor regularly and discuss a range of issues.

The importance of the assistance that objective 1 status will deliver to Wales is a key issue which I have discussed with Treasury colleagues. They understand the significance of what this will mean for Wales. That is why the implications for the Welsh Block arising from objective 1 funding are an important feature of the Government's spending review, which is now under way.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Wales if he will list the contracts entered into with private sector companies for the provision of goods or services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122014]

Mr. Paul Murphy: There is no record of any penalty clause having been triggered for non-performance in either the Wales Office, since 1 July 1999, or the Welsh Office prior to that date.

Soft Drugs

Mrs. Ann Winterton: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary and the United Kingdom Anti-Drugs Co-ordinator about the prevalence of soft drugs in Wales. [122176]

Mr. Hanson: I meet the Assembly Secretaries on a regular basis to discuss a range of issues including the misuse of drugs in Wales.

The Assembly Secretary for Health and Social Services will be launching the refocused Welsh substance misuse strategy on 25 May 2000. This refocused strategy has been developed in the light of the UK Anti-Drugs strategy launched in April 1998.

Police Funding

Mr. Gareth Thomas: To ask the Secretary of State for Wales what discussions he has had with chief constables about funding of police forces in Wales. [122175]

Mr. Paul Murphy: I met Welsh chief constables on 17 March. We discussed a wide range of issues including developments in modern policing, and manning and funding levels.

AGRICULTURE, FISHERIES AND FOOD

Seed Purity

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what measures he plans to introduce to deal with third-party contamination of GM-free seed. [123388]

Mr. Nick Brown: As I made clear to the House in my statement of 18 May 2000, *Official Report*, column 473–80, the Advisory Committee on Releases to the Environment (ACRE) and the Food Standards Agency (FSA) have advised the Government that the possibility that some conventional rapeseed stocks sold to farmers for sowing in 1999 and 2000 may have contained low levels of genetically modified rapeseed presents no risk to human health or the environment. I am placing the advice from ACRE and the FSA in the Library of the House. The Government have also sought the advice of the Advisory Committee on Animal Feedingstuffs (ACAF) and that advice will also be made public when it is received.

My right hon. Friend the Secretary of State for the Environment, Transport and the Regions and I have received, and are now considering, legal advice on the complex legal issues raised by this incident including whether any offence has been committed.

My officials are in discussion with the National Farmers Union on the practical and legal implications of the incident for farmers whose crops may have been affected.

My officials have been in contact with the Canadian authorities to obtain more detailed information about the circumstances surrounding this incident. One of my officials is travelling to Canada to follow this up and will report back to me and to the EU Standing Committee on Seeds on 30 May.

I and my officials have been in contact with the Commission and other EU member states affected with a view to taking a common approach to the issues raised by this incident. I have agreed with the French Minister of Agriculture that we should explore urgently the possibility of joint discussions between ourselves, the other member states concerned and the seed company Advanta. I will be following this up when I meet my colleagues at the informal meeting of EU Agriculture Ministers on 29–30 May.

My right hon. Friend the Minister of State announced on 17 May 2000, *Official Report*, column 173W the new measures the Government are taking to ensure seed purity.

Genetically Modified Seed

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food (1) what was the length of the consultation period prior to the addition of Chardon LL maize to the national seed list; and what considerations he took into account in determining the length of the period; [122778]

(2) what steps his Department took to publicise the consultation on the addition of Chardon LL maize to the national seed list; [122777]

(3) what assessment he has made of the adequacy of *(a)* the publicity given to the consultation and *(b)* the length of the consultation period on the addition of genetically modified seed types to the national seed list. [122775]

Ms Quin: The Seeds (National Lists of Varieties) Regulations 1982 (as amended) require Ministers to publish in the Plant Varieties and Seeds Gazette, a notice indicating their proposed decision, and the arrangements and timing (not being less than 14 days) for making written representations or applying to be heard by a person appointed by them. The Gazette was published on 3 April and gave until 21 April—a period of 18 days—for such submissions to be made. This was subsequently extended administratively to 25 April to allow for delays in making submissions because of the Easter break. These arrangements reflected the normal practice for dealing with National List proposed decisions.

Given the wide interest in, and the publicity surrounding, the proposed decision, in addition to publication of the statutory notice in the Plant Varieties and Seeds Gazette, Ministers also issued a press notice announcing their decision. Some 4,000 letters were also sent out to those individuals and organisations who had been corresponding with MAFF about GM National List matters, advising them individually of the proposed decision and the procedures for making written representations or requesting a hearing. Information about the proposed decision, including the tests and trials data on which the decision was based, and the arrangements for making representations and requesting a hearing, were also placed on the MAFF internet website.

EU Agriculture Council

Mr. Casale: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 16 to 17 May; and if he will make a statement. [122768]

Mr. Nick Brown: 1. I represented the United Kingdom at the Agriculture Council in Brussels on 16 May.

2. The Council held a brief discussion of the Commission's proposal setting certain CAP prices and amounts for the 2000–01 marketing year, without reaching a conclusion. The Council will consider it further at its June meeting.

3. The Council discussed EU enlargement on the basis of a report from Commissioner Fischler on current preparations of the agriculture chapter. All Ministers stressed the importance they attached to making enlargement a success, recognising the key role of agriculture, including its veterinary, phytosanitary and food safety elements, in ensuring this. I welcomed the Commission's measured and methodical approach aimed at securing the opening of negotiations with the "Luxembourg Six" countries next month. Along with several other Ministers, I emphasised that a successful enlargement would require action not only by the applicant countries in aligning their legislation and administrative capacity with EU requirements, but also by the present EU in further adapting the CAP as provided for in the Agenda 2000 agreement of March 1999.

4. Under Other Business I supported the Swedish Minister's call for a discussion at next month's meeting on evidence gathered by Compassion in World Farming of unsatisfactory implementation of the welfare of animals in transport Directive, an issue I have previously raised myself in correspondence with the responsible Commissioner, David Byrne.

Hounds (Feed)

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will review the controls on the materials that hunts may feed their animals, with particular reference to specified risk material. [123137]

Ms Quin *[holding answer 22 May 2000]:* Specified risk material (SRM) may not be fed to animals. EU-wide specified risk material controls are currently being considered in the Standing Veterinary Committee of the Commission. Any redefinition of SRM is unlikely to result in an exemption to enable SRM to be fed to hounds.

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will publish the advice his Department offers to hunts on the dead stock that can be fed to packs of hounds. [123168]

Ms Quin *[holding answer 22 May 2000]:* In Great Britain the rules governing the feeding of animal by-products (which includes dead stock) to packs of hounds are laid down in the Animal By-Products Order 1999. The Order permits only certain categories of material to be fed to recognised packs of hounds in registered premises.

Rural Development Plan

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what details he has received of the rural development plans of other EU member states, with particular reference to their level of funding. [122961]

Mr. Nick Brown *[holding answer 22 May 2000]:* The European Commission has so far produced only a summary of the Rural Development Plan for Finland, which makes full use of their EU allocation.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if the projected increase in expenditure on the England rural development plan takes into account official estimates of inflation over the period involved. [122966]

Mr. Nick Brown *[holding answer 22 May 2000]:* No. The projected increase in expenditure derives from modulation receipts which will be matched pound for pound, subject to the Spending Review.

Farm Summit

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the individuals who *(a)* were invited to and *(b)* attended the Downing street farm summit on 30 March. [122969]

Mr. Nick Brown *[holding answer 22 May 2000]:* The Prime Minister invited a number of representatives of key stakeholders in the food chain to attend the summit on 30 March. All organisations invited to the farm summit attended. A list of names is provided.

List of attendees at meeting with farming and food industry leaders, at No. 10 Downing street on 30 March

Peter Barr, Chairman, IGD Food Project, Hazelwood Foods plc

Peter Blackburn, President, Food and Drink Federation

Anthony Bosanquet, President, Countryside Landowners Association

Right hon. Nick Brown, Minister of Agriculture, Fisheries and Food

Sir Ross Buckland, Unigate plc

Ewen Cameron, Countryside Agency

Mike Coupe, Trading Director, ASDA Stores Ltd.

Donald Curry, Chairman, Meat and Livestock Commission

Sir Peter Davis, Chief Executive, J. Sainsbury plc

Ross Finnie, Minister for Rural Affairs, Scotland

Ben Gill, President, National Farmers Union

Janet Godfrey, Chairperson, Women's Farmers Union

John Godfrey, National Pig Association

Christine Gwyther, Secretary for Agriculture and the Rural Economy, Wales

David Hanson, Parliamentary Under-Secretary of State, Welsh Office

Sir John Harman, Chairman of Environment Agency

Kevin Hawkins, Chief Executive, Safeways Stores plc

Reg Haydon, National Chairman, Tenant Farmers Association

Right hon. Adam Ingram, Minister of State, Northern Ireland Office

Terry Leahy, Chief Executive, Tesco plc

Lord Lindsay, Chairman of Assured British Meat

Micael McCoy, President, NI Agricultural Producers Association

Richard MacDonald, National Farmers Union

Sir Kenneth Morrison, W. M. Morrisons Supermarkets plc

Bob Parry, President, Farmers Union Wales

Nick Raynsford, Minister of State, Department of the Environment, Transport and the Regions

Right hon. Dr. John Reid, Secretary of State for Scotland

Hugh Richards, Chairman, National Farmers Union Wales

Peter Small, Permanent Secretary for Agriculture, Northern Ireland

Will Taylor, President, Ulster Farmers Union

Jim Walker, National Farmers Union Scotland.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 11 May 2000, *Official Report*, column 1024, if he will list the points of the 62 point action plan launched during the Prime Minister's summit in March. [122957]

Mr. Nick Brown *[holding answer 22 May 2000]:* All 62 points are contained in the "Action Plan for Farming" launched at the Downing street farm summit on 30 March. Copies of the Action Plan have been placed in the House Library.

Apple Growers

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the decision by the French Government to compensate apple growers for the effect of consumer boycotts in Britain. [122993]

Mr. Nick Brown *[holding answer 22 May 2000]:* I am aware that the French Government are providing aid for the horticulture sector but their Press Releases indicate that it is for restructuring, not compensation for the effects of any consumer boycott of French apples. My officials are seeking further information. There are strict rules governing the granting of state aids by member states. It is the responsibility of the European Commission to assess whether state aids comply with these rules. However if there is evidence that the French are paying an illegal state aid we will raise this with the Commission.

EU Rural Development Policy

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what benefits he has identified from the creation of an integrated European Union rural development policy. [122960]

Mr. Nick Brown *[holding answer 22 May 2000]:* The Rural Development Regulation enables member states for the first time systematically, coherently and comprehensively to plan expenditure on rural measures which aim to meet environmental, social and economic objectives for the countryside.

CAP

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if, in preparing a strategy for further CAP negotiations, he has made specific provision for the possibility that Britain will retain its own currency for the foreseeable future. [122972]

Mr. Nick Brown *[holding answer 22 May 2000]:* In developing agricultural strategy, no assumptions have been made as to whether or not the UK is likely to join the eurozone, or to remain outside.

Hill Farmers

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 11 May 2000, *Official Report*, column 1028, if his statement that the England rural development plan would enable support for hill farmers to be continued meant that support for hill farmers would continue at its current level. [122964]

Mr. Nick Brown *[holding answer 22 May 2000]:* I refer the hon. Member to the reply I gave him on 5 May 2000, *Official Report*, column 249W.

BSE

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food when the BSE Inquiry's report will be completed. [123393]

Ms Quin *[holding answer 23 May 2000]:* The BSE Inquiry requested a six month extension beyond the deadline of 31 March 2000 to complete their task. The Government have agreed this extension. The Report will be published shortly after its receipt by Ministers.

EDUCATION AND EMPLOYMENT

Sure Start

Ms Kelly: To ask the Secretary of State for Education and Employment what has been the annual cost to date of establishing the Sure Start Scheme; and what estimate he has made of the number of Sure Start places in each year since its establishment and in 2000–01. [122531]

Yvette Cooper *[holding answer 17 May 2000]:* The 60 trailblazers cover approximately 50,000 children aged under four in disadvantaged areas. 57 of these programmes have now been approved and most are delivering services. The total spend in the financial year 1999–2000 was £4,877,000.

By March 2002, we intend to establish 250 programmes covering up to 200,000 children, around 8 per cent. of children aged under four at one time, and around 20 per cent. of the age group living in poverty in England. We expect most of these programmes to either start operations or start planning by March 2001.

Post-graduate Certificate in Education Courses

Mr. Clappison: To ask the Secretary of State for Education and Employment how many physics graduates entered PGCE courses for secondary teaching in each of the last five years. [123036]

Ms Estelle Morris: The number of new entrants to postgraduate initial teacher training (ITT) courses for secondary teaching in Physics is not collected centrally. The numbers of new entrants to postgraduate ITT courses in England for secondary teaching in Science for the last five years are given in the following table.

Intake to postgraduate initial teacher training (ITT) in England

Year	*Intake*
1995–96	2,530
1996–97	2,564
1997–98	2,438
1998–99	2,058
1999–2000	2,149

Note:

Data are mid year provisional

Source:

TTA Survey of ITT Providers

Coverage:

Universities and other HE Institutions, School Centred ITT and Open University

At 25 September 1999, with Golden Hello incentives, the number of Physics applications for postgraduate ITT was up by 40 per cent. on the previous year. The number of new entrants on postgraduate ITT Science courses in England for 1999–2000 was up by 4 per cent. on the previous year, effectively meeting the overall target for the year. It is too early to predict recruitment to PGCE courses in 2000–01.

The following table, taken from the Higher Education Statistics Agency's Student Record Survey shows the percentage of those commencing PGCE ITT in England, funded by the Teacher Training Agency (TTA), who were graduates in Physics in the years 1995–96 to 1998–99. These are the subjects of first degree and not necessarily the subjects or phase in which the student is undertaking teacher training. Information for the current year is not yet available. There is a significant proportion of students for whom the first degree subject is unknown. The subjects of first degree do not include combined courses, or closely related courses such as engineering.

Percentage of those commencing TTA funded PGCE ITT in England with first degrees in Physics, 1995–96 to 1998–99

Year	*Percentage with Physics degree*
1995–96	1
1996–97	1
1997–98	1
1998–99	1

Source:

Higher Education Statistics Agency's Student Record Survey

Early-years Education

Mr. Kidney: To ask the Secretary of State for Education and Employment who has responsibility for the strategic overview of Government policy for the maintenance of pre-school learning provision. [123104]

Ms Hodge: The Secretary of State has overall responsibility for the Government's early education policy. The statutory duty to secure free early education places for all four-year-olds rests with local education authorities. Together with their Early Years Development and Childcare Partnerships, they have responsibility for planning and monitoring the sufficient supply of high quality early education places in their area.

Skills Task Force

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment if he will list *(a)* the membership and qualifications, *(b)* the activities and *(c)* the reports of the Skills Task Force since its inception. [123459]

Ms Jowell *[holding answer 23 May 2000]:* The 19 members of the National Skills Task Force were appointed by the Secretary of State for Education and Employment to serve in a personal capacity. Their names and positions within their respective organisations are listed. The Department does not hold information on members' qualifications.

The Task Force was remitted by the Secretary of State to assist him in developing a National Skills Agenda. Meeting monthly since its launch in April 1998, the group has considered a range of themes concerned with skill demand and supply, and recorded its conclusions and recommendations in its reports. It has overseen an extensive programme of original research which provides the evidence base for its conclusions. The Task Force has undertaken over 40 formal consultation events, some with a particular sectoral or geographical focus, and has held a series of bilateral meetings with the main agencies involved in education and training.

To date, the Task Force has issued three interim policy reports, covering: a preliminary analysis of skill shortages and gaps, vocational skills for young people, key skills, collection and use of skills and labour market information, upskilling adults and learning in the workplace. Other publications so far are the final report from its IT, Communications and Electronics skills strategy group, a recruitment guide for small businesses, and 19 research papers on various topics. All are available in the Library.

National skills task force: Membership

Name	*Organisation*	*Position*
Chris Humphries CBE (Chairman)	British Chambers of Commerce	Director General
Llew Aviss	Llew Aviss Associates	Managing Director
Rita Britton	Pollyanna (Barnsley) Ltd.	Director
Tony Dubbins	Graphical, Paper and Media Union	General Secretary
Eric Drewery	ABB Ltd.	Chief Executive
John Edmonds	GMB	General Secretary
Denise Hall	BT plc	Head of Government, Health and Education Services
Sir Ken Jackson	AEEU	General Secretary
Dr. DeAnne Julius	Bank of England	Member, Monetary Policy Committee
Eddie MacIntyre CBE	Birmingham College of Food and Tourism	Principal
Ashwin Mistry OBE	Brett and Randall Insurance Brokers	Director
Terry Morgan	BaE System plc	HRD Director
John V. Palmer	Steel Training Ltd.	Chairman
Peter Rainbird CBE	Rainbird Group Ltd.	Chairman/Chief Executive
Iain Roxburg	Coventry City Council	Chief Executive and Town Clerk
Sharon Studer	3 COM Europe Ltd.	Vice President
Julia Tinsley	Pitman Training Centre	Director
Adair Turner	Confederation of British Industry (formerly)	Director General
Professor Leslie Wagner	Leeds Metropolitan University	Vice Chancellor
Anne Weinstock CBE	Rathbone CI	Chief Executive (currently on secondment to DfEE)

Equal Opportunities Legislation

Mr. Ruane: To ask the Secretary of State for Education and Employment what assessment he has made of the effectiveness of the Equal Pay Act 1970 in reducing disparities in pay between males and females in the last five years. [123465]

Ms Hodge *[holding answer 23 May 2000]:* We welcome the continuing narrowing trend in the gender pay gap, not least the full percentage point reduction from 20 per cent. to 19 per cent. in 1999. It is not possible to determine the precise extent to which the reduction in the last five years can be directly attributed to the Equal Pay Act but it is clear that a sensible statutory framework is an essential component. So too are our wider efforts to ensure improvements in education and skill levels and to help women stay in, or return to, the labour market after having children.

Online Learning

Mr. Boswell: To ask the Secretary of State for Education and Employment what studies he has carried out of the problem of measurement assessment and evaluation of learning conducted on-line. [123161]

Mr. Wills: The Department has commissioned the British Educational Communications and Technology agency to evaluate the impact of ICT on children's achievements in school. The project, "ImpaCT2", is focusing on the effect of ICT in attainment in literacy and numeracy and the core subjects of the National Curriculum at Key Stage 2, and a wider subject range at Key Stages 3 and 4. Findings from the interim report will be made available soon. The final report is due to be submitted to the Department in early 2002.

The Qualifications and Curriculum Authority has commissioned research on the use of ICT in coursework and portfolio evidence. A report on this research project is due to be submitted soon.

Correspondence

Mr. Terry Lewis: To ask the Secretary of State for Education and Employment when he will reply to the letters from the hon. Member for Worsley dated 14 September 1999, 4 November 1999 and 4 April 2000, regarding a constituent's inquiry about student grants and higher education fees. [123400]

Mr. Wills: A reply to my hon. Friend's letters was issued on 17 May 2000.

Sixth Forms

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many secondary schools have sixth forms with *(a)* 0 to 50, *(b)* 51 to 100, *(c)* 101 to 150, *(d)* 151 to 200 and *(e)* 201 to 250 pupils. [123502]

Ms Estelle Morris: The latest provisional national estimates for England are shown in the table. For January 2000, provisional figures show that there were 3,550 maintained secondary schools in England, of which 1,834 (or 52 per cent.) had a sixth form.

Number of maintained secondary schools by size of sixth form in England, January 2000 [1]

Size of sixth form	*Number of schools*
Up to 50	115
51 to 100	319
101 to 150	409
151 to 200	398
201 to 250	295
251 and over	298
Total	1,834

[1] Provisional

Final figures will be published in the Annual Statistical Volume "Statistics of Education: Schools in England (2000 edition)" in September.

CULTURE, MEDIA AND SPORT

EU Culture Council

Mr. Casale: To ask the Secretary of State for Culture, Media and Sport what was the outcome of the Culture Council held in Brussels on 16 May; and if he will make a statement. [122767]

Mr. Alan Howarth: I represented the United Kingdom at the EU Culture Council on 16 May. The Council held a useful exchange of views on the objectives and proposed approach to the MEDIA PLUS programme, the aim of which will be to strengthen the competitiveness of the European audiovisual industry. The Council and the member states adopted Conclusions on principles and guidelines for the Community's audiovisual policy in the digital age. The Council also adopted a Resolution on the conservation and enhancement of the European cinema heritage.

The Portuguese Presidency presented a report on cultural diversity in the new international environment and on a recent seminar on digital radio, as well as Presidency conclusions on the value of cultural statistics. The French and Portuguese delegations informed the Council of their nominees to serve on the selection panel for the European Capital of Culture 2005.

In the margins of the meeting I had useful discussions with the new French Minister of Culture, in advance of the forthcoming French Presidency of the EU, and with Commissioner Reding.

Antiques (Illicit Trade)

Mr. Pond: To ask the Secretary of State for Culture, Media and Sport what arrangements he is making to ensure that the Government are able to draw on expert advice in considering options for countering the illicit trade in antiquities. [123930]

Mr. Alan Howarth: I am convening a panel of experts, drawn from the legal, archaeological and museum worlds, and from the art and antiques trade, whose terms of reference will be:

To consider the nature and extent of the illicit international trade in art and antiquities, and the extent to which the UK is involved in this;

To consider how most effectively, through both non-legislative and legislative means, the UK can play its part in preventing and prohibiting the illicit trade, and to advise the Government accordingly.

To report to the Minister for the Arts by 30 November 2000.

I am most grateful to the following experts who have agreed to be members of the advisory panel:

Professor Norman Palmer: Professor of Commercial Law, University College, London (chairman).

Dr. Peter Addyman: Chairman of the Standing Conference on Portable Antiquities; Director of the York Archaeological Trust.

Dr. Robert Anderson; Director of the British Museum.

Anthony Browne: Chairman of the British Art Market Federation.

James Ede: Chairman designate of the Antiquities Dealers' Association; Director of Charles Ede Ltd., antiquities dealers.

Joanna van der Lande: former Chair of the Antiquities Dealers' Association; associate director of Bonhams Ltd., and head of the antiquities department.

Professor Lord Renfrew of Kaimsthorn: Director of the McDonald Institute for Archaeological Research, University of Cambridge.

Anna Somers Cocks: Editor, The Art Newspaper.

The panel will be supported by a working group of officials drawn from all those departments which share responsibility for measures to combat illicit trade.

English Heritage

Mr. Dobson: To ask the Secretary of State for Culture, Media and Sport if he will list the occasions in each of the last five years on which English Heritage gave grants to *(a)* members of the board of English Heritage and *(b)* organisations with which board members had connections. [122635]

Mr. Alan Howarth: Since 1996–97 this information has been made available each year in English Heritage's Annual Report. The information requested for years prior to 1996–97 is not readily collatable in the timescale required.

Occasions in each of the last four years on which English Heritage gave grants to its Commissioners or organisations with which Commissioners had connections is as follows:

1996–97

conservation grant of £25,000 in respect of a Grade II listed building owned by Lady Gass

conservation grant of £7,000 in respect of an estate in which Lord Cavendish of Furness had an interest

1997–98

conservation grant of £15,000 in respect of an estate in which Lord Cavendish of Furness had an interest

1998–99

conservation grant of £2,000 in respect of an estate in which Lord Cavendish had an interest

conservation grant of £10,000 in respect of an estate of which the right hon. Lord Faringdon is a Trustee and his son a beneficiary

1999–2000

conservation grant of £18,000 in respect of an estate of which the right hon. Lord Faringdon is a Trustee

conservation grant of £24,000 in respect of an estate of which the right hon. Lord Faringdon is a Trustee and his son a beneficiary

conservation grant of £8,000 to a Trust of which Philip Davis is a Trustee.

DEFENCE

Naval Vessels

Dr. Julian Lewis: To ask the Secretary of State for Defence when he plans to withdraw HMS Fearless and HMS Intrepid from service. [121700]

Mr. Spellar: On current plans, HMS Fearless and HMS Intrepid are due to be withdrawn from service in 2003 and 2001, respectively. However, these dates are linked to the acceptance of the replacement vessels, the Landing Platform Dock (Replacement)s (LPD(R)s),

named HMS Albion and HMS Bulwark. In the light of delays to the LPD(R)s, the dates for withdrawal for Fearless and Intrepid are under review.

Correspondence

Sir Teddy Taylor: To ask the Secretary of State for Defence when he will reply to the letter from the hon. Member for Rochford and Southend, East of 21 April requesting a meeting. [122572]

Dr. Moonie: My noble Friend the Minister for Defence Procurement, Baroness Symons, wrote on 20 May, and has offered to meet the hon. Member.

Websites

Mr. Maclennan: To ask the Secretary of State for Defence, pursuant to his answer of 3 May 2000, *Official Report*, column 117W, on websites, if he will list the major service events which satisfy all the conditions *(a)* for which a related website exists, *(b)* which were sponsored by one or more companies and *(c)* on whose website the sponsoring company receives publicity, either by having its logo on the site, or otherwise; and if he will in each case (i) list the sponsoring companies, (ii) estimate the market value of such publicity on the website and (iii) state if this estimate was taken into account in negotiating the sponsorship deal. [122743]

Dr. Moonie: My Department's principal websites—those of the central MOD and the three Services—are not sponsored by commercial companies. Where a major Service event has had external sponsorship and a related web page exists on a Ministry of Defence or Service website, the sponsor company's logo has on occasion been featured on that web page as an acknowledgment. In a few cases logos have been hyperlinked to the company's own website. The market value of the logo placements is assessed as negligible in comparison with the value of the overall sponsorship for the separate events, and taking into consideration the estimated number of visitors to the relevant pages and current market rates for website advertising on pages of this type.

The following table summarises the logo placements for sponsored major Service events on the Department's major websites. Detailed information on the other departmental websites maintained by individual Defence Agencies and units and on other sites maintained by non-departmental public bodies is not held centrally and could be provided only at disproportionate cost.

Major Service event	*Sponsor of event*	*Website(s) on which sponsor logo(s) featured*
Army v Navy Rugby match	Willis Caroon	Royal Navy—www.royal-navy.mod.uk Army—www.army.mod.uk
Royal Artillery display team	Main sponsors Kawasaki Motors(UK) Wurth UK	Army—www.army.mod.uk
Royal Military Tattoo	Amey plc BAe Systems Daily Telegraph NAAFI/Warrior THUS/Demon Internet	Royal Military Tatoo 2000—www.rmt2000.mod.uk
Service Offshore Regatta	EDS	Royal Navy—www.royal-navy.mod.uk

In addition, the Army has participated in the national Rugby League Silk Cut Challenge Cup. The company name appears in the competition's logo which features on the relevant section of the main Army website—www.army.mod.uk/sport/events.

Of those events listed, only the RMT 2000 website features active hyperlinks from a sponsor company's logo to the company's own website.

ABSV

Mr. Hancock: To ask the Secretary of State for Defence what the requirement of armoured battlegroup support vehicles will be for transportation by air; what aircraft he plans for transportation of the ABSV; and if he will make a statement. [122977]

Dr. Moonie: The full requirements for the Armoured Battle Group Support Vehicle (ABSV) have not been finalised. However, it is likely that the requirements will include comparable deployability to that of the Warrior Infantry Fighting Vehicle. This equates to its being air-portable by both C-17 and A-400M.

Production Bases Abroad

Mr. Hancock: To ask the Secretary of State for Defence what his policy is on giving assistance to British companies seeking to locate production bases outside the UK. [122976]

Dr. Moonie: My right hon. Friend the Secretary of State for Trade and Industry has the lead responsibility for providing advice and assistance to British companies seeking to locate production bases outside the UK. Such assistance is provided through the British Trade International organisation, run jointly by the Department of Trade and Industry and the Foreign and Commonwealth Office.

UK civil firms that have decided to invest abroad can obtain assistance by using the "Offset-Investment Brokering Scheme" which is run jointly by British Trade International and the Defence Export Services Organisation. This service connects Defence firms which possess indirect offset commitments, with investors, for their mutual benefit.

Where a UK defence equipment manufacturer is successful in winning export business which requires, under industrial participation arrangements, the establishment of local production facilities, the Defence Export Services Organisation will provide additional support and guidance if required.

Procurement (Fraud)

Mr. Menzies Campbell: To ask the Secretary of State for Defence what estimate his Department has made of the yearly cost to its budget of fraud in relation to procurement contracts. [122756]

Dr. Moonie *[holding answer 19 May 2000]:* The Department regards the whole of its procurement budget as being at risk from fraud. The cost of detected fraud is, however, difficult to quantify. The process followed is to assume, once an investigation of a potential fraud begins, that the whole contract value is at risk. Values are then revised as the case progresses to completion. On this basis, the Department's estimates of the value of procurement fraud over the last five years are as follows:

	£
1995–96	2,700
1996–97	No value
1997–98	1,000
1998–99	14,343
1999–2000	[1]1,796,326

[1] Includes one case estimated at £916,000, one estimated at £500,000 and one estimated at £260,000

Note:
The three cases recorded against 1999–2000 are at an early stage of investigation

Opinion Research

Mr. Duncan Smith: To ask the Secretary of State for Defence how much his Department spent on opinion research in the financial year 1999–2000. [123246]

Dr. Moonie *[holding answer 22 May 2000]:* Expenditure on external opinion research carried out in 1999–2000 was £600,272. Some small local studies may not be included as details are not held centrally.

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will list opinion research projects undertaken on behalf of his Department in the financial year 1999–2000, itemising *(a)* focus group research, *(b)* quantative surveys, and *(c)* other market research surveys, in each case stating when and where the results were published. [123232]

Dr. Moonie *[holding answer 22 May 2000]:* The following table gives information on external opinion research in 1999–2000. Research is carried out to explore public attitudes to Defence and the Armed Forces and the findings are used to assist planning on issues like recruitment to the Armed Forces. Research results are available in accordance with the Code of Practice on Access to Government Information.

Title	*Type*
National Association of Boys Clubs—Evaluation Post Stage	Focus group and quantitative
Office Redesign	Focus group
TA Army Medical Service Strategic Development	Focus group
Image of Recruit Selection Centres	Focus group
Officer Profiling Year 2	Quantitative
Be the best Advertising Tracking	Quantitative
January 2000 Omnibus	Quantitative
Army Ethnic Minority Evaluation	Quantitative
Nato Strategy Development Research (in conjunction with FCO)	Focus group
Public Attitudes to Defence	Focus group
Public Attitudes to Defence	Quantitative
Sponsorship of Formula One on Talk Radio	Quantitative
Advertising Tracking Research 1999	Quantitative
Yorkshire Initiative and Opportunities for all days	Focus group and quantitative
Engineer Officer TV Advert Creative Development	Focus group
Engineering Graduate Strategy Research	Focus group
Spotlight Publicity Evaluation	Quantitative
Advertising Tracking	Focus group and quantitative

Prisoners of War

Mr. Ben Chapman: To ask the Secretary of State for Defence when he will make an announcement on the question of a gratuity for former far east prisoners of war. [123529]

Dr. Moonie: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister on 3 May 2000, *Official Report*, column 143, to the hon. Member for Tatton (Mr. Bell). This matter is still being carefully considered in consultation with colleagues and no conclusions have yet been reached.

Families Associations Representatives

Mr. Keetch: To ask the Secretary of State for Defence, pursuant to his letter D/Min(AF)/JS PQ2803J/99 of 18 December 1999, if he will list the *(a)* names, *(b)* date of commencement in position, *(c)* formal employer and line manager, *(d)* responsibilities of and *(e)* salary of the Families Association representatives based at (i) HMNB Portsmouth, (ii) HMNB Devonport, (iii) Faslane/Clyde, (iv) HMS Collingwood, (v) HMS Raleigh, (vi) BRNC Dartmouth, (vii) RMTC Lympstone, (viii) HMS Excellent and (ix) RNAS Culdrose; and if he will make a statement. [123243]

Mr. Spellar *[holding answer 23 May 2000]:* The tables attached with my letter D/Min(AF)/JSPQ2803J/99/P provided data received from the relevant Establishments and Units about welfare and other facilities for which provision was made at the units concerned. I understand, however, that In relation to the list of Families Association Representatives, although the Association of Royal Naval and Royal Marine Families very much hopes in due course to establish local representatives in the bases listed, it has not yet done so. That is because the Association only came into being last year and has only just recruited its first local representative, who is based in Helston, Cornwall. The Association is an independent body, although it does receive some financial assistance from my Department and provision of some accommodation and facilities. The recruitment of local representatives, management arrangements and responsibilities are all matters for the Association.

Sunday Times (Injunction)

Mr. McNamara: To ask the Secretary of State for Defence when he was consulted about the issue of an injunction against *The Sunday Times* and others preventing publication of information obtained from the person known as Martin Ingram. [122759]

Mr. Spellar *[holding answer 23 May 2000]:* My right hon. and noble Friend the previous Secretary of State for Defence was first consulted about this matter on 11 August 1999. The current Secretary of State was consulted on 24 November.

Service Personnel (Divorce)

Mr. Quentin Davies: To ask the Secretary of State for Defence if he will list the divorce rates for serving military personnel in *(a)* the Army, *(b)* the Royal Navy and *(c)* the Royal Air Force for the last 12 month period for which figures are available. [120408]

Mr. Spellar *[pursuant to his reply, 8 May 2000, c. 263–64W]:* I have to advise that due to an administrative error the figure for married strength for the Royal Air Force at 1 April (1998–99) was incorrectly given as 22,417—this was, however, correctly given as the figure for the Royal Navy. The correct figure for the Royal Air Force should have read 34,808.

Written Answers to Questions

Thursday 25 May 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122260]

Ms Beverley Hughes *[holding answer 17 May 2000]:* The position at 1 April 2000 was as follows:

	Cars	*Commercial*	*Total*
UK	179	361	540
EU	317	79	396
Elsewhere	118	42	160
Total	614	482	1,096

Regional Airports

Mr. Plaskitt: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to begin the consultation on proposed changes to planning regulations in relation to small regional airports. [122784]

Mr. Mullin: The Department has no plans to change planning regulations for small regional airports. If my hon. Friend wishes to write to me with more details of his concerns in this area, I will provide a substantive reply.

Local Authority Housing

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the funds required to clear the current backlog of repairs to and modernisation programmes of local authority housing stock; and how much this figure represents per dwelling. [123013]

Mr. Mullin: We estimate, on the basis of sample data collected in the 1996 English House Condition Survey, that the backlog of renovation work on the council housing stock amounts to around £10 billion with a further £9 billion being required for improvement/modernisation work. This equates to an average of between £5,500 and £6,000 a dwelling. The renovation backlog will have been tackled in around a quarter of a million homes by March 2002 as a result of the extra resources we have made available for housing investment.

Joannou and Paraskevaides Group

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what representations his Department has received from the Joannou and Paraskevaides Construction Group in the last three years. [123139]

Ms Beverley Hughes *[holding answer 22 May 2000]:* The Department is not aware of any representations received from the Joannou and Paraskevaides Construction Group in the last three years.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what construction contracts his Department has awarded to the Joannou and Paraskevaides Group in the last three years. [123143]

Ms Beverley Hughes *[holding answer 22 May 2000]:* None.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what planning appeals his Department has received involving the Joannou and Paraskevaides Construction Group in the last three years. [123141]

Ms Beverley Hughes *[holding answer 22 May 2000]:* I am not aware of any planning appeals received from the Joannou and Paraskevaides Construction Group in the last three years.

Methyl Tertiary Butyl Ether

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what studies he has carried out to ascertain the possible contamination by methyl tertiary butyl ether from the discharge of unburned fuel from water craft on inland waters in England and Wales. [123444]

Mr. Mullin: I am not aware of any studies currently under way on this issue. Although the Environment Agency considers that the main risk from MTBE is to groundwater and has commissioned research on this, it has also carried out limited monitoring for MTBE in surface waters. Many water craft are powered by diesel fuel which does not contain MTBE.

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* terms of reference of and *(b)* people carrying out, the study on the incidence of methyl tertiary butyl ether in groundwater in England and Wales; and when he expects the study to be completed. [123442]

Mr. Mullin: The Environment Agency has commissioned a study to investigate known fuel oxygenate occurrence in groundwater in England and Wales, gathering evidence from *(a)* Environment Agency regional and area records *(b)* water companies, and *(c)* additional bodies and sources of information; to review and evaluate the presence and behaviour of oxygenates in groundwater; to inform the EA's strategic regulatory thinking, the risk assessment process and monitoring strategy, and to recommend any future research directions. The study, which is being carried out by the environmental consultancy firm Komex Clarke Bond, is expected to be available in the summer.

Fire Safety

Ms Drown: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 12 May 2000, *Official Report*, column 485W, on housing, what plans he has to include guidance to local authorities and fire authorities on the standard of fire safety provision for houses in multiple occupation, in the guidance documents that accompany the draft legislation; and whether that guidance will include reference to the installation of residential automatic fire sprinkler systems. [123532]

Mr. Mullin: As we indicated in the Housing Green Paper we are developing a housing health and safety rating system to replace the existing housing fitness standard. Within this we envisage risk-based guidance on fire safety precautions for certain high risk houses in multiple occupation. The guidance will include advice on when residential sprinklers might be appropriate.

Waste Disposal

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if he will list in order of the quantity of waste dealt with the main waste disposal facilities in the east of England. [123383]

Mr. Mullin *[holding answer 23 May 2000]:* The list of main waste disposal facilities in the east of England, in order of quantity of waste dealt with, is given in the table. For the purpose of this response, a main waste disposal facility is taken to mean their taking in excess of 90,000 tonnes of waste per year. The figures relate to 1998–99 (or the nearest available year).

Site operator	*Site location*	*Type of facility*	*Waste planning authority area*
Shanks and McEwan	Brogborough	Landfill	Bedfordshire
Cory Environmental	Mucking	Landfill	Thurrock
Cleanaway	Pitsea	Landfill	Essex
Shanks and McEwan	Stewartby	Landfill	Bedfordshire
Cleanaway	Ockendon	Landfill	Thurrock
Greenways Waste Management	Aveley	Landfill	Essex
Viridor	Great Blakenham	Landfill	Suffolk
Cory Environmental	Stanway	Landfill	Essex
SITA	Godmanchester	Landfill	Cambridgeshire
Shanks and McEwan	Arlesey	Landfill	Bedfordshire
Lafarge Redland	Radlett	Landfill	Hertfordshire
Shanks and McEwan	Dogsthorpe	Landfill	Peterborough
Fenside Waste Management	Warboys	Landfill	Cambridgeshire
Star Quarry Products	Hertford	Landfill	Hertfordshire
Anti Waste	Milton	Landfill	Cambridgeshire
Greenways Waste Management	Ongar	Landfill	Essex
Cory Environmental	Barling	Landfill	Essex
Anti Waste	Buckden	Landfill	Cambridgeshire
Pioneer Aggregates Ltd.	Ware Quarry	Landfill	Hertfordshire
Hales	Ugley	Landfill	Essex
Greenham Construction Materials	Elsenham	Landfill	Essex
Anti Waste	Feltwell	Landfill	Norfolk
Mick George Haulage Ltd.	Southorpe Quarry	Landfill	Peterborough
Hales	Attlebridge	Landfill	Norfolk
Lafarge Redland	Roxwell	Landfill	Essex
St. Albans Sand and Gravel	Ware	Landfill	Hertfordshire
St. Albans Sand and Gravel	St. Albans	Landfill	Hertfordshire
Suffolk Waste Disposal Company	Lackford	Landfill	Suffolk
M. Dickerson	Hemingford Grey	Landfill	Cambridgeshire

Housing Associations

Mr. Coaker: To ask the Secretary of State for Environment, Transport and the Regions what assessment he has made of the effectiveness of the mechanisms for ensuring the accountability of housing associations for their decisions; and if he will make a statement. [123771]

Mr. Mullin: Housing associations (now known as registered social landlords) are regulated by the Housing Corporation, an Executive NDPB of my Department, through published performance standards covering governance, finance, lettings, tenant involvement, development and management. Registered social landlords are expected to meet these standards. Where they do not, the Housing Corporation has regulatory powers to enforce compliance.

In the course of this year, the Housing Corporation is reviewing governance arrangements in the registered social landlord sector. It will be issuing revised performance standards, following consultation, in April 2001.

My Department has also contributed to the work of the Committee on Standards in Public Life in producing its reports on Local Public Spending Bodies.

Leasehold Reform

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the White Paper on leasehold reform; and if it will contain the draft Bill. [123660]

Mr. Mullin: As was announced in the Gracious Speech given on 17 November 1999, *Official Report*, columns 4–7, we intend to publish a draft Commonhold and Leasehold Reform Bill for consultation during this session.

Incineration

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions which sites in the UK are under consideration for building new incinerators. [123713]

Ms Beverley Hughes: My Department does not keep a central record of sites under consideration for new incinerators. However, it is the responsibility of individual local planning authorities to consider planning applications for incinerators and they will keep their own records.

Timber

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if the Government's procurement policy will include a commitment to buying timber and timber products from certified legal and sustainable sources. [123165]

Mr. Mullin: The Government's model policy statement for greening Government operations includes a commitment to purchase sustainably produced timber and timber products by, for example, requiring suppliers to provide documentary evidence that the timber has been lawfully obtained from forests and plantations which are managed to sustain their biodiversity, productivity and vitality, and to prevent harm to other ecosystems and any indigenous or forest-dependent people.

Rural Services (SSAs)

Sir Peter Emery: To ask the Secretary of State for the Environment, Transport and the Regions if he will increase the level of Standard Spending Assessments of local authorities in respect of costs specific to provision of services in rural areas. [123915]

Ms Armstrong: Standard Spending Assessments already include elements that recognise that there are additional costs in providing services in rural areas. In the White Paper, "Modern Local Government—In Touch With The People", we said that we did not expect to make fresh changes to the method of calculation of Standard Spending Assessment while we conduct a review of the system of grant distribution.

Statistics

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions what statistics relating to the responsibilities of his Department are collated by parliamentary constituency, indicating the dates covered in each case. [123843]

Ms Beverley Hughes: The Department's statistics are not compiled routinely by parliamentary constituency.

Abnormal Loads

Mr. St. Aubyn: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to commission a third party to undertake independent verification of the abnormal indivisible loads notification system, with particular reference to evaluating the robustness of the software to analyse the strength of bridge structures; [123022]

(2) what dates for *(a)* internal and *(b)* external implementation for the abnormal indivisible loads notification system were specified when the system was put out to tender; and what is his latest estimate of each of the dates; [123023]

(3) on what date software was due for final delivery under Highways Agency tender no. 3–276 (Abnormal Indivisible Loads Notification System Trial); and if the software was delivered by that date. [123024]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt to write to the hon. Member.

Letter from Peter Nutt to Mr. Nick St. Aubyn, dated 25 May 2000:

I refer to the recent questions you asked The Secretary of State for the Environment, Transport and the Regions regarding progress of the Abnormal Indivisible Loads Notification System which is being developed for the Highways Agency under tender number 3/276. The Secretary of State has asked me to provide you with a detailed reply since it concerns an operational matter for the Highways Agency.

The contractor (W. S. Atkins) has yet to appoint the independent checker to evaluate the structural software associated with the system. However this remains a contractual requirement and will be undertaken prior to the completion of the trial. This element of the system is subject to the Highways Agency's Technical Approval procedures. Consequently, the appointment of the independent checker will be subject to the agreement of the Highways Agency as the Technical Approval Authority.

It was envisaged that the internal trial of the Abnormal Indivisible Loads computer system would be carried out (in Highways Agency Maintenance Area 2) following a six month development period, and once the system had been checked and validated to the satisfaction of the Highways Agency's Designated Officer. The contract was awarded on 11 October 1999 and is scheduled to run for a period of twelve months. However, amendments to the contract programme agreed by the Highways Agency have resulted in the validation testing being delayed from 10 April 2000 until 10 July 2000 with a start revised date for the internal trial of the 1 August 2000. Final delivery of software was originally due 12 months after contract award, following the development and trial phases. It is now programmed for 11 January 2001.

A programme for external application (in other Highways Agency Maintenance Areas) of the automated abnormal load system has yet to be finalised. This will depend on the outcome of the trial and agreement between other interests responsible for dealing with abnormal loads including DETR, local highway authorities and other bridge owners.

I hope this provides you with the information you require. However, should you wish to discuss the project further, our Designated Officer for the contract, Martin Lynch, would be pleased to hear from you. He can be contacted on Tel: 0117 987 8560.

Hydrofluorocarbons

Mr. St. Aubyn: To ask the Secretary of State for the Environment, Transport and the Regions (1) which *(a)* countries and *(b)* sections of the European Commission his Department consulted before announcing the change in its hydrofluorocarbons policy, referred to in DETR Climate Change Programme-HFC Policy Change; [123025]

(2) which countries have indicated their agreement with the change in his policy on hydrofluorocarbons, announced in DETR Climate Change Programme-HFC Policy Change; and which countries have recently announced similar changes in policy; [123026]

(3) which *(a)* engineering bodies, *(b)* industry bodies and *(c)* manufacturers in the United Kingdom air conditioning and refrigeration industry his Department consulted before announcing the change in its hydrofluorocarbons policy, referred to in DETR Climate Change Programme-HFC Policy Change. [123027]

Mr. Meacher: My Department did not hold any formal consultation before the Government's new HFC policy was announced in the draft climate change programme, which was published for consultation on 9 March 2000. However, officials have been involved in meetings that have taken place at international and European level between technical experts, industry representatives, officials from other countries and officials from the environment and enterprise sections of the European Commission on the use and projected trends in emissions of hydrofluorocarbons.

In addition my Department commissioned a report in 1998 from March Consulting Group to provide updated annual UK emissions data for HFCs, PFCs and SF, in each user sector. This also covered projects to 2020 and assessed the costs and benefits of options to reduce future emissions. In compiling their report, March Consulting Group consulted many companies within the UK air conditioning and refrigeration industry, and industry was given the opportunity to comment on the report.

My Department has not formally consulted other countries about the new HFC policy. However, several countries such as France, Italy, Germany and Finland indicated initial broad support at official level. Other countries will be considering their policies on HFCs as part of their development of programmes to deliver their Kyoto targets, but few have yet made clear statements on their position. The Danish Government have recently announced their new HFC policy, which would ban the use of HFCs in many applications.

Laptops

Mr. Keith Simpson: To ask the Secretary of State for the Environment, Transport and the Regions how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123735]

Ms Beverley Hughes: Since May 1997 seven laptop computers have been stolen and one has been lost in transit.

London Bodies (Transfers)

Ms Oona King: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the programme for transferring existing organisations or parts of organisations to the Greater London Authority, London Transport Users' Committee, Transport for London and the London Development Agency. [124187]

Mr. Hill: The transfers of existing bodies takes place on four main dates. As I announced in response to a question from my hon. Friend the Member for Croydon, Central (Mr. Davies) on 1 April 2000, *Official Report*, columns 420–21W, the London Ecology Committee, London Planning Advisory Committee and London Research Centre were abolished, and their staff, assets and liabilities were temporarily transferred to the Secretary of State.

On 8 May these staff, assets and liabilities (other than those relating to a small number of London Research Centre staff who will transfer later to Transport for London) transferred to the Greater London Authority (GLA), along with a small number of planning staff from the Government Office for London, and the GLA Transition Team and staff newly recruited for the GLA.

Transfers to Transport for London (TfL) and the London Development Agency (LDA), and to the London Transport Users Committee (LTUC), will take place on 3 July. On that date the following will transfer to TfL:

London Regional Transport, excluding London Underground Ltd. and some residual parts of LRT;

the Traffic Control Systems Unit;

the staff, assets and liabilities of the Traffic Director for London;

the Docklands Light Railway;

the part of the Highways Agency dealing with London roads;

certain roads from London boroughs and the City of London;

certain roads in Docklands from the Commission for the New Towns;

the Public Carriage Office;

a small number of staff from the Government Office for London, and from the centre of the Department of the Environment, Transport and the Regions.

On the same date the following will transfer to the LDA:

the London region staff of English Partnerships, and associated assets and liabilities;

some staff from the Government Office for London, together with staff newly recruited for the LDA.

On the same date the staff, assets and liabilities of the London Regional Passengers Committee will transfer to LTUC, which will report to the Assembly of the GLA.

Most of the above transfers will be achieved through transfer schemes prepared under powers in section 409 of the GLA Act. In preparing their transfer schemes, predecessor bodies are identifying which of their property, rights and liabilities, such as buildings, contracts, staff or other assets, will transfer to the GLA's functional bodies and which will remain with the predecessor body itself or be transferred elsewhere. Among other things, they will need to consider whether existing contracts can transfer in their existing form or whether changes will be needed to meet the needs of the functional bodies.

In addition, those predecessor bodies, such as the Highways Agency, which are designated as Public Records bodies under the Public Records Act 1958 will need to review those records which are intended to transfer to the functional bodies to see whether particular records are worthy of preservation in the national archive. Predecessor bodies will also need to identify whether all of their existing records are appropriate for transfer to the functional bodies, on the basis that all relevant records should transfer, unless

they identify any papers, such as advice to Ministers of the present and previous administrations, which would be inappropriate for transfer. We expect that each predecessor body will identify very few, if any, papers which are unsuitable for transfer. In conducting this exercise they will need to ensure that they take full account of existing and proposed freedom of information legislation and the openness regime under which the GLA and functional bodies will operate.

Budgets for the GLA, TfL and LDA are as set out on 17 February 2000, *Official Report*, column 637W.

To permit the GlA, TfL and LDA to start functioning immediately on their respective start dates, orders to facilitate the transition have been made under powers in sections 405 and 406 of the GLA Act. These enable the new organisations to make arrangements for their financial operations and, where necessary, to prepare standing orders for their initial meetings. In addition temporary appointments of certain statutory office holders in the GLA, TfL and LDA have been made by the Secretary of State using powers in section 407 of the GLA Act.

To remove any doubts about the application of the Transfer of Undertaking (Protection of Employment) Regulations 1981 to transfers of staff to the new organisations, an order has been made applying the 1981 Regulations to all transfers of staff by means of transfer schemes or orders under the GLA Act powers. A further order added the new organisations to the list of bodies eligible to be members of the Local Government Pension Scheme.

Oceans

Mr. Ian Stewart: To ask the Secretary of State for the Environment, Transport and the Regions what outcome he expects from the forthcoming UN Informal Consultative Process on the Oceans to be held in New York on 30 May to 2 June. [124190]

Mr. Prescott: The establishment of a UN Informal Consultative Process is a new and promising development. For a long time, I have been calling for a single global focus for integrating action on the oceans. At the 1999 meeting of the Commission on Sustainable Development, I particularly highlighted the need for better preparation of the annual UN General Assembly debate on Oceans and the Law of the Sea and better implementation by all states of the UN Convention on the Law of the Sea and Chapter 17, Oceans and All Seas, of Agenda 21. I believe that the new Informal Consultative Process will address both these points.

The UK has played a leading role in getting the new Process established and we are looking forward to participating in a productive meeting. Although all aspects of the oceans and seas are closely interrelated and need to be considered as a whole, discussion should focus on one or two main areas, to get agreement on the progress to be made. In this inaugural meeting, the issues of tackling illegal, unregulated and unreported fisheries and the economic and social implications of marine pollution have emerged as issues of particular concern. These are important issues and we want to ensure that the new process makes a real difference to progress in tackling them. In particular, there needs to be early entry into force of the UN fish stock agreement and full implementation of that agreement, the FAO Code of Conduct for Responsible Fisheries, and the Global Programme of Action against land-based marine pollution. The new Process should promote concerted action for this purpose by all the different international bodies involved.

Standard Spending Assessments

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the age-related demographic factors used in setting SSAs. [123296]

Ms Beverley Hughes: A wide range of indicators is used in working out Standard Spending Assessments. The following age-related demographic factors were used in calculations for the 2000–01 settlement:

Resident population aged 0–4; 5–10; 11–15 11+; 16–24; 0–17; 18–64; 65+; 75–84; 85+

Household residents aged 65+; 75–84; 85+

Pupils aged 4; 5–10; 11–15; 16+

Resident pupils aged 5–10; 11–15

Children of lone parents

Children of Income Support/income-based Jobseeker's Allowance claimants

Country of birth indicator; proportion of household residents under 16 years of age who were born outside the UK and whose head of household was born outside the UK, the Irish Republic, USA or the Old Commonwealth

Children in one adult households

Children living in flats

Children with limiting long-term illness

Elderly in receipt of Income Support/income-based Jobseeker's Allowance

Elderly in receipt of Attendance Allowance or Disability Living Allowance

Pensioners living in rented accommodation

Pensioners not in a couple and not head of household

Pensioners living alone

Elderly household residents with limiting long-term illness

Elderly residents with limiting long-term illness

Young male unemployment-related benefit claimants

Income Support/income-based Jobseeker's Allowance claimants aged 18 to 64

Standardised morbidity ratio 18 to 64

Standardised mortality ratio (constructed using age banded data)

The proportion of household residents living in a lone parent family with at least one dependent child.

PRIME MINISTER

Honours (Removal)

Dr. Tony Wright: To ask the Prime Minister on how many occasions honours have been removed from those who received them, and for what reasons, in the last ten years. [122904]

The Prime Minister: In the last ten years, there have been 13 cases of forfeiture of honours for which the Prime Minister is responsible. The reasons leading to these forfeitures are:

(i) corruption (mis-use of their position): five cases;

(ii) company fraud: three cases;

(iii) sexual offences against children: three cases; and

(iv) theft: two cases.

Dr. Tony Wright: To ask the Prime Minister if a conviction for perjury constitutes grounds for recommending the removal of a life peerage. [122905]

The Prime Minister: This would require legislation to be passed by both Houses of Parliament. Once a Peer has been created, neither the Sovereign, the Prime Minister nor the House of Lords alone can cause his or her title to be forfeited.

Debt Relief

Mr. Reed: To ask the Prime Minister what discussions he had with the Japanese Prime Minister about debt relief at their recent meeting. [123105]

The Prime Minister: Prime Minister Mori and I met on 3 May. We covered issues in preparation for the G8 Summit in Okinawa in July, and agreed on the importance of discussing debt issues at the Summit. We are both concerned to see that the debt relief measures agreed at the Cologne Summit last year are implemented.

Rural Economies

Mr. Breed: To ask the Prime Minister if he will place the responses received by his Department to the Performance and Innovation Unit's report, "Rural Economies", in the Library; and if he will make a statement. [123397]

The Prime Minister *[holding answer 24 May 2000]:* The Performance and Innovation Unit's report, "Rural Economies", asked for comments on the report to be sent to the Rural White Paper Team at the Department of the Environment, Transport and the Regions by 11 February 2000. Copies of the responses received will be placed in the Libraries of both Houses in due course (except for those which respondents request remain confidential).

FOREIGN AND COMMONWEALTH AFFAIRS

Ethiopia

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs when he and the Ministers in his Department last had a meeting with the Ethiopian Ambassador to the United Kingdom; and if he will make a statement. [123528]

Mr. Hain: I last met the Ethiopian Ambassador when he accompanied the Ethiopian Foreign Minister, Atto Seyoum Mesfin, who called on me on 9 December 1999. I saw him again on 23 May when I strongly criticised Ethiopia's renewal of fighting against Eritrea.

Zimbabwe

Mr. Anthony D. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received the report from the National Democratic Institute for International Affairs on the prospects for free and fair elections in Zimbabwe; and if he will make a statement. [124185]

Mr. Hain: I understand that a distinguished, international delegation organised by the National Democratic Institute visited Zimbabwe from 15 to 22 May. After over 30 meetings with representatives of government, political parties and civil society the delegation called for "heightened observation" of the elections by the international community. Their findings reflect an atmosphere of anxiety and fear, a news bias in favour of the ruling party, and that the Registrar General has so far failed to establish an open and transparent electoral process. We hope that the delegation's observations are closely heeded in Zimbabwe.

Burma

Mr. Anthony D. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes have been made to EU sanctions in place against Burma. [124186]

Mr. Vaz: On 26 April the Council of the European Union adopted a Common Position (2000/346/CFSP) which enhanced EU sanctions against Burma by strengthening the existing visa ban, imposing a freeze on the funds of those individuals subject to the visa ban and imposing a ban on the supply of equipment which might be used for internal repression or terrorism.

Following from this Common Position, the Council adopted Regulation 1081/2000 on 22 May. The Regulation prohibits the sale, supply, export or shipment of goods listed in an Annexe to the Regulation, directly or indirectly, whether or not originating in the Community, to any person or body in Burma or to any person or body for the purpose of any business carried on in, or operated from, the territory of Burma.

The Regulation also provides that all funds belonging to individual listed in an annexe to the Regulation shall be frozen and that no funds shall be made available, directly or indirectly, to or for the benefit of those persons.

The Regulation applies within the territory of the Community including its air space and on board any aircraft or any vessel under the jurisdiction of a member state and, to any person elsewhere who is a national of a member state and any body which is incorporated or constituted under the law of a member state.

The Regulation entered into force on 24 May and is directly applicable in the UK. Legislation to provide for enforcement, including penalties, will shortly be in effect.

Laptops

Mr. Keith Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123736]

Mr. Battle: There are three instances of FCO laptops going missing. In two cases, overseas, these are recorded as losses. But every loss may, in fact, be a theft. The third instance was theft, again overseas.

CULTURE, MEDIA AND SPORT

Sporting Opportunities

Mr. Pike: To ask the Secretary of State for Culture, Media and Sport what action the Government are taking to increase the level of sporting opportunity in areas of high deprivation and social exclusion. [123524]

Kate Hoey: Our recently published sports strategy—A Sporting Future for All—and the report of Policy Action Team 10, recognise the unique contribution which sport can make to tackling social exclusion. As a result, we will be working with other agencies to develop creative and innovative ways of using sport to re-engage people and equip them with the skills and confidence to re-join the main stream of society. We have also asked all funding bodies in sport to ensure that the promotion of social inclusion is a key part of all their work, and have called for a concerted effort to recruit, train and support more women, people with disabilities and people from ethnic minority groups as coaches, officials and sports administrators. All agencies receiving public funding will be required to demonstrate that they have adopted pro-active solutions to any inequities which exist.

Sport England's Lottery Strategy, which was published in May last year, sets out its commitment to target funding at social inclusion and deprived areas. This means that at least two-thirds of its Lottery funds are invested in community facilities or activities, of which at least 50 per cent. will go to areas of greatest need; young people, recreationally deprived groups and people with disabilities are a priority; and equality of access for all. Specific programmes include the Priority Areas Initiative which targets deprived areas and allows a higher rate of funding and Sport Action Zones, the first 12 of which were announced in January, which aim to provide comprehensive sports development infrastructures aimed at increasing opportunities for participation in some of the most recreationally deprived areas of the country. Sport England will also be using its powers of solicitation to invite applications for funding from schools in Sport Action Zones, Education Action Zones and Excellence in Cities areas.

Millennium Experience (Financial Support)

Mr. Ian Stewart: To ask the Secretary of State for Culture, Media and Sport if the Millennium Commission has any further plans to provide financial support to the Millennium Experience at Greenwich; and if he will make a statement. [124339]

Mr. Chris Smith: On 22 May the Millennium Commission considered an application for additional grant totalling £38.6 million from the New Millennium Experience Company (NMEC). While the Commission had serious reservations about providing further grant, they concluded that it would be foolish to withdraw support when the best of the year for visitor attractions is yet to come. They also felt that the value of the Dome as the centrepiece of the nation's millennium celebrations should be recognised and continued. The potential costs to the public sector arising from immediate closure, along with the economic impact on employment and tourism were other factors taken into account.

In light of this, the Commission announced that a further grant of £29 million, subject to stringent conditions, would be made available to NMEC. The Commission's decision was taken after an independent review of the NMEC's financial systems and business plans. The conditions are that there should be:

strengthening and restructuring of NMEC's management and governance;

a revised business plan showing substantial additional cost savings and enhanced marketing plans; and

an enhanced financial team at NMEC, to be joined by a dedicated member of the Millennium Commission's own financial staff.

All the Millennium Commissioners expressed confidence in NMEC's Chief Executive, P-Y Gerbeau, and are appreciative of the changes he has made to the operation and running of the Millennium Experience.

Despite lower than predicted visitor numbers, the Dome is the most popular and highly rated paid visitor attraction in the UK, with a wide range of educational benefits. NMEC is also running a National Programme of events and activities across the UK. In addition, the largest derelict site in southern England has been regenerated and the foundations have been laid for a lasting legacy providing jobs and homes for thousands of people.

In line with the commitment made by the previous administration that any additional Lottery funds required to support the Dome should not be at the expense of the Millennium Commission's wider programme of work, the Government confirmed that Lottery money would, if necessary, be made available to the Commission to ensure that it's wider programme does not suffer.

Lottery Grants (Coalfields)

Mr. Ronnie Campbell: To ask the Secretary of State for Culture, Media and Sport how he intends to help coalfield areas to benefit further from the National Lottery. [124188]

Mr. Chris Smith: I am committed to ensuring that Lottery funding is distributed fairly and equitably both geographically and across all groups of society. On 5 June my Department will be publishing a report which examines the impact of the National Lottery on coalfield areas. Copies of the report will be available in the Library of the House. My Department and distributors will follow up the recommendations in that report in order to help coalfield and other areas of low take-up to benefit.

Opinion Research

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what was his Department's budget for opinion research in the financial year 1999–2000. [123850]

Mr. Chris Smith: None. My Department has no budget set aside for this purpose.

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123805]

Mr. Chris Smith: Given the extensive number of sources and documents, many unpublished, this material could be provided only at disproportionate cost.

Statistics

Mr. Simon Hughes: To ask the Secretary of State for Culture, Media and Sport what statistics relating to the responsibilities of his Department are collated by parliamentary constituency, indicating the dates covered in each case. [123842]

Mr. Chris Smith: Since 1993 my Department has maintained a database of National Lottery awards, from which a breakdown by parliamentary constituency is available on the DCMS website (http:/www.culture.gov.uk).

Art Loans

Mr. Gareth R. Thomas: To ask the Secretary of State for Culture, Media and Sport how many indemnity undertakings were given by departments under section 16 of the National Heritage Act 1980 for the six month period ended 31 March; and what was the value of *(a)* any contingent liabilities in respect of such undertakings given at any time under that section which remain outstanding as at 31 March, *(b)* non-statutory Government indemnities in respect of loans handled by the Government Art Collection which remain outstanding as at 31 March and *(c)* non-statutory undertakings to Her Majesty in respect of loans from the Royal Collection which remain outstanding at 31 March. [124189]

Mr. Chris Smith: The provision for the Government Indemnity Scheme is made by the National Heritage Act 1980. The scheme facilitates public access to loans of works of art and other objects for public display made to museums, galleries and other such institutions by private owners and non-national institutions. It does this by indemnifying lenders against loss or damage to their loan. Loans covered by the scheme must be for public benefit. The scheme also covers loans of such objects for study purposes within borrowing institutions where this would contribute materially to the public's understanding or appreciation of the loan. Examples of this are enhancing interpretation or explanation to the public of objects or bringing into the public domain, the conclusions of any study.

In the six month period ended 31 March 2000, the following undertakings to indemnify were given under section 16 by the relevant Departments for objects on loan to national and non-national institutions:

Department	*Number*
Department for Culture, Media and Sport	626
Scottish Executive Education Department	102
The National Assembly for Wales	59
Department of Education for Northern Ireland	11

The value of contingent liabilities in respect of undertakings given at any time under section 16 and which remained outstanding as at 31 March 2000 is:

Department	£
Department for Culture, Media and Sport	1,829,371,639
Scottish Executive Education Department	795,068,302
The National Assembly for Wales	54,029,174
Department of Education for Northern Ireland	4,727,317

The value of non-statutory Government indemnities to cover loans handled by the Government Art Collection and which remained outstanding as at 31 March 2000 is:

Value: £5,475,000.

The value of non-statutory Undertakings given to Her Majesty in respect of loans from the Royal Collection and which remained outstanding as at 31 March 2000 is:

Value: £227,307,975.

TREASURY

Computers within Reach

Mrs. Dunwoody: To ask the Chancellor of the Exchequer what technical specifications he has set for the computers he plans to be leased to people on income support. [123380]

Mr. Wills: I have been asked to reply.

The specification set under the Computers within Reach initiative for low-income learners and families is for a desktop computer with a minimum of a Pentium 1 processor, preferably a 133 MHz processor or faster, or Apple equivalent. The specification also includes a minimum of 32 Megabytes of RAM, 1 Gigabyte hard disk drive, 20-speed CD-ROM drive, V90 56k modem, an operating system and web browser software. The specification is set at a relatively high level given the intended duration of the initiative until 2002.

Monetary Policy Committee

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he plans to change the remit of the Bank of England's Monetary Policy Committee. [124311]

Mr. Gordon Brown: In accordance with Section 12 of the Bank of England Act 1998, I have today written to the Governor restating the MPC's remit and how it will be held accountable for meeting the remit.

My letter has been laid before Parliament and a copy has been sent to the Chairman of the Treasury Committee. Copies are also being deposited in the Libraries of both Houses.

National Insurance

Mr. Webb: To ask the Chancellor of the Exchequer (1) how many married women actively revoked their decision to pay the reduced rate of National Insurance contributions in each year from 1977 to the present; [120999]

(2) what decision he has reached about undertaking a further information campaign to advise married women paying the reduced rate of National Insurance contributions about their options; [120998]

(3) if he will estimate, for the latest year for which data are available, the number of married women currently paying the reduced rate of National Insurance contributions who would pay less in National Insurance contributions if they were to pay the full rate of National Insurance contributions; and if he will provide corresponding estimates for 1990; [121199]

(4) if he will place in the Library a copy of the current version of Form CF383 relating to the certificate of election for married women to pay reduced rate National Insurance contributions, together with a copy of the corresponding form issued in 1978; [122122]

(5) if he will place in the Library a copy of the mailing which was sent in 1989 to all women still paying reduced rate National Insurance contributions alerting them to the impending reform to the structure of NICs; and if he will estimate the number of such letters which were issued. [123882]

Dawn Primarolo *[holding answer 5 May 2000]:* The number of women who actively revoked their election to pay the reduced rate of National Insurance contributions is not available. A series of the number of women paying at the reduced rate is available in Table 11 of "Contributions and Qualifying Years for Retirement Pension 1995/96-Volume 2", a copy of which is in the Library of the House. However, the year on year reductions in the numbers paying at the reduced rate will be due only in part to those actively revoking their election.

A copy of the 1989 mailshot has been placed in the Library. The mailshot was issued to around 300,000 married women. The coverage went wider than those whose election might have resulted in them paying more NICs at that time.

A copy of a 1978 CF383 and a current version of CF383 have been placed in the Library.

I can confirm that a further publicity exercise will be undertaken later this year. It will be aimed at all women who hold a valid election to pay National Insurance contributions at the reduced rate.

Working Families Tax Credit

Mr. Pike: To ask the Chancellor of the Exchequer what recent representations he has received about working families tax credit; what plans he has to make changes in the working families tax credit system; and if he will make a statement. [123280]

Dawn Primarolo: In the Budget, the Government announced their intention to build on the success of WFTC by introducing an integrated child credit and an employment tax credit from 2003.

The integrated child credit will bring together the support for children in WFTC and IS/JSA and the new Children's Tax Credit to create one payment to the main carer. This will create a seamless and transparent system of support for children which will further help to deliver the Government's commitment to end child poverty within a generation.

The adult credit element of WFTC will, along with the Disabled Person's Tax Credit and the Employment Credit component of the New Deal 50 plus, form the foundation of a new employment tax credit which will extend the principle of WFTC to people without children. Paid through the wage packet the employment tax credit will form a single visible instrument, underpinned by the national minimum wage, to make work pay.

The budget paper, "Tackling Poverty and Making Work Pay—Tax Credits for the 21st Century", sets out this next stage of reform in more detail.

We have received a number of representations regarding the development of the new credits and we will continue to discuss the proposed reforms with interested parties.

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 May 2000, *Official Report*, column 294W, on poverty, if the figure of £2.7 billion extra financial support for children from the working families tax credit given in chart 5.2 of the March 2000 Economic and Fiscal Strategy report includes expenditure on the disabled person's tax credit. [123855]

Dawn Primarolo: The figure for the extra financial support delivered through the Working Families Tax Credit includes the additional expenditure on the Disabled person's Tax Credit for families with children.

VAT (Listed Buildings)

Mr. Greenway: To ask the Chancellor of the Exchequer if he will estimate the annual cost of *(a)* a 10 per cent., *(b)* an 8 per cent. and *(c)* a 5 per cent. rate of VAT on restoration work for listed buildings. [123723]

Dawn Primarolo: Customs and Excise do not have estimates of the costs of reducing the VAT rate on restoration work for listed buildings because reliable estimates of amounts of VAT which have been paid in the past on such work are not available.

EU Environmental Taxes

Mr. Redwood: To ask the Chancellor of the Exchequer which environmental taxes he approves under EU proposals for Common EU environmental taxes. [123792]

Dawn Primarolo: Any EU proposal on tax is considered by Treasury Ministers, and follows the normal process set out in my reply to the right hon. Member of 9 May 2000, *Official Report*, column 334W.

Child Poverty

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 May 2000, *Official Report*, column 294W, on poverty, *(a)* when 1.2 million children will be lifted above the 60 per cent. of median household income threshold and *(b)* if this figure is net of those children in households whose income moves below this threshold. [123853]

Dawn Primarolo: On *(a)*, the estimate that 1.2 million children will be lifted above 60 per cent. of median income looks at the effect of all personal tax and benefit changes announced in the past four Budgets; all of these measures will have taken effect by April 2001. On *(b)*, the estimates given in Box 5.1 of the Economic and Fiscal Strategy Report are net of any children in households whose incomes move below the income thresholds.

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 May 2000, *Official Report*, column 294W, on poverty, if the figure of 1.2 million children to be lifted above 60 per cent. of median earnings includes tapering for *(a)* housing benefit and *(b)* council tax benefit. [123854]

Dawn Primarolo: The definition of income used in this figure is consistent with that in "Households Below Average Income" and includes Housing Benefit and Council Tax Benefit. The estimate of 1.2 million children therefore includes the effect of the Housing Benefit and Council Tax Benefit tapers.

Opinion Research

Mr. Don Foster: To ask the Chancellor of the Exchequer if he will place in the Library copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997. [123808]

Mr. Timms: I regret that this information is not held centrally and can be provided only at disproportionate cost.

Landfill Tax

Mr. Loughton: To ask the Chancellor of the Exchequer how much has been paid from the landfill tax to each of the top 20 recipients among independent environmental trusts; and if he will name them. [123753]

Mr. Timms: Information about which environmental bodies have received contributions under the Landfill Tax Environmental Bodies Credit Scheme and how much they have received is a matter for the Regulator for the scheme, ENTRUST. I have therefore asked them to provide such data as they hold and I will place a copy of their response in the Library.

Mr. Loughton: To ask the Chancellor of the Exchequer what plans he has to make changes to the way landfill tax credits are paid to environmental trusts. [123754]

Mr. Timms: My right hon. Friend the Minister for the Environment will shortly publish the Waste Strategy 2000. This will set out the Government's plans to encourage greater support for sustainable waste management activities through the Landfill Tax Environmental Bodies Credit Scheme.

State Pension

Dr. George Turner: To ask the Chancellor of the Exchequer what he estimates would be the cost to the Treasury of tax relief for the basic state pension if such relief were *(a)* restricted to the 10 per cent. tax rate, *(b)* restricted to the 22 per cent. tax rate and *(c)* unrestricted. [120547]

Miss Melanie Johnson: The information is not available.

Laptops

Mr. Keith Simpson: To ask the Chancellor of the Exchequer how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123747]

Dawn Primarolo: Of the laptops used by HM Treasury, one was reported as lost and six as stolen, since May 1997.

LORD CHANCELLOR'S DEPARTMENT

Statute Law Database

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress has been made with the Statute Law Database; and if he will make a statement. [123598]

Mr. Lock: Subject to a few exceptions, the Statute Law Database currently holds electronic versions of all public general statutes that were in force on 1 February 1991 as well as all statutes and printed statutory instruments, both general and local, enacted since that date. The Statutory Publications Office is editing statutes on the database, grouped together according to subject matter, bringing them fully up to date by the application of amendments made by subsequent legislation. During the course of the year 2000, successive groups of statutes will become available to end users in a fully updated form. The inquiry facility is currently available to selected Government users.

Civil Justice Review

Mrs. Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department when he intends to publish the Review of Civil Justice in Northern Ireland. [124191]

Mr. Lock: The final report of the Civil Justice Reform Group will be published on 16 June with a consultation period until the end of September. Copies will be placed in the Libraries of both Houses.

Laptops

Mr. Keith Simpson: To ask the Parliamentary Secretary, Lord Chancellor's Department how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123741]

Mr. Lock: Figures for lost or stolen laptop computers within the Lord Chancellor's Department and associated offices since May 1997 are shown in the table.

Lost or stolen computers—Lord Chancellor's Department and associated offices

	Lost	*Stolen*
1997	0	0
1998	0	1
1999	0	2
2000	0	1

Sentence Committals

Mr. Lidington: To ask the Parliamentary Secretary, Lord Chancellor's Department how many committals for sentence there were at the Crown court by magistrates in each of the last five years for which figures are available. [123864]

Mr. Lock: The total number of cases committed for sentence to the Crown court by magistrates courts for the last five years are:

Year	*Number*
1995	8,757
1996	9,287
1997	11,835
1998	26,090
1999	27,086

Opinion Research

Mr. Don Foster: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place copies of the results of all market and opinion research carried out by the Lord Chancellor's Department, its agencies and non-departmental public bodies since May 1997, in the Library. [123811]

Mr. Lock: Copies of all published items relating to market and opinion research since May 1997 will be placed in the Library.

Statistics

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department what statistics relating to the responsibilities of his Department are collated by parliamentary constituency, indicating the dates covered in each case. [123831]

Mr. Lock: No statistics relating to the responsibilities of the Lord Chancellor's Department are collated by parliamentary constituency.

HEALTH

Meat Hygiene Service

Mr. Livsey: To ask the Secretary of State for Health if an Office of Veterinary Services contract has been awarded by the Meat Hygiene Service in respect of the new meat plant at Merthyr Tydfil; and if he will make a statement. [121218]

Ms Stuart *[holding answer 10 May 2000]:* I am advised by the Food Standards Agency that the Meat Hygiene Service (MHS) has yet to put out to tender the contract for the provision of Official Veterinary Service (OVS) duties to the new abattoir currently being built at Merthyr Tydfil. This plant has yet to be licensed by the Food Standards Agency and has not commenced operations.

The contract for the provision of OVS duties to the licensed cutting plant that is currently operating from the same site was awarded to the Abbey Veterinary Centre at Abergavenny.

The MHS makes extensive use of contract OVSs which it obtains by means of best practice competitive tendering procedures.

Private Health Care

Mr. Simon Thomas: To ask the Secretary of State for Health in what ways he intends the provisions of the Care Standards Bill [*Lords*] will affect the regulation of private hospitals. [123130]

Mr. Hutton: Our plans for the regulation of private hospitals and other independent health care establishments were published in "The Way Forward" in December last year, following a wide-ranging consultation exercise. A further paper, "Developing The Way Forward", was published in March this year. This outlines how we envisage regulation of independent health care by the proposed National Care Standards Commission, to be established by the Care Standards Bill, will work in practice. These documents have been placed in the Library and are available on the Department's website at:

"The Way Forward"—www.doh.gov.uk/regulate2.htm

"Developing The Way Forward"—www.doh.gov.uk/regulate4.htm

The regulation of the private and voluntary health care sector in Wales, including private hospitals, will be the responsibility of the proposed new care regulatory arm of the National Assembly.

Dr. Cable: To ask the Secretary of State for Health what policies his Department has to protect the interests of consumers of private health care; and if he will make a statement. [123635]

Ms Stuart: Independent sector health care establishments are currently regulated under the Registered Homes Act 1984. Our proposals for the future regulation of private hospitals and other independent health care establishments were published in "The Way Forward" in December last year, following a wide-ranging consultation exercise. A further paper, "Developing The Way Forward", was published in March this year. This outlines how we envisage regulation of independent health care by the proposed National Care Standards Commission, to be established by the Care Standards Bill, will work in practice. Ensuring safeguards and quality assurance for patients will be addressed. These documents have been placed in the Library and are available on the Department of Health website at:

"The Way Forward"—www.doh.gov.uk/regulate2.htm

"Developing The Way Forward—www.doh.gov.uk/regulate4.htm

Social Services Inspectorate

Mr. Stunell: To ask the Secretary of State for Health if he will list the reports he has received from the Social Services Inspectorate about the implementation of Circular HSC1999/162: LAC (99) 28; how many of them indicate that the Circular is being implemented properly and fully at local level; and if he will make a statement. [123081]

Mr. Hutton: I refer the hon. Member to the reply I gave to the hon. Member for Sutton and Cheam (Mr. Burstow) on 20 April 2000, *Official Report*, column 624W.

Disabled People (Care at Home)

Ms Moran: To ask the Secretary of State for Health how many people with *(a)* physical and *(b)* mental disabilities are cared for at home by their families. [123291]

Mr. Hutton: The requested information on the number of people cared for at home by families is not available.

However, the General Household Survey (GHS) indicates that there are around 5.7 million people who are carers in Great Britain. The table shows the percentage of people who are acting as carers by the type of disability of the dependant. The number of carers who are looking after people by disability of dependant can not be estimated accurately because of small sample sizes.

Disability of main dependent by whether that dependant lived in carer's household, 1995
Great Britain

Percentage

	Carers with main dependant		
Dependant's disability	*In the same household*	*In another private household*	*Total*
Physical only	66	57	60
Mental only	7	7	7
Physical and mental	22	12	15
Old age	5	23	17
Other	0	1	1

Source:
1995 GHS

Dioxins

Mr. Loughton: To ask the Secretary of State for Health what recent research the Government have commissioned to assess dioxin levels in meat and dairy products *(a)* produced in and *(b)* imported into the United Kingdom. [123490]

Ms Stuart *[holding answer 3 May 2000]:* I am advised by the Food Standards Agency that it has a continuing programme of surveys on dioxins in food consumed in the United Kingdom, including meat and dairy products. The results show the levels of dioxins and polychlorinated biphenyls in food are continuing to fall. The average dietary intake of these chemicals in the UK is below the Tolerable Daily Intake recommended by the UK Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment. Details of all surveys are available on the Agency's website at www.foodstandards.gov.uk.

Ambulances

Sir Teddy Taylor: To ask the Secretary of State for Health what estimate has been made of the effect on the cost of ambulances of the recent EU Directive relating to ambulances; and which European producers make ambulances consistent with the Directive. [123326]

Ms Stuart *[holding answer 23 May 2000]:* No estimate of the potential costs to National Health Service Ambulance Service trusts has been made of introducing the standards recommended by the Comité Européen de Normalisation (CEN) and adopted by the British Standards Institute (BSI). The NHS Purchasing and Supply Agency is working with the ambulance services and manufacturers to determine the costs. Currently no European manufacturers make ambulance vehicles to the new CEN/BSI standards.

Sir Teddy Taylor: To ask the Secretary of State for Health if he will make a statement setting out the implications of the EU Directive on ambulances; what the object of the Directive was; and what was the policy of Her Majesty's Government on it. [123325]

Ms Stuart *[holding answer 23 May 2000]:* Following a period of consultation with manufacturers and users, two new European standards for ambulance vehicles and their equipment were recommended by the Comité Européen de Normalisation (CEN) in August and September last year. Membership of CEN is wider than European Union member states and their recommendations have force only through the Public Procurement Legislative Programme. The object of this programme is to reduce technical barriers to trade throughout the European Free Trade Area.

The British Standards Institute adopted the CEN recommendations as national standards in January 2000. New ambulance vehicles and their equipment will be expected to conform to these standards in the future. We recognise that good purchasing practice by the ambulance services requires the inclusion of agreed standards in specifications where these exist.

Sir Teddy Taylor: To ask the Secretary of State for Health how many ambulances in the United Kingdom are consistent with the requirements of the EU Directive. [123327]

Ms Stuart *[holding answer 23 May 2000]:* The new British Standards for ambulance vehicles and equipment were adopted in January this year and apply only to new vehicles specified and purchased after that date. The National Health Service Purchasing and Supply Agency is currently working with NHS Ambulance Services trusts and vehicle manufacturers to identify those elements of the standards with which they are currently able to conform and the time scale for full compliance with the standards.

Teenage Pregnancy

Mrs. Heal: To ask the Secretary of State for Health what progress he has made on setting up an independent national advisory group on teenage pregnancy. [124314]

Yvette Cooper: I am pleased to announce that the Independent Advisory Group on Teenage Pregnancy has now been established, and that the first meeting of the Group will take place today. It will be chaired by Winifred Tumim, who is currently Chair of the National Council of Voluntary organisations.

The Group's role will be to provide advice to Government and to monitor the overall success of our strategy to cut teenage pregnancy rates and reduce the risk of long term social exclusion for teenage parents and their children.

Children's Homes

Mr. Lidington: To ask the Secretary of State for Health which institutions housing young offenders come within the definition of a children's home in section 1 of the Care Standards Bill [*Lords*]; what discussions he has

had with the Home Office and the Youth Justice Board regarding the definition of a children's home; and if he will make a statement. [123599]

Mr. Hutton: Clause 1 of the Care Standards Bill defines what is a children's home for the purposes of the Bill. In relation to institutions housing young offenders, the current definition of a children's home will not be altered. For that reason, we have had no discussions with the Home Office or the Youth Justice Board regarding the definition of a children's home, as institutions housing young offenders do not come within the definition of a children's home.

Wheelchairs

Dr. Tonge: To ask the Secretary of State for Health if he will list how many *(a)* electronically powered indoor/outdoor wheelchairs and *(b)* wheelchair vouchers were issued by each health authority in (i) 1997, (ii) 1998 and (iii) 1999; and what was the cost to each health authority. [123505]

Mr. Hutton: Table 1 shows the totals for numbers of electrically powered indoor/outdoor wheelchairs issued to users and numbers of people issued with a voucher for 1997–98 and 1998–99, along with forecasted outturn figures for 1999–2000, in England.

Table 2 shows the totals for the total committed spend on electrically powered indoor/outdoor wheelchairs, and total actual spend on vouchers for 1997–98 and 1998–99, along with forecasted expenditure figures for 1999–2000, in England.

A breakdown by each health authority of these national figures has been placed in the Library.

Table 1

	1997–98	*1998–99*	*1999–2000*
Numbers of electronic indoor/outdoor wheelchairs issued to users	4,464	4,033	3,263
Numbers of people issued with a voucher	560	5,010	6,217

Table 2

£

	Total committed spend on powered indoor/outdoor wheelchairs	*Total actual spend on vouchers*
1997–98	6,428,468	764,000
1998–99	8,098,511	3,457,516.51
1999–2000	6,936,225.91	3,968,668.66

Notes:

1. Data are based on National Health Service financial accounting years.
2. Figures for 1999–2000 are based on forecasted returns for quarter 4 1999–2000.
3. As health authorities were required to have voucher schemes in place by 1 April 1998, data returns on numbers of people issued with a voucher were not compulsory during 1997–98.
4. In February 1998–99 health authorities were authorised to transfer any voucher scheme underspends to mainstream or powered wheelchair provision. This expenditure is not reflected in the report of expenditure on actual vouchers.

Mobile Telephone Emissions

Mr. Swayne: To ask the Secretary of State for Health when Sir William Stewart first indicated the likely contents of his report and the conclusions of the inquiry into mobile telephone emissions to officials in his Department; and when this information was made known to ministers. [122334]

Yvette Cooper *[holding answer 16 May 2000]:* From 1 November 1999, the Government publicly stated that,

"Officials of the Department of Health and the Department of Trade and Industry are observers at the Group's meetings while it is taking evidence and may also be observers when the Group considers, in private, its conclusions and recommendations for the report. Such information will not be released outside Government".

Officials saw draft conclusions and recommendations which were being formulated by Sir William Stewart and members of the group during the period to 23 March. Ministers did not see these drafts, nor were they briefed on their contents. Officials were not present for the final deliberations of the Group nor did they see the final set of conclusions and recommendations. Ministers and officials took receipt of the completed report on 3 May 2000.

Pensions (Part-timers)

Mrs. Lait: To ask the Secretary of State for Health what effect the European Court of Justice's ruling on pensions for part-timers will have on NHS pensions; and what estimate he has made of the maximum and minimum cost to NHS pension funds of the ruling. [123263]

Mr. Rooker: I have been asked to reply.

I refer the hon. Member to my written answer on 23 May 2000, *Official Report*, column 484W.

Grazing Land

Ms Walley: To ask the Secretary of State for Health what plans he has to implement the recommendation of SEAC that the spreading of liquid condensate on grazing land should cease; and if he will make a statement. [118536]

Ms Quin: I have been asked to reply.

We are actively considering how to take forward the SEAC advice and hope to consult on proposals shortly.

TRADE AND INDUSTRY

Civil Servants

Dr. David Clark: To ask the Secretary of State for Trade and Industry what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior civil service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121680]

Dr. Howells *[holding answer 18 May 2000]:* The headline pay settlement was 2 per cent. on the paybill and, together with the additional funds from staff turnover, staff in post received in total performance related increases averaging 4 per cent. The increases were not staged.

Methyl Tertiary Butyl Ether

Ms Walley: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 3 April 2000, *Official Report*, column 325W, if he will list the companies and sites in the United Kingdom that manufactured methyl tertiary butyl ether in 1999. [123453]

Mrs. Liddell: One company, TotalFina Great Britain Ltd., manufactured methyl tertiary butyl ether (MTBE) in the UK in 1999, at Lindsay Oil Refinery, South Killingholme, Humberside.

Ms Walley: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 3 April 2000, *Official Report*, column 325W, what large-scale manufacturing processes in the United Kingdom other than in the petroleum industry include the use of methyl tertiary butyl ether. [123449]

Mrs. Liddell: Methyl tertiary butyl ether (MTBE) is used in small amounts by the oil refining industry, with the average concentration of MTBE in UK petrol about 1 per cent., well below that permitted under EU law. The chemicals and pharmaceuticals industries also use MTBE in small amounts.

Northern Region (Relocations)

Mr. Steinberg: To ask the Secretary of State for Trade and Industry if he will list the executive agencies, non-departmental public bodies and local public spending bodies for which his Department is responsible that *(a)* have been transferred since 1992 and *(b)* are planned to be transferred (i) to and (ii) from the Northern Region. [123408]

Dr. Howells: None of the Department's executive agencies or non-departmental public bodies has relocated since 1992 either to or from the area covered by the North East and North West Government Offices. There are no current plans for such relocations.

Coal Industry Pension Schemes

Mr. Caton: To ask the Secretary of State for Trade and Industry what plans he has to reduce the percentage of the surpluses from the Mineworkers Pension Scheme and British Coal Staff Superannuation Scheme taken by the Government. [123438]

Mrs. Liddell: Since 1994, the DTI has acted as guarantor to the former British Coal pension schemes. In doing so it underwrites 100 per cent. of any downside risk to guaranteed benefits in the event of scheme deficits. The guarantee means that basic pensions will always rise at least in line with inflation and will never fall in cash terms. In return the Government receive 50 per cent. of any actuarial scheme surpluses—the remaining 50 per cent. being available to the scheme Trustees for distribution among their memberships. The Government have no plans to re-open the guarantee arrangements, but it is discussing with the Trustees whether there are opportunities to build upon them to the mutual benefit of Scheme members and Government.

Ms Squire: To ask the Secretary of State for Trade and Industry when he next plans to meet trade unions to discuss the use of the surplus in the Mineworkers' Pension Scheme and the British Coal Staff Superannuation Scheme. [123126]

Mrs. Liddell *[holding answer 24 May 2000]:* Decisions on the allocation of the members' share of any surpluses in the coal pension schemes are principally issues for the Trustees of the schemes. I meet representatives of the mining unions regularly and I am always prepared to discuss a broad range of issues including the Mineworkers' Pension Scheme.

Manufacturing Industry

Mr. Pike: To ask the Secretary of State for Trade and Industry what action the Government are taking to support manufacturing industry in the north-west; what related discussions he has had in the north-west during the last year; and if he will make a statement. [123527]

Mr. Caborn: Support for manufacturers is listed at Annexe A of the DTI report, "Manufacturing in the Knowledge Driven Economy". This report provides contact details for further information and can be found on the DTI website: www.dti.gov/comp/knowledge.htm.

In addition there are a number of initiatives which will assist in the creation and development of manufacturing companies—Regional Capital Venture Funds; a Phoenix Fund, the UK High Technology Fund and the Innovative High Growth Start Up Initiative which will be open to companies across the whole of the North West. As part of the Government's response to the financing problems of SMEs, we have introduced the new Enterprise Grant scheme. It is proposed that this will cover 64 per cent. of the population in the north-west.

We are also consulting Regional Development Agencies on the potential for the development of Regional Centres for Manufacturing Excellence and Productivity.

Ministers have regular discussions on regional matters. As my hon. Friend is aware, I am due to be in the region on 2 June to meet him and my hon. Friends the Members for Rossendale and Darwen (Janet Anderson) and for Hyndburn (Mr. Pope).

Regulations

Mrs. Browning: To ask the Secretary of State for Trade and Industry how many regulations have been repealed by his Department since May 1997; and what estimate he has made of the resulting cost savings. [123302]

Mr. Byers *[holding answer 23 May 2000]:* My Department revoked seven regulations between May 1997 and the end of March this year. In most cases the effects were cost neutral. In the period between May 1995 and May 1997 only four regulators were revoked. These were cost neutral.

Regional Selective Assistance

Mrs. Browning: To ask the Secretary of State for Trade and Industry when he expects to submit an application to the European Commission for the approval of £25 million of regional selective assistance for the proposed new Marconi site at Ansty; and if he will make a statement. [123307]

Mr. Byers *[holding answer 23 May 2000]:* The Government's offer of Regional Selective Assistance for this high quality project is, like any such offer, subject to the rules governing state aids. Individual notification of the project to the European Commission will not be required.

Opinion Research

Mrs. Browning: To ask the Secretary of State for Trade and Industry (1) if he will list opinion research projects undertaken on behalf of his Department in the financial year 1999–2000, broken down into *(a)* focus group research, *(b)* quantitative surveys and *(c)* other market research surveys; and if he will list in each case where and when the results were published; [123308]

(2) how much his Department spent on opinion research in the financial year 1999–2000. [123309]

Mr. Byers *[holding answers 23 May 2000]:* (i) The following table lists all surveys carried out by the DTI and it's agencies in the financial year 1999–2000, which involved an element of opinion research, and which are subject to survey control. All of the surveys listed are considered to contain an element of opinion research, but it is not possible to break these down further into Focus Group, Quantitative and other sub-divisions with any accuracy. Details of where and when results have been published can be provided only at disproportionate cost.

(ii) The total cost to the department for all surveys carried out in the financial year 1999–2000 containing an element of opinion research was about £578,000.

Surveys involving an element of opinion gathering carried out during the 1999–2000 financial year

Title	*Purpose*
Regular surveys	
Census of hospital-treated firework injuries	Advertising campaign evaluation
Survey of gas suppliers	Quantitative research
EMIC user satisfaction questionnaire	Customer satisfaction
Business information security survey	Programme evaluation
Tracking study on business support needs	Customer satisfaction
Benchmarking and awareness tracking (EMRS)	Programme evaluation
Subtotal (6)	
Ad-hoc Surveys	
Survey of school science teachers	Programme research
Evaluation of the Renewable Energy Programme in the UK	Programme evaluation
Survey of small firms awareness, knowledge and access to information on individual employment Rights	Programme evaluation
Market research into the introduction of automated payroll service	Programme evaluation
Supply and availability of facilities to manufacturing bio	Market research
Measurement, requirements, awareness and practices of SMEs	Programme research
UK business potential for virtual reality	Programme research/state of industry
Central Accounting Unit Customer Survey	Customer satisfaction
Assessment of centres of expertise	Programme research/state of Industry
Evaluation of small firms publications	Programme evaluation
New minimum wage ethnic campaign	Programme evaluation
British trade international branding customer survey	Programme evaluation
EuroPlanner evaluation	Customer satisfaction
Evaluation of the Link Programme on hydrocarbon reservoirs	Programme evaluation
Update of unwanted computer equipment: A guide to re-use	Campaign evaluation
Survey of local authority enforcement of the Working Time Regulations	Programme evaluation
Subtotal (16)	

Queen's Awards

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will make a statement on the impact of the Queen's Awards to Industry. [123547]

Mr. Byers *[holding answer 24 May 2000]:* The Queen's Awards for Export, Technological and Environmental Achievement (formerly The Queen's Award for Industry) were reviewed in 1999 by a Committee under the chairmanship of HRH The Prince of Wales. The Review Committee made 16 key recommendations including a new generic title, "The Queen's Awards for Enterprise", with broader criteria for the three categories: International Trade, Innovation, and Environmental Achievement. The Committee also recommended further work to define criteria for a Queen's Award in the field of sustainable development to be incorporated into the Awards in 2001. The Committee's recommendations were accepted in full by Her Majesty The Queen and the Prime Minister in September 1999.

The Review commissioned market research into perceptions of the Queen's Awards among a structured sample of businesses across a wide range of sectors of business activity. Almost 90 per cent. of all respondents said that British business continued to attach importance to the Queen's Awards; over 90 per cent. of organisations said that people employed in Award winning units continued to be enthusiastic about the Awards and that the Awards provided recognition of outstanding achievement; 74 per cent. of respondents said that the Queen's Awards were the most prestigious awards for achievement in the UK economy; and 78 per cent. of Award winners said that the Awards provided an incentive to outstanding achievement.

Since the Awards were first introduced in 1966, a total of 45,534 applications have been submitted with a total of 4,282 applicants being granted a Queen's Award. Each year many previous Award winners reapply because of the highly positive effect on their marketing of the use of the Queen's Awards emblem on their products, stationery

and advertising material. They also cite the enhanced morale and team spirit among their staff which flows from the company winning such a prestigious accolade.

SMART and SPUR

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will estimate the ratio of *(a)* sales and *(b)* profit to Departmental grant under the SMART and SPUR schemes in each year since the inception of the schemes. [123537]

Mr. Alan Johnson *[holding answer 24 May 2000]:* The data are not available to provide all the information requested. However, an evaluation of SMART in 1991 forecasted a grant:profits ratio of 9:20 resulting from awards made in 1988. A second evaluation of SMART in 1994 calculated a grant:sales ratio of 1:6. An evaluation of SPUR in 1994 concluded that it was too early to assess the grant:profit ratio, given that SPUR had only started in 1991. A further evaluation of Smart is planned for later this year.

Ilisu Dam

Mr. Gummer: To ask the Secretary of State for Trade and Industry which Middle East countries have informed him of their support for Turkey's planned Ilisu dam project. [123797]

Mr. Caborn: No Middle East countries have notified us that they support the project.

Mr. Gummer: To ask the Secretary of State for Trade and Industry what recent assessment he has made of the impact of the proposed Ilisu dam on the built heritage in the area to be inundated. [123826]

Mr. Caborn: We are currently awaiting the updated Environmental Impact Assessment Report, which is expected to cover, among other issues, the impact on heritage, and the Turkish plans for mitigating this.

Mr. Gummer: To ask the Secretary of State for Trade and Industry against what environmental consideration the Ilisu dam will be assessed in relation to ECGD support. [123775]

Mr. Caborn: ECGD support for Ilisu will be assessed on the basis of the updated Environmental Impact Assessment Report, which will be reviewed in the light of internationally accepted standards.

Fuel Market

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what evidence he has of smuggled petroleum products being offered to petrol retailers in the North West of England since 1999. [122946]

Mrs. Liddell *[holding answer 24 May 2000]:* There is no substantiated evidence of smuggled products being offered to petrol retailers in the North West of England.

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what was the size of the road transportation retail fuel market in England and Wales for *(a)* diesel and *(b)* petrol in (i) 1998 and (ii) 1999. [122945]

Mrs. Liddell *[holding answer 24 May 2000]:* Retail sales for all types of petrol in England and Wales were 19,662 thousand tonnes in 1998 and 19,444 thousand tonnes in 1999. Retail sales for automotive diesel (DERV) were 6,018 thousand tonnes in 1998 and 6,329 thousand tonnes in 1999. These figures exclude direct deliveries to commercial customers. The 1999 data are provisional.

Office of Fair Trading

Mrs. Browning: To ask the Secretary of State for Trade and Industry when he plans to appoint a new Director General of the Office of Fair Trading. [123751]

Mr. Byers: A successor to John Bridgeman as Director General of Fair Trading is currently being recruited through open competition. My intention is to appoint someone to take over when John Bridgeman's term ends on 30 September 2000.

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will list the cases where he has referred mergers to the Competition Commission *(a)* on the advice of and *(b)* against the advice of the Director General of the Office of Fair Trading. [123782]

Mr. Byers: The table lists all the merger cases that I have referred to the Competition Commission.

The Director General of Fair Trading (DGFT) does not advise on newspaper mergers. With the exception of NTL/CWC, all other references were made in accordance with the advice of the DGFT.

Merger referred	*Date referred*
BA/CityFlyer	January 1999
Johnston Press/Portsmouth & Sunderland Newspapers	February 1999
News Communications and Media/Portsmouth and Sunderland Newspapers	February 1999
Newsquest/Portsmouth and Sunderland Newspapers	February 1999
Air Products/DeVilbiss Medequip	February 1999
Hepworth/Naylor Industries	March 1999
Trinity/Mirror Group	March 1999
RIM /Mirror Group	March 1999
NTL/Newcastle United	April 1999
Whitbread/Allied Domecq	July 1999
Alanod Aluminium/Metalloxyd	July 1999
Universal Foods/Pointing Holdings	August 1999
CHC Helicopter Corporation/Helicopter Services Group	September 1999
NTL/CWC	November 1999
Vivendi/BSkyB	November 1999
Newsquest/News Communications and Media	December 1999
Johnston Press/News Communications and Media	December 1999

Merger referred	Date referred
Trinity Mirror/News Communications and Media	December 1999
Carlton/United News and Media	February 2000
Granada/Carlton and United News and Media	February 2000
Independent News and Media/The Belfast Telegraph	March 2000
Air Canada/Canadian Airlines	May 2000

Mrs. Browning: To ask the Secretary of State for Trade and Industry (1) if he will make a statement on the *(a)* role, *(b)* size and *(c)* powers of the board he is proposing for the Office of Fair Trading; [123750]

(2) when he plans to introduce legislation to change the structure of the Office of Fair Trading. [123749]

Mr. Byers: I have proposed that a new Authority for the Office of Fair Trading (OFT) should be established to increase the breadth of experience and expertise guiding the OFT's work. Recent legislation including the Competition Act 1998 has increased the regulator's powers significantly. The role of the new Authority will be to work under the chairmanship of the Director General of Fair Trading to promote effective and competitive markets which benefit consumers. The Authority will have a minimum of five members. The Authority will have the powers currently vested in the Director General of Fair Trading. We will introduce legislation to create an Authority when parliamentary time allows.

Vertical Integration (Competition)

Dr. Cable: To ask the Secretary of State for Trade and Industry what his Department's policy is on vertical integration in relation to competition matters; and if he will make a statement. [123637]

Dr. Howells: I examine each merger case that comes before me on its own merits. I reach my decision in the light of the Director General of Fair Trading's advice.

Dr. Cable: To ask the Secretary of State for Trade and Industry (1) what assessment his Department has made of the views expressed by the OFT in November 1999, concerning further vertical integration of BUPA's private healthcare activities; and if he will make a statement; [123636]

(2) what assessment he has made of the risks posed by vertical integration in the private healthcare sector in respect of *(a)* competition in the provision of private medical insurance, *(b)* competition in the provision of private hospital services, *(c)* the interests of consumers of medical insurance and *(d)* the interests of consumers of private hospital care; and if he will make a statement. [123632]

Mr. Byers: An assessment of the private medical insurance (PMI) and private medical services (PMS) market was made by the Office of Fair Trading (OFT), which under UK competition law in the first instance has the responsibility to investigate allegations of anti-competitive behaviour and possible abuses of a dominant position.

The OFT announced the results of its inquiry on 5 November 1999. It cleared the sector of major competition problems, but highlighted the need for much greater clarity and accuracy in the information available to policy holders.

The OFT said that it would consider very carefully any further vertical integration of BUPA's or PPP's businesses.

In the specific case of BUPA's proposed acquisition of Community Hospitals Group, I will decide whether or not to refer this case to the Competition Commission in the light of the Director General of Fair Trading's advice. Each case is considered on its individual merits.

Minimum Wage

Ms Julie Morgan: To ask the Secretary of State for Trade and Industry what assessment he has made of the number of companies in Wales which are not paying the minimum wage. [123935]

Mr. Alan Johnson: The Government have asked the Low Pay Commission to assess the impact of the minimum wage. Their Second Report, published on 15 February, said early indications were that the vast majority of businesses throughout the UK were meeting their obligations to pay the national minimum wage and that the Inland Revenue had made a successful start to enforcement. As at the end of April 2000, minimum wage compliance offices have dealt with 204 cases of suspected underpayment of the national minimum wage in Wales.

Power Station, Runcorn

Mr. Roy: To ask the Secretary of State for Trade and Industry when he will announce his decision on ICI Chemicals and Polymers Ltd.'s proposal to build a combined heat and power station at Runcorn, Cheshire. [124315]

Mrs. Liddell: I have today given clearance under Section 14 of the Energy Act 1976 to ICI Chemicals & Polymers Ltd. to build a 250 MW gas-fired combined heat and power station at the ICI Chlor-Chemicals works, Runcorn, Cheshire. The decision has been taken in accordance with the policy set out in the White Paper entitled "Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071).

The decision to give clearance to the proposal on energy policy grounds is without prejudice to any decision that may be taken on whether or not consent is granted under section 36 of the Electricity Act 1989.

Copies of the Press Notice and the clearance letter are being placed in the Library of the House.

Laptops

Mr. Keith Simpson: To ask the Secretary of State for Trade and Industry how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123745]

Dr. Howells: During the period since May 1997 there have been 10 laptop computers stolen and three lost from my Department. These figures reflect central records for the core Department and exclude Executive Agencies.

EDUCATION AND EMPLOYMENT

Euro

Mrs. Lait: To ask the Secretary of State for Education and Employment which *(a)* local education authorities and *(b)* organisations for which his Department has budgetary responsibility (i) have set up and (ii) are setting up projects to prepare for the UK adopting the euro; what these projects are costing each organisation; what the total cost to the Department is; and from which budget sums already spent have come. [122812]

Ms Jowell: An update on changeover planning in the public sector was given in the second Outline National Changeover Plan published on 9 March.

Teacher Re-training

Mr. Letwin: To ask the Secretary of State for Education and Employment if he will make available grants for re-training to qualified teachers seeking to re-enter the profession. [123132]

Ms Estelle Morris: In the current academic year, the Teacher Training Agency is providing funding for 56 courses for teachers who wish to refresh their skills. Course structures and the tuition fees charged by providers vary considerably. Local education authorities have power to make grants to teachers who attend these courses under the local education authority (Post-Compulsory Awards) Regulations 1999.

College Lecturers (Silver Book Contracts)

Mr. Illsley: To ask the Secretary of State for Education and Employment how many college lecturers are still employed on Silver Book contracts; and what proposal he has for their assimilation onto new contracts. [123277]

Mr. Wicks: Over 95 per cent. of all lecturers have agreed to new contracts which are not based on the Silver Book. Contracts are a matter to be agreed between individual colleges and their staff.

Equal Opportunities Legislation

Mr. Ruane: To ask the Secretary of State for Education and Employment how many applications have been made to industrial tribunals under the Equal Pay Act 1970 and the Sex Discrimination Act 1975; and what percentage of such applications were successful through being settled with an award *(a)* before a hearing and *(b)* following a hearing. [123466]

Ms Hodge *[holding answer 23 May 2000]:* The following tables show employment tribunal statistics for sex discrimination and equal pay cases since 1976. The percentage of cases each year which were settled through arbitration is given. Information is not available on whether cases were settled before or after a hearing. The percentage of those cases heard at a tribunal each year which were successful is also given.

Employment tribunal statistics for sex discrimination cases

		ACAS arbitration settled		*Heard at tribunal*	*Successful at tribunal*	
Year	*Total number of applications*	*Number settled*	*Percentage settled*	*Number heard*	*Number successful*	*Percentage of cases heard*
1976	243	35	14	119	24	20
1977	229	63	28	77	17	22
1978	171	29	17	67	14	21
1979	180	46	26	61	16	26
1980	181	46	25	70	15	21
1981	259	53	20	92	19	21
1982	150	42	28	56	24	43
1983	265	64	24	116	62	53
1984	314	102	32	118	52	44
1985	414	124	30	150	39	26
1986	612	167	27	201	48	24
1987	691	200	29	208	46	22
1988	935	366	39	250	78	31
1989	1,046	384	37	280	86	31
1990	1,078	335	31	298	78	26
1991	1,104	378	34	268	90	34
1992	1,386	504	36	369	127	34
1993	1,969	824	42	461	176	38
1994	4,052	1,005	25	690	340	49
1995	3,677	1,464	40	574	218	38
1996	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
1997	2,839	1,005	35	676	224	33
1998	4,025	1,791	44	797	270	34

Employment tribunal statistics in equal pay cases

Year	Total number of applications	ACAS arbitration settled: Number settled	ACAS arbitration settled: Percentage settled	Heard at tribunal: Number heard	Successful at tribunal: Number successful	Successful at tribunal: Percentage of cases heard
1976	1,742	106	6	709	213	30
1977	751	56	7	363	91	25
1978	343	33	10	80	24	30
1979	263	29	11	78	13	17
1980	91	10	11	26	4	15
1981	54	9	17	27	6	22
1982	39	8	21	13	2	15
1983	35	5	14	15	9	60
1984	70	15	21	24	11	46
1985	302	84	28	64	37	58
1986[1]	517	71	14	161	44	27
1987	1,043	89	9	24	7	29
1988	813	95	12	63	14	22
1989	397	64	16	55	33	60
1990	508	64	13	35	10	29
1991	227	45	20	81	5	6
1992	240	102	43	55	21	38
1993	780	50	6	43	19	44
1994	418	98	23	25	8	32
1995	694	128	18	82	36	44
1996	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
1997	1,483	253	17	91	18	20
1998	1,530	517	34	316	7	2

[1] From the end of 1985 the figures were calculated by financial year rather than by calendar year
[2] Because of changes to the tribunal handling system in 1996, comparable information for 1996–97 is not available
Source:
Collated from Labour Market Trends

Teachers (Early Retirement)

Mr. Drew: To ask the Secretary of State for Education and Employment how many teachers in each local education authority were offered early retirement in each of the last 20 years. [123113]

Ms Estelle Morris *[holding answer 22 May 2000]:* The number of teachers taking early retirement from the maintained nursery, primary, secondary and special sector in each local education authority in England for the last 20 years is contained in tables, copies of which have been placed in the Library.

Astra Group Pension Scheme

Mr. Dawson: To ask the Secretary of State for Education and Employment if he will make a statement on the winding-up of the Astra Group Pension Scheme. [123324]

Mr. Wicks *[holding answer 23 May 2000]:* The process for winding-up the Astra Group Pension Scheme started on 1 April 1999. Since then no new pensions have been awarded as members reach age 60, but payments to existing pensioners have continued to be made. The scheme's administrators still have some outstanding issues about the restoration of members' rights in the state pension scheme. These need to be resolved to establish the amount of money available to buy annuities to protect current pensioners and preserved annuities for members with preserved pensions. Until this process is completed, nobody will know the extent of any shortfall in the scheme's assets to meet its liabilities.

I am unable, at this stage, to give any indication of when the winding-up process will be completed.

Pupil Performance

Mr. Chaytor: To ask the Secretary of State for Education and Employment what recent research he has commissioned on the performance of the upper quartile of 15-year-old pupils in *(a)* comprehensive schools and *(b)* selective schools; and if he will make a statement. [123503]

Ms Estelle Morris *[holding answer 24 May 2000]:* The Secretary of State has not commissioned any recent research on this topic. Analytical Services have calculated the comparative performance of 15-year-old pupils in *(a)* comprehensive schools and *(b)* selective schools and the statement reflects the comparative performance of the two groups.

The first group *(a)* included the top 25 per cent. (or quartile) of 15-year-old pupils in comprehensive schools—based on their total GCSE/GNVQ point score (in order not to include and exclude some pupils with the same point score, the actual percentage of pupils included was 24.5 per cent.). Their results were:

	Percentage/ average point score
Percentage achieving 5+ grades A*-C at GCSE/GNVQ	100
Percentage achieving 1+ grades A*-G at GCSE/GNVQ	100
Average point score per 15-year-old pupil	60.9

The second group *(b)* included all 15-year-olds in selective schools. Their results were:

	Percentage/ average point score
Percentage achieving 5+ grades A*-C at GCSE/GNVQ	96.4
Percentage achieving 1+ grades A*-G at GCSE/GNVQ	99.6
Average point score per 15-year-old pupil	60.7

Ofsted Inspections

Mr. Blizzard: To ask the Secretary of State for Education and Employment (1) what was the average amount paid per day to Ofsted inspectors, and what was the average profit made by organisations carrying out inspections in *(a)* secondary and *(b)* primary schools, in the last year for which figures are available; [123787]

(2) what was the average cost, per pupil, of Ofsted inspections in *(a)* secondary schools and *(b)* primary schools in the last year for which figures are available. [123793]

Ms Estelle Morris: These are matters for HM Chief Inspector of Schools, Chris Woodhead. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Autism

Mr. Boswell: To ask the Secretary of State for Education and Employment what studies he has carried out of the incidence of autistic conditions among the school population; and what guidance he has issued to local education authorities in connection with these conditions. [123162]

Jacqui Smith *[holding answer 24 May 2000]:* Figures are not collected on the incidence of particular types of special educational need. Provisions in the Education Act 1981, now consolidated into the Education Act 1996, require schools to submit information on numbers of pupils with special educational needs. In accordance with the recommendation of the Warnock Committee, there is no requirement for them to record the nature of the disability or learning difficulty and we have no current intention to require them to do so.

Guidance on meeting children's special educational needs is contained in the "Code of Practice on the Identification and Assessment of Special Educational Needs". The Department has established an Autism Working Group which is investigating examples of good practice and will be publishing practical advice on early identification and making provision for children with autism. In its advice the Group will be taking account of the work of the special educational needs regional co-ordination projects, one of which, in the West Midlands, has been concentrating on provision for children with autism.

Instructors

Mr. Willis: To ask the Secretary of State for Education and Employment if he will break down by subject the instructors in service in maintained schools in England in January, as referred to in Statistical First Release 13/2000; and how many of these instructors have the same basic maths and English qualifications as qualified teachers. [123589]

Ms Estelle Morris: Information is not available centrally on instructors' basic qualifications or subject taught.

Pensions (Part-timers)

Mrs. Lait: To ask the Secretary of State for Education and Employment what estimate he has made of the maximum and minimum costs to teachers' pension funds of the European Court of Justice's ruling on pensions for part-timers. [123262]

Mr. Rooker: I have been asked to reply.

I refer the hon. Member to my written answer on 23 May 2000, *Official Report*, column 484W.

NORTHERN IRELAND

RUC Mobile Support Unit, Mahon Road

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if he will list by rank the number of officers within the Royal Ulster Constabulary Mobile Support Unit based at Mahon Road, Portadown. [119712]

Mr. Ingram: There are two Mobile Support Units based at Mahon Road, Portadown. In 1997, the establishment of each MSU was:

One Inspector; four Sergeants; and 21 Constables and Reserve Constables.

One Inspector; four Sergeants; and 23 Constables and Reserve Constables.

Both units are not normally on duty at the same time.

Travellers

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made in effecting the transfer of responsibility for traveller accommodation to the Housing Executive. [123061]

Mr. George Howarth: Responsibility for providing housing for those travellers who wish to move into settled accommodation already rests with the Housing Executive and many traveller families have been provided with homes in existing Housing Executive estates. In addition, work to provide three pilot group housing schemes, specifically tailored for extended traveller family groups, is due to commence in the current financial year.

It is proposed to transfer responsibility for serviced sites from District Councils to the Housing Executive and provision for this will be included in future legislation.

Prisoners (Reintegration)

Mr. McNamara: To ask the Secretary of State for Northern Ireland further to the undertakings given in the 6 May letter jointly signed by the Prime Minister and the Irish Taoiseach, *(a)* what measures are being taken to facilitate the reintegration of prisoners into the community, *(b)* what related issues are being addressed and *(c)* what body has been tasked with responsibility for implementation of each measure. [123058]

Mr. Ingram: The Government are committed to meeting their obligations under the Good Friday Agreement. Government policy is that prisoners should be given every assistance to enable them to play a full and active role in society, and that they should have full, though not preferential, access to the range of social support generally available to members of the public.

The Government are conscious that the Northern Ireland (Sentences) Act 1998 has resulted in the release over a relatively short period of significant numbers of long-term prisoners, many of whom will not have been able to prepare for release in the normal way. In order to meet its overall aims within these special circumstances, the Government set up a co-ordinating group to ensure that released prisoners had proper access to support services, and that services themselves were aware of and geared to cope with the likely patterns of release. Potential difficulties in both immediate and longer-term provision for prisoners have been addressed in a manner consistent with ensuring that there is no differential in provision between ex-prisoners and the general public.

Many wider reintegration issues would involve changes to current practices or laws. The Government are reluctant to make changes to existing legislation without the support of the Assembly, given the particular sensitivity of reintegration and the fact that many of the matters of concern are the responsibility of the devolved administration.

I have had meetings with Assembly party representatives to discuss reintegration issues prior to devolution. The Government are committed to working co-operatively with the devolved administration on these issues.

Irish Language TV and Film Production

Mr. McNamara: To ask the Secretary of State for Northern Ireland what body has been tasked with drawing up a two-year implementation plan for the Irish language TV and film production pilot announced to start by April 2001. [123059]

Mr. George Howarth: The Department for Culture, Arts and Leisure is currently considering with other Departments how to give effect to the undertaking to begin an Irish language, television and film pilot by April 2001.

Maze Prison

Mr. Donaldson: To ask the Secretary of State for Northern Ireland who was the duty governor in charge of HMP Maze on 27 December 1997. [123231]

Mr. Ingram: On security grounds, I am not prepared to name the governor in question.

Rate Collection Agency

Dr. Gibson: To ask the Secretary of State for Northern Ireland what performance targets have been set for the Rate Collection Agency in 2000–01. [124427]

Mr. Ingram: For 2000–01, the following performance targets have been set for the RCA:

Output

To collect 97.55 per cent. (or the 1999–2000 outcome if higher) of the Gross Domestic Collectable Rate (excluding late assessments) by 31 March 2001.

To collect 98.80 per cent. (or the 1999–2000 outcome if higher) of the Gross Non-Domestic Collectable Rate (excluding late assessments) by 31 March 2001.

Efficiency

To achieve a forecast unit cost of £11.56 (representing a 2 per cent. improvement in the real value of the unit cost) for collecting rates per hereditament by 31 March 2001.

To achieve a forecast unit cost of £18.54 (representing a 2 per cent. improvement in the real value of the unit cost) for processing Housing Benefit cases by 31 March 2001.

Quality of Service

To process 98 per cent. of Housing Benefit claims free from error.

To achieve an average turnaround time of 28 working days for [1]regular non-annual Housing Benefit applications.

To issue all [2]eligible rate refunds within 14 days of approval.

To achieve by 31 March 2001 a satisfied rating for overall service from at least 75 per cent. of those customers responding to the annual survey.

Financial Management

To live within budget allocations for 2000–01.

[1] Where the Agency is not required to seek any additional information to determine the outcome of the application.

[2] Where the Agency has all the necessary relevant information to enable the refund to be processed.

SCOTLAND

New Deal

Mr. Sarwar: To ask the Secretary of State for Scotland if he will assess the success of the New Deal in creating opportunities for employment and training in Glasgow and across Scotland. [121472]

Dr. Reid: The success of the New Deal is making a significant contribution to increasing employment in Glasgow and across Scotland. Employment in Glasgow rose by 11,000 in the year to February 2000 and across Scotland by 26,000 in the year to March 2000, and is at around its highest level since 1966.

Shipbuilding (Clyde)

Mr. Davidson: To ask the Secretary of State for Scotland what actions he has recently taken to help retain shipbuilding on the Clyde. [121807]

Dr. Reid: This Government are firmly committed to improving the competitive position of the shipbuilding industry not just on the Clyde but across the whole of the UK. I have had recent meetings with ministerial colleagues, trade unions and management of the Govan shipyard and continue to promote the strengths in shipbuilding that exist on the Clyde.

Penalty Clauses

Mr. Gordon Prentice: To ask the Secretary of State for Scotland if he will list the contracts entered into with private sector companies for the provision of goods or

services since May 1997 where penalty clauses were triggered for non-performance; and if he will make a statement. [122013]

Dr. Reid: The information requested is not held centrally and could be collated in respect of the period before 1 July 1999 only at disproportionate cost. Procurement by the Scottish Executive since 1 July 1999 is a matter for the Scottish Parliament. There have been no requirements to trigger penalty clauses in the Scotland Office since 1 July 1999.

Assisted Areas

Mr. David Stewart: To ask the Secretary of State for Scotland, pursuant to his answer of 9 May 2000, *Official Report*, column 378W, how many responses received by his Department in respect of the revised assisted areas map *(a)* objected to and *(b)* supported the removal of Inverness, Nairn, Badenoch and Strathspey from the proposed map. [122149]

Dr. Reid: The responses received are not readily capable of analysis in the form requested by my hon. Friend.

Copies of the consultation responses received by my Department will be placed in the Library of the House in due course.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Scotland how many *(a)* cars and *(b)* commercial vehicles operated by his Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122255]

Dr. Reid *[holding answer 17 May 2000]:* My Department does not operate any cars or commercial vehicles. Details of vehicles operated by the Government Car and Despatch Agency, for the Government as a whole, were given in the reply from my right hon. Friend the Minister of State for the Cabinet Office on 17 May 2000, *Official Report*, column 141W.

Ferry Services

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what recent discussions he has had with the European Union over the future of the Highlands and Islands ferry services; and if he will make a statement. [123072]

Dr. Reid: My hon. Friend the Minister of State, Scotland Office, recently met in Brussels with representatives of the European Commission to discuss a wide range of issues affecting transport in remote and peripheral regions in Scotland and elsewhere in Europe. Responsibility for ferry services operating within the Highlands and Islands is a matter for the Scottish Executive who have been kept fully informed of the Commission's views as they affect these services.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland when the DTZ Pieda Economic Impact Assessment on the Skye Bridge will be published. [123283]

Dr. Reid: The Scottish Office commissioned the Economic Impact Assessment of the Skye Bridge, by DTZ Pieda, which was carried out between May 1998 and June 1999. The publication of the results of this assessment are now a matter for the Scottish Executive.

Statistics

Mr. Simon Hughes: To ask the Secretary of State for Scotland what statistics relating to the responsibilities of his Department are collated by parliamentary constituency, indicating the dates covered in each case. [123838]

Dr. Reid: Monthly statistics on unemployment and New Deal figures are allocated on a constituency basis.

DEFENCE

Serbia

Mr. Dalyell: To ask the Secretary of State for Defence what assessment the Government have made of the views recently expressed by NATO's Supreme Allied Commander Europe concerning use of electronic methods against Serbia as an alternative to aerial assault. [122637]

Mr. Spellar: I assume that my hon. Friend is referring to the comments made by the previous SACEUR, General Clark, at the Senate Committee on Armed Services on 21 October 1999. No formal assessment has been made by MOD of the views he expressed then. However, we agree that co-ordinated international pressure on all fronts, diplomatic, economic (trade and financial) as well as military, is an important factor during crises. Electronic methods on their own would be unlikely to have achieved the desired result against Serbia.

Kosovo

Mr. Dalyell: To ask the Secretary of State for Defence what estimate he has made of the number of Federal Republic of Yugoslavia tanks and armoured personnel carriers destroyed during the war in Kosovo. [122636]

Mr. Spellar: NATO's assessment of the number of Federal Republic of Yugoslavia tanks and armoured personnel carriers destroyed during the Kosovo conflict was made public by the then Supreme Allied Commander Europe, General Wesley Clark, on 16 September 1999. General Clark's analysis, based on access to a wide range of sources, concluded that 93 tanks/self-propelled artillery pieces were successfully struck (in other words destroyed or damaged), with physical evidence of 26 such vehicles having been destroyed (14 tanks and 12 self-propelled artillery pieces) remaining on the ground after NATO had entered Kosovo—the remainder of the assessment is underpinned by evidence from other sources. NATO assessed there to have been 153 successful strikes against Armoured Personnel Carriers, with the destruction of 12 such vehicles confirmed by evidence on the ground. The methodology used to put together the NATO assessment is explained in detail in the transcript of General Clark's presentation, available on the internet at the NATO website: www.nato.int/kosovo/press/p990916a.htm. Battle Damage Assessment is not an exact science, but these are the most comprehensive figures available.

Royal Artillery Radar

Mr. Hancock: To ask the Secretary of State for Defence what is the cost of procurement of the Mobile Artillery Monitoring Battlefield Radar for the Royal Artillery; what is the time scale for this programme and the total cost; and if he will make a statement. [122375]

Dr. Moonie: The MAMBA programme covers the procurement of radar systems to meet the Army's requirement for a lightweight and mobile weapon locating radar. It is currently in the concept stage of the procurement process and it is planned to commence the assessment phase in June 2000 when the procurement options and associated costs will be addressed in detail.

The current plan is for the radar systems to be in Service by 2008–09. However, in order to satisfy a capability gap identified by the Service Customer, it is planned to provide an initial operating capability by 2002–03 with the balance of deliveries by 2008–09.

Light Weight Howitzer

Mr. Hancock: To ask the Secretary of State for Defence what assistance has been requested from the Ministry of Defence by BAE Systems to develop a US production base for the XM777 Light Weight Howitzer; and if he will make a statement. [123001]

Dr. Moonie: XM777 is based on the Ultra-lightweight Field Howitzer (UFH), which was designed as a private venture in the United Kingdom by the then Vickers Shipbuilding and Engineering Ltd., now part of Royal Ordnance Defence. The UFH won a competition run by the US Marine Corps and became the XM777 Light Weight Howitzer in the US Engineering and Manufacturing Demonstration (EMD) phase of acquisition.

No request for assistance to develop a US production base has been received by the Defence Procurement Agency.

ALSL

Mr. Hancock: To ask the Secretary of State for Defence what his Department's requirements are for the Alternative Landing Ship Logistics; what is the payload breakdown of the ALSL; when the final decisions on awarding contracts for construction will be made; what is the target price; and if he will make a statement. [122980]

Dr. Moonie: The ALSLs are required to move men, equipment and stores to wherever they are required in the world and to be able to deploy them as a fighting force. Each vessel's minimum payload will include 350 military personnel, 500 linear metres of vehicles, 106 tonnes of war maintenance reserve plus two Landing Craft Vehicle and Personnel (LCVPs) and two Mexeflote powered rafts. The achievement of greater payloads, within cost constraints, is being sought in the Invitation to Tender.

Contract placement for the design and build of two new ALSLs is planned to occur later this year. The estimated target price for the construction of the two vessels is approximately £138 million.

Shipbuilding

Mr. Sarwar: To ask the Secretary of State for Defence if he will make a statement on the planned timetable for his Department's shipbuilding orders this year. [122901]

Mr. Hoon: We expect to place contracts for two Survey Vessels during this summer, and, by the end of this year, for the Demonstration and First of Class manufacture of the new Type 45 Anti War Warfare Destroyer, and for two Alternative Landing Ships Logistics. These ships will all be built in the UK. We also plan to procure a range of smaller craft during the year.

It is also intended to procure a strategic sealift under Private Finance Initiative arrangements later this year which will involve the construction of six ro-ro ferries although in this case the vessels themselves would be ordered by the service provider not by the MOD.

HOUSE OF COMMONS

Line of Route

Mr. Gale: To ask the Chairman of the Administration Committee if the Committee is in a position to advise the House of the likely amount visitors will be charged for a guide in order to undertake line of route tours during the summer Adjournment. [124312]

Mrs. Roe: Following negotiations between the authorities of both Houses and organisations able to carry out the booking and guiding arrangements, it has been established that two separate companies will be required for these functions. The result of having to divide these services means that a minimal charge of £3.50, to cover the guide fees and ticketing arrangements, will have to be made. Pre-booked tickets for a timed guided tour will go on sale after the Whitsun Adjournment.

Pensions (Part-timers)

Mrs. Lait: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what estimate the Commission has made of the maximum and minimum costs to the House of Commons pension fund of the European Court of Justice's ruling on pensions for part-timers. [123288]

Mr. Kirkwood: The House of Commons Staff Pension Scheme anticipates very minimal costs, arising from the European Court of Justice's ruling on pensions for part-time staff. The House has always sought to employ part-time staff to work more than the 15 hours per week limit which in the past would have excluded staff from the pension scheme.

SOCIAL SECURITY

Stakeholder Pensions

Kali Mountford: To ask the Secretary of State for Social Security when the stakeholder pensions regulations will be laid. [124340]

Mr. Rooker: Following extensive consultation on the detailed arrangements and the draft regulations, the Stakeholder Pension Schemes Regulations 2000 (SI 2000/1403) have been laid today. Copies are available in the usual way and the regulations will also be available on the internet at www.legislation.hmso.gov.uk.

State Pension

Mr. Wigley: To ask the Secretary of State for Social Security if he will estimate the level of the basic state pension if it represented the same percentage of the average wage as it did in November 1982; and if he will estimate what would be the annual cost of raising the basic state pension to that level. [122682]

Mr. Rooker: The information is in the tables.

The link between the basic pension and average earnings was broken in 1979. No-one is expected to live on the basic pension alone. Latest figures for single pensioner incomes are £132 a week, 36 per cent. of average earnings.

Rate of full category A basic state pension, assuming same percentage of average earnings as November 1982

	April 1999	*April 2000*
Average weekly earnings	£400.10	[1]£422.51
Basic pension rate as a percentage of earnings in November 1982	23.1	23.1
Assumed rate of basic pension	£92.40	£97.60

[1] Assumed

Costs of raising basic state pension to levels shown in Table 1

£ billion

	1999–2000	*2000–01*
Gross	14.8	17.3
Net	11.7	13.8

Notes:

1. Average weekly earnings figure for April 1999 is for all full-time employees, taken from the New Earnings Survey. An equivalent April 2000 earnings figure is not available. The assumption used to derive April 2000 figure is that April 1999 earnings grow by 5.6 per cent. over following year (based on March 2000 annual growth in the average earnings index).

2. Basic state pension rates are rounded to the nearest 5p.

3. Costs are rounded to the nearest £100 million and are in 2000–01 benefit rate terms.

4. Gross costs are estimated by the Government Actuary's Department.

5. Costs net of income-related benefits are estimated using the Policy Simulation Model.

6. Source of pensioners' incomes figure Family Resources Survey and New Earnings Survey.

7. The latest data for which pensioners' incomes estimates are available is 1997–98. This is expressed as a percentage of average earnings in April 1997, £368.

Press Officers

Mr. Willetts: To ask the Secretary of State for Social Security how many press officers his Department employed in *(a)* May 1997 and *(b)* May 2000. [122475]

Mr. Rooker: The information is as follows:

Number of press officer posts within this department and its agencies

Year	*Number*
May 1997	[1]28.25
May 2000	22.25

[1] Includes two posts held in the Contributions Agency which transferred to the Inland Revenue in May 1997.

Note:

It should be noted that the structure of the Department has changed during the intervening period. Direct comparison of numbers between the years in question would therefore not be appropriate.

Parental Leave

Ms Kelly: To ask the Secretary of State for Social Security if he will estimate the gross cost to the Exchequer on an annual steady-state basis of paying parental leave at the rate of *(a)* £60 and *(b)* £100 a week, assuming the take-up by fathers is (i) 10 per cent., (ii) 15 per cent., (iii) 20 per cent., (iv) 25 per cent. and (v) 30 per cent. and the take-up by mothers is (1) 30 per cent., (2) 40 per cent., (3) 50 per cent., (4) 60 per cent. and (5) 70 per cent. [123437]

Mr. Bayley: The information is in the table.

The gross cost to the exchequer on an annual steady state basis of paying parental leave for 13 weeks to employees who have a child under five at the specified rates

£ million

Take up—percentage	*£60 a week*	*£100 a week*
Fathers		
10	30	55
15	50	80
20	65	110
25	80	135
30	95	160
Mothers		
30	75	125
40	100	165
50	125	250
60	150	250
70	175	290

Notes:

1. Take-up is assumed to be the same across the entire earnings distribution. Up to 415,000 fathers, and 315,000 mothers, would become entitled each year.

2. The assumptions on which these calculations have been made are:

that the Exchequer meets the full costs of the paid parental leave;
that the 13 weeks of parental leave are spread evenly over the first five years of the child's life;
that every parent has only one child in the age group;
that no qualifying periods by length of service are taken into account.

Source:

Family Resources Survey 1997–98, uprated to 1999–2000 prices using March 1999 Treasury Economic Assumptions.

Ms Kelly: To ask the Secretary of State for Social Security if he will estimate the gross cost to the Exchequer on an annual steady-state basis of paying parental leave at *(a)* full earnings replacement value, *(b)* 90 per cent. of earnings replacement value, *(c)* 50 per cent. of earnings replacement value and *(d)* 30 per cent. of earnings replacement value, assuming the take-up by fathers is 50 per cent. and the take-up by mothers is 90 per cent. [123436]

Mr. Bayley: The information is in the table.

Gross cost to Exchequer on an annual steady-state basis of paying parental leave for 13 weeks to employees who have a child under 5

£ million

Rate of payment	*Mothers*	*Fathers*
Full earnings replacement	745	1,305
90 per cent. earnings replacement	670	1,175
50 per cent. earnings replacement	375	650
30 per cent. earnings replacement	225	390

Notes:

1. Take-up for fathers of 50 per cent., and mothers of 90 per cent. is assumed to be the same across the entire earnings distribution. Up to 415,000 fathers, earning on average £480 a week, and 315,000 mothers, earning on average £200 a week, would become entitled each year.
2. The figures above correct the answer given to the Written Answer on 17 May 1999, *Official Report*, columns 251–52W.
3. The assumptions on which these calculations have been made are:

that the Exchequer meets the full costs of the paid parental leave;
that the 13 weeks of parental leave are spread evenly over the first 5 years of the child's life;
that every parent has only one child in the age group;
that no qualifying periods by length of service are taken into account.

Source:

Family Resources Survey 1997–98, uprated to 1999–2000 prices using March 1999 Treasury Economic Assumptions

Pension Forecasts

Mr. Pike: To ask the Secretary of State for Social Security if his proposals to provide all national insurance contributors with annual pension forecasts is on target; and if he will make a statement. [123289]

Mr. Rooker: The first combined pension forecasts, which include details of both state and private pension rights, were issued to Prudential customers in April as part of a series of pilots. Other pilot employers and pension providers will issue combined forecasts later this year. We are on course to meet or exceed our target to start the full-scale service from 2002.

We are committed to providing better pensions information. Combined pension forecasts will, for the first time, provide individuals with a clear indication of what sort of retirement income to expect. This will enable them to make better-informed decisions on what savings they need to make.

Older People

Mrs. Curtis-Thomas: To ask the Secretary of State for Social Security (1) which organisations representing older people the members of the Inter-Ministerial Group for Older People consulted during 1999; and in which regions the programme of public consultation took place; [123033]

(2) what issues and concerns were raised during the public consultation undertaken by the Inter-Ministerial Group for Older People; [123034]

(3) how he plans to respond to the results of the consultation undertaken during the past year by the Inter-Ministerial Group for Older People. [123035]

Mr. Rooker: During 1999 the Inter-Ministerial Group for Older People led a programme of listening events across the UK. The events were put on by a partnership between the Inter-Ministerial Group, the UK Secretariat for the International Year of Older Persons and mainly voluntary sector organisations working with older people. The locations where these events took place and representative organisations involved are set out in the newsletter report "Life begins at 50—the 1999 Listening Events" and summarised in the table.

A number of issues and concerns were raised during the listening events programme. These are covered in the research report "Building a Better Society for Older People—Report on the Listening Events to the Inter-Ministerial Group for Older People" by Annette Boaz and Carol Hayden, Warwick Business School, the University of Warwick.

We published on 17 May a report "Life begins at 50—A Better Society for Older People" setting out the key points raised by older people at 1999 listening events, the action the Government have already taken to address them, and the action they will take in the future. On the same day the Secretary of State hosted a National Event in London aimed at promoting positive perceptions of older people; feeding back to those people who had been involved in listening events; and setting out plans to help build a better society for older people.

Copies of all the above publications are in the Library.

Listening to older people events in 1999

Date	*Host and location*
25 May	Age Resource, London/world wide web
15 June	Age Concern, Northern Ireland Stormont, Belfast
5 July	Third Age Trust, Newcastle
20 July	Age Concern, Leamington
29 July	Age Concern Cymru and the Welsh Office, Cardiff
8 September	Age Concern, England Harrow
11 October	NIACE, Liverpool
18 October	Southampton City Council and Meridian TV, Southampton
25 October	Help the Aged, Truro
19 November	Scottish International Year Committee, Aberdeen
26 November	Age Concern and local partners, Wolverhampton

Minimum Income Guarantee

Mr. Paul Marsden: To ask the Secretary of State for Social Security how many pensioners in *(a)* Shrewsbury and Atcham and *(b)* Shropshire will benefit from the minimum income guarantee increases in April 2001; and if he will make a statement. [123096]

Mr. Bayley: We estimate that some 8,000 pensioner households in Shropshire will benefit from increases to the minimum income guarantee in April 2001. This includes 3,000 in the constituency of Shrewsbury and Atcham.

Mr. Field: To ask the Secretary of State for Social Security of those pensioners who are excluded from gaining the minimum income guarantee because of *(a)* ownership of excess capital, *(b)* receipt of an occupational pension and *(c)* both ownership of excess capital and an occupational pension, however many and

what proportion have a total income or calculated income (i) £0-£5 above, (ii) £5 to £10, (iii) £10 to £15 and (iv) £15 to £20 above the minimum income guarantee. [121621]

Mr. Bayley *[holding answer 11 May 2000]:* The information is in the tables.

Income in relation to the minimum income guarantee	*Caseload (000s)*	*Percentage*
The total number of pensioners who would no longer be excluded if all capital rules were removed, and the percentage in different income bands		
Below MIG levels	40	7
£0 to £5	40	8
£5 to £10	40	7
£10 to £15	20	4
£15 to £20	20	3
£20+	330	70
Total	480	100
The total number of pensioners who would no longer be excluded if all income from occupational pensions was disregarded, and the percentage in different income bands		
Below MIG levels	0	0
£0 to £5	100	9
£5 to £10	80	7
£10 to £15	70	6
£15 to £20	80	7
£20+	790	70
Total	1,120	100
The total number of pensioners no longer excluded if both policies are removed, and the percentage in different income bands		
Below MIG levels	40	2
£0 to £5	130	8
£5 to £10	120	7
£10 to £15	90	6
£15 to £20	90	6
£20+	1,120	71
Total	1,580	100

Notes:
1. This question has been answered using the Policy Simulation Model (PSM) for Income-Related benefits, based on 1997–98 Family Resources Survey data. This is uprated to 2000–01 prices and benefit levels.
2. The State Earnings-Related Pension Scheme has been excluded from the calculation of occupational pensions.
3. Pensioners with incomes below the minimum income guarantee are excluded on other grounds such as full-time employment if appropriate.
4. Numbers are rounded to the nearest 10,000 and shown in thousands.
5. Sums may not total because of rounding.
6. Tariff income is calculated using all capital held by a case above the lower limit.

Winter Fuel Payments

Mr. Clifton-Brown: To ask the Secretary of State for Social Security (1) if he will backdate winter fuel payments for 1999 for those who were in temporary respite care over the period 20 to 26 September 1999; [123071]

(2) what plans the Government have to make eligible those people who will be in temporary respite care for 12 weeks or less from the week commencing 18 September 2000 for winter fuel payments. [123054]

Angela Eagle: To ensure that no-one who enters residential care for a temporary period misses out on receiving a winter fuel payment the eligibility rules have been amended from next winter.

Under the revised regulations, someone who has been in residential care for less than 13 weeks at the end of the qualifying week (week ending 24 September 2000) will be treated as being temporarily in residential care and will be eligible for a winter fuel payment on the basis of their usual home circumstances.

These revisions can apply only to next winter's payments and future payments. They cannot apply to any of the three previous winters.

Christmas Bonus

Mr. Ben Chapman: To ask the Secretary of State for Social Security how much has been spent in each of the past five years on the pensioners' Christmas bonus. [122571]

Mr. Bayley: The information is in the table.

The Christmas Bonus is not paid exclusively to pensioners. It is also paid to other groups, such as widows and disabled people, who meet the qualifying conditions.

£ million

Expenditure[1]	*1995–96*	*1996–99*	*1997–99*	*1998–99*	*1999–2000*
Christmas Bonus—contributory[2]	124	129	123	124	120
Christmas Bonus—non-contributory	15	15	16	16	16
Total	139	144	139	140	137

[1] Figures are consistent with Table 1 of the Social Security Departmental Report 2000 (Cm 4614)
[2] Expenditure paid from the National Insurance Fund
Note:
1. Figures may not sum due to rounding

Laptops

Mr. Keith Simpson: To ask the Secretary of State for Social Security how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123744]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

From the available information, none of these losses/thefts have been incurred by Ministers or special advisers.

Number of laptops lost or stolen April 1997-May 2000

Date	*Numbers lost or stolen*
1 April 1997 to 31 March 1998	23
1 April 1998 to 31 March 1999	17
1 April 1999 to 23 May 2000	12
Total	52

Opinion Research

Mr. Don Foster: To ask the Secretary of State for Social Security if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123814]

Mr. Rooker: Research commissioned under the Department's Research Programme has included public opinion research to inform the development and evaluation of policy. All such research is published on completion and available in the Library. In addition, the War Pensions Agency carries out a Customer Service Survey annually, the results of which are published.

The Communications Directorate of the Department commissions research to develop and evaluate publicity campaigns or to inform other presentational issues. All reports are either placed in the Library or are available on request. If a report is not available, this may be because the full research has not yet been completed (i. e. reports not yet finalised by contractors, or the fieldwork is still in progress) or findings are still being employed to inform communications activity.

Statistics

Mr. Simon Hughes: To ask the Secretary of State for Social Security what statistics relating to the responsibilities of his Department are collated by parliamentary constituency, indicating the dates covered in each case. [123844]

Mr. Rooker: The information is as follows:

Income Support: Figures for this benefit are available at Parliamentary Constituency level on a quarterly basis from August 1998, the latest available being November 1999, with February 2000 due to be published 25 May 2000.

Jobseeker's Allowance: Figures for this benefit are also available at Parliamentary Constituency level for August 1998, and the two quarters August 1999 and November 1999, with February 2000 due to be published on 8 June 2000.

Family Credit: These figures are available at Parliamentary Constituency level only for May 1999 and was replaced by Working Families Tax Credit in October 1999.

Attendance Allowance: Figures at Parliamentary Constituency level, based on a 5 per cent. sample, are available for this benefit on a quarterly basis as far back as November 1995. However, figures based on 100 per cent. data (and therefore more accurate) are available for August 1996, May 1998, and May 1999.

Disability Living Allowance: Figures at Parliamentary Constituency level, based on a 5 per cent. sample, are available for this benefit on a quarterly basis as far back as August 1992. However, figures based on 100 per cent. data (and therefore again more accurate) are available for May 1998, and May 1999.

Incapacity Benefit: Figures are not normally published for this benefit at Parliamentary Constituency level, although they are available on request depending on sample sizes.

Client Group Analysis of the Working Age: Figures on the number of people of working age claiming a key Social Security Benefit by Parliamentary Constituency, are available on request relating to May 1999 or August 1999. November 1999 figures will become available from 29 June 2000.

No information is available at Parliamentary Constituency level for Housing Benefit, Council Tax Benefit, Retirement Pensions, Occupational Pensions, Lifetime Labour Market Database, Industrial Injuries Disablement Benefit, Invalid Care Allowance, Child Benefit, and War Pensions. It is hoped however, that information at Parliamentary Constituency level will become available for Child Benefit and War Pensions within the next three months.

Note:

Cases are allocated to each Parliamentary Constituency by matching the postcode against the relevant version of the Postcode Directory for the relevant year. Constituency boundaries are represented as at May 1997.

HOME DEPARTMENT

Victim Support

Ms Rosie Winterton: To ask the Secretary of State for the Home Department what measures he is taking to improve the position of victims in the criminal justice system. [124313]

Mr. Straw: I shall be announcing tomorrow my plans to give victims and their relatives a greater say in the criminal justice process.

Stafford Prison

Mr. Kidney: To ask the Secretary of State for the Home Department what assessment he has made of the 1999 Annual report of the Board of Visitors of HM Prison Stafford, with particular regard to the issue of health care. [123098]

Mr. Boateng: Since the Board of Visitors' report was submitted, significant improvements have been made in the standard of health care at Stafford prison. In a recent audit, standards were rated satisfactory. A health needs assessment is currently being conducted by the prison in partnership with the Stafford Health Authority. That assessment will form the basis for developing a health improvement programme.

I am arranging for a copy of my full reply to the report to be placed in the Library.

Child Pornography

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women have been convicted and imprisoned for possession of child pornography in England and Wales during the last 12 months. [123377]

Mr. Charles Clarke: The available information, taken from the Home Office Court Proceedings Database, is given in the table.

Number of persons convicted and sentenced to immediate custody at all courts for child pornography offences by sex, England and Wales, 1998–99 [1]

	Total convicted	Total given immediate custody [2]
Take, make, distribute, show, possess with intent to distribute or show, publish any advertisement conveying the distribution of indecent photographs or pseudo-photographs of children [3]		
1998		
M	82	37
F	0	1
1999 [1]		
M	130	55
F	3	1
Possession of an indecent photograph or pseudo-photograph of a child [4]		
1998		
M	104	32
F	1	—
1999 [1]		
M	95	23
F	2	—

[1] Provisional

[2] Persons sentenced at the Crown Court may have been convicted in an earlier year at the magistrates' court

[3] Protection of Children Act 1978 sections 1 and 6 as amended by the Criminal Justice and Public Order Act 1994, section 84

[4] Criminal Justice Act 1988 section 160 as amended by the Criminal Justice and Public Order Act 1994, sections 84(4) and 86(1)

Cyclists (Fixed Penalties)

Mrs. Dunwoody: To ask the Secretary of State for the Home Department how many cyclists have been fined for riding on pavements since the introduction of the fixed penalty. [123381]

Mr. Charles Clarke: Information on the new fixed penalty offences introduced on 1 August 1999 is not yet available, nor is information on court imposed fines since that date.

Police forces have been asked to monitor the new fixed penalty provisions and it is hoped to publish the figures later in the year.

Working Time Directive

Mr. Gill: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the Working Time Directive upon fire authorities dependent upon retained firemen; and if he will make a statement. [123298]

Mr. Mike O'Brien: Under the Central Local Partnership, the Home Office works closely with the Local Government Association's Fire Service Expenditure Forecasting Group to assess future resource demands. The Group has estimated the cost to the fire service in England of the new arrangements for paid annual leave for retained firefighters, agreed in the light of the Working Time Directive, as £3-£4 million a year, with back pay costs of up to £9 million.

Green Transport

Mr. Moore: To ask the Secretary of State for the Home Department if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122621]

Mr. Straw *[holding answer 18 May 2000]:* Travel Plans covering the following key buildings have been completed:

Abell House, London
Advance House, Croydon
Apollo House, Croydon
Aragon Court, Peterborough
Becket House, London
Cleland House, London
Clive House, London
Forensic Science Laboratory, Chepstow
Forensic Science Laboratory, Chorley
Forensic Science Laboratory, Huntingdon
Forensic Science Laboratory, Lambeth
Forensic Science Laboratory, Wetherby
Glasgow Passport Office
Government Buildings, Sandridge
Grenadier House, London
Hampton House, Belfast
The Hawkhills, Easingwold
Horseferry House, London
India Buildings, Liverpool
Langhurst House, Horsham
Litherland House, Bootle
Lunar House, Croydon
National Police Training, Ashford
National Police Training, Bramshill
National Police Training, Bruche
National Police Training, Cwmbran
National Police Training, Durham
National Police Training, Harrogate
National Police Training, Leicester
National Police Training, Loughborough
National Police Training, Ryton
Norfolk House, Birmingham
Olympia House, Newport
Priory House, Birmingham
Queen Anne's Gate, London
Quest House, Croydon
Status Park, Hayes
Whitgift Centre Blocks B, D and E, Croydon.

A travel plan has not been submitted from Crown House, Corby or by any Prison Service establishments. A revised target date of 31 December 2000 has been set for the completion of travel plans by Prison Service establishments.

Police Officers (Funding)

Mr. Heald: To ask the Secretary of State for the Home Department how many police officers are funded *(a)* in full and *(b)* in part by parish councils. [122278]

Mr. Charles Clarke *[holding answer 15 May 2000]:* Parish Councils may provide grants to police authorities under section 92 of the Police Act 1996. They also have powers under Section 31 of the Local Government and Rating Act 1997 to install and maintain equipment for the detection or prevention of crime in their area.

The Crime and Disorder Act 1998 requires local authorities and the police to work together at district level to develop and implement strategies for reducing crime and disorder in the area. In doing so, they must work in co-operation with a number of other key agencies including parish councils. These partnerships can assist the police in considering how best to deploy existing resources to target local needs.

No detailed information is available centrally on these forms of support.

Immigration

Mr. Dismore: To ask the Secretary of State for the Home Department if he will *(a)* investigate the immigration status of Sheikh Abu Hamza and Sheikh Omar Bakri Mohammed and *(b)* request the United States authorities to investigate the immigration status of Muhammed Jameel; and if he will make a statement. [123662]

Mr. Straw: The person referred to as Sheikh Abu Hamza was granted British nationality in 1986. Omar Bakri Mohammed was granted infinite leave to remain in the United Kingdom in 1993. The immigration status of any individual in the United States of America is a matter for the United States of America authorities.

Opinion Research

Mr. Don Foster: To ask the Secretary of State for the Home Department if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123810]

Mr. Straw: I refer to the reply I gave the hon. Member on 19 July 1999, *Official Report,* columns 391–92W, giving details of market and opinion research undertaken by my Department. I propose to write to the hon. Member further as soon as my officials are able to update the available information and I will place a copy of the letter in the Library. I also refer to the reply I gave the hon. Member for Oxford, West and Abingdon (Dr. Harris) on 9 February 2000, *Official Report,* columns 164–65W, which covers publication of research commissioned by my Department.

The Department conducts or commissions market or opinion research only when it is justified by the specific needs of a particular policy or programme and this is the most economical, efficient and effective way to achieve the purpose. Consulting and involving the public helps inform both policy formulation and the delivery of better quality public services.

Probation Service

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) when he will roll out a further version of the CRAMS, to be known as 4.6.1, for the Probation Service in England and Wales; [123594]

(2) how the proposed probation IT system Copernicus differs from the existing system, known as CRAMS; and if he will make a statement; [123590]

(3) when Bull Information Systems will set up a Helpdesk to deal with user problems with Probation Service IT; what is the cost of the contract providing this service; and if he will make a statement; [123596]

(4) if he will list the errors and user difficulties which are currently identified in the Case Recording and Management System for the Probation Service in England and Wales; and if he will make a statement; [123592]

(5) if the new version of CRAMS will be accompanied by release notes and acceptance certificates; [123595]

(6) if Bull Information Systems have been given a new contract to maintain and correct faults contained in the Case Recording and Management System for the Probation Service in England and Wales; and if he will make a statement; [123591]

(7) how many faults have been identified in the Case Recording and Management System version 4.6 for the Probation Service in England and Wales; how those faults are being prioritised; and if he will make a statement. [123593]

Mr. Boateng: Bull provides support and maintenance of the Probation Service infrastructure. A replacement contract has recently consolidated a number of previously separate contracts. This does not extend the lifespan of the Bull contract and there is no new provision.

Within the overall support and maintenance arrangements, there is a process in place for users to bring problems to the attention of Bull and the Probation Unit via a Helpdesk. We keep the overall position, including priorities for action, under constant review. It would not be appropriate to list specific issues as these are commercial in confidence.

The existing version of CRAMS in use by Services is 4.6.1. There are no plans for further versions of CRAMS. However, outstanding user issues are considered for inclusion in planned maintenance releases of CRAMS. The next is being planned for late summer. This will be known as release 4.7.

Planned maintenance releases of CRAMS are quality assured and accepted before release. Release notes will accompany the release planned for late summer.

The Copernicus system is being designed to meet the future needs of Probation Service staff. It will replace CRAMS and be designed specifically to support National Standards and performance management.

Details of costs are commercial in confidence and, therefore, cannot be disclosed.

Blantyre House

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many day releases were authorised at HMP Blantyre House during 1999. [123639]

Mr. Boateng: The exact figure is not available, but it is estimated that there were approximately 16,000 day releases in connection with work and community placements. The available information is that there were

15,118 releases on temporary licence between 1 April 1999 and 31 March 2000. However, this figure includes authorised absences for periods of less than a whole day and also for longer periods, while for prisoners involved in work or community placements, a single licence may cover a number of daily absences.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many prisoners at HMP Blantyre House are on work and community placements. [123640]

Mr. Boateng: The numbers fluctuate slightly from day to day. On 23 May, there were 19 prisoners on community placements, five on work experience and 38 at work.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many assaults were registered at HMP Blantyre House in 1999. [123643]

Mr. Boateng: None.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department for what reasons a search was authorised by the Prison Service at HMP Blantyre House on 5 May; how many staff were used on 5 May to search and secure HMP Blantyre House; what was the outcome of the search and if he will list those items found; what were the results of the drug tests on prisoners taken following the search; and if he will make a statement. [123644]

Mr. Boateng: The Director General of the Prison Service authorised the search in the light of intelligence suggesting that some prisoners on the working out scheme might be engaging in criminal activity.

Sixty-two officer grades (prison officers, senior officers and principal officers) from other establishments were involved in the operation. This included 28 officers in specialist control and restraint teams who were primarily on hand in case of any indiscipline on the part of prisoners. In the event, they were not required for this role and were redeployed to expedite the completion of the search.

The search made 98 finds of unauthorised articles, including cash to the value of £370, nine mobile telephones, 25 bank and credit cards and banks' books, a small quantity of illicit drugs, 12 cameras, two computers, two televisions, a set of building tools, seven examples of hard core pornography, tattooing equipment, computer disks, screwdrivers and blank visiting orders for Elmley prison.

Blantyre House carries out important resettlement work with long-term prisoners. I do not expect this operation to lead to any change in Blantyre House's ethos and role, but it was necessary to maintain the confidence in the establishment without which its valuable work could have been jeopardised.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what was the reconviction rate for prisoners discharged from HMP Blantyre House in the latest 12 months for which figures are available. [123641]

Mr. Boateng: The two-year reconviction rates for prisoners discharged from Her Majesty's Prison Blantyre House in 1995 was 20 per cent. The reconviction rate has been derived by analysing a stratified random sample of discharges from all prisons during the year; the sample contained just 12 offenders who were discharged from Blantyre House.

There is a selection criteria for inmates of Blantyre House which means that the reconviction rates for this prison are not directly comparable with reconviction rates for other prisons.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many drug tests were positive at HMP Blantyre House in 1999. [123642]

Mr. Boateng: The available information is for the 12 months to 31 March 2000. In this period, there were two positive drug tests at Blantyre House.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the average population was at HMP Blantyre House in 1999. [123638]

Mr. Boateng: Provisional information shows that the average population at Blantyre House Prison in 1999 was recorded as 115 persons.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when he intends to publish the next HM Inspectorate of Prisons report on HMP Blantyre House; and if he will make statement. [123645]

Mr. Boateng: The last inspection of Blantyre House took place on 21–25 January this year. No publication date for the report has yet been set.

Under the protocol on the publication of inspection reports, the Prison Service is given the opportunity to check the report in draft for any factual inaccuracies. The Director General of the Prison Service is currently discussing a number of points from the draft with the Chief Inspector.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many senior staff have been removed from HMP Blantyre House since 4 May; and if he will make a statement. [123646]

Mr. Boateng: The governing governor, Eoin McLennan-Murray, was transferred to the post of deputy governor at Swaleside prison on 5 May. Another governor grade was also moved on detached duty to fill an essential specialist post elsewhere.

Reoffending Rates

Mr. Lidington: To ask the Secretary of State for the Home Department what recent research his Department has conducted into *(a)* short-term and *(b)* long-term reoffending rates for criminal offences; and if he will place copies of that research in the Library. [123862]

Mr. Boateng: Reconviction rates for offenders discharged from prison during 1995 and those sentenced to community penalties during 1995 were published in Home Office Statistical Bulletin issue 19/99 on 25 October 1999. Further information on reconviction rates for prisoners appears in chapter 9 of "Prison Statistics England and Wales 1998". Copies of both publications have been placed in the Library.

There are several ongoing research projects on offenders participating in various crime reduction programmes. Reconviction rates are used as one of the measures of

success for many of these projects, which include evaluations of Welfare to Work and the effectiveness of probation programmes via the Pathfinder and other projects. Copies of the latest findings from these research projects will be placed in the Library upon completion.

Offences against Children

Mr. Lidington: To ask the Secretary of State for the Home Department (1) in the latest year for which figures are available, how many people were convicted of, and what was the *(a)* average prison and *(b)* maximum sentence received for, (i) offences against children listed in paragraphs one, two and three of Schedule 4 to the Criminal Justice and Court Services Bill, (ii) assault occasioning actual bodily harm committed against a child, contrary to the Offences Against the Person Act 1861 and (iii) unlawful supply of drugs to a child, contrary to the Misuse of Drugs Act 1971; [123863]

(2) how many persons were convicted in the last five years for which figures are available of *(a)* offences under section 54 of the Criminal Law Act 1977, *(b)* offences under section 1 of the Indecency with Children Act 1960, *(c)* offences under section 1 of the Protection of Children Act 1978, *(d)* offences under section 160 of the Criminal Justice Act 1988 and *(e)* offences under the following provisions of the Sexual Offences Act 1956 committed against persons (i) under and (ii) over the age of 16 years (1) section 1 (rape), (2) section 5 (intercourse with a girl under 13), (3) section 6 (intercourse with a girl between 13 and 16), (4) section 10 (incest by a man), (5) section 11 (incest by a woman), (6) section 12 (buggery), (7) section 13 (gross indecency), (8) section 14 (indecent assault on a girl), (9) section 15 (indecent assault on a boy), (10) section 16 (assault with intent to commit buggery), (11) section 23 (procuration of girl under 21) and (12) section 28 (causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under 16); and what was the average sentence (A) received and (B) served for each offence. [123600]

Mr. Charles Clarke: I will write to the hon. Member.

Kudlip Sander

Mr. Lidington: To ask the Secretary of State for the Home Department if he will make a statement on the Government's response to the judgment of the European Court of Human Rights in the case of Kudlip Sander. [123601]

Mr. Charles Clarke: The court's judgment, which was limited to the facts of this case, means that in future similar cases where the judge is aware of evidence of jury bias it may be necessary to discharge the jury to achieve a fair trial. The Judicial Studies Board, which includes training on equal treatment issues in its core training for judges, is currently considering the training implications of this judgment. Notices will also be placed in jury retiring rooms, reminding jurors of their duty to be impartial in trying the case.

Criminal Justice (Mode of Trial) Bill

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department, pursuant to his answer to the right hon. Member for Maidstone and The Weald (Miss Widdecombe), of 2 March 2000, *Official Report*, column 377W, on the Criminal Justice (Mode of Trial) Bill, (1) what proportion of the total number of Crown Court defendants in either way cases is represented by the 14,000 defendants who would be tried in the magistrates courts, indicating *(a)* the total assumed number of such defendants, *(b)* the proportion of the total who are assumed to plead guilty, *(c)* the proportion of the total that are assumed to have been tried according to the evidence, *(d)* the proportion of the 14,000 assumed to have pleaded guilty in the Crown Court, *(e)* the proportion of the 14,000 assumed to have been fully tried in the Crown Court, *(f)* the proportion of those fully tried which it is assumed would have been convicted and *(g)* the average sentences which it is assumed those convicted would have received; [123856]

(2) of the 14,000 defendants assumed to have remained in the magistrates court, what proportion *(a)* would have pleaded guilty, *(b)* would have been fully tried and *(c)* would have been convicted; what is the average length of trial assumed in the magistrates court; what legal prosecution and defence costs are assumed in the cases of (i) plea of guilty and (ii) full trial; what proportion of those convicted are assumed to have received a custodial sentence and of what length; what profile of sentences of non-custodial sentence is assumed in relation to what proportion of the remainder; and on what basis assumptions as to the relevant length of sentence have been made; [123857]

(3) what average remand times have been assumed in respect of Crown Court cases, and magistrates court cases in relation to savings from shorter sentences; what profile of offences has been assumed and what average sentence has been assumed in relation to each such offence in the Crown Court and the magistrates court; and how many relevant previous convictions have been assumed in each case; [123858]

(4) how many separate hearings have been assumed in the Crown Court, and in the magistrates court, in relation to each case; [123860]

(5) what has been taken as the average length and costs of a contested trial in *(a)* the Crown Court and *(b)* the magistrates court; and what are the equivalent figures in each court in respect of cases where the defendant eventually pleads guilty. [123859]

Mr. Charles Clarke: In 1997, some 63,000 defendants were committed for trial at the Crown Court in either-way cases; 14,000 represents about 22 per cent. of that number. In 1998, the proportion of defendants pleading guilty to either-way offences in the Crown Court was 66 per cent., but, for costing purposes, our model assumes a higher guilty plea rate of 80 per cent., which has the effect of minimising the savings which might be expected from the reform. About 38 per cent. of defendants contesting either-way offences in the Crown Court were convicted, and a similar rate was assumed for costing purposes.

The savings for the Criminal Justice (Mode of Trial) (No.2) Bill were measured using the flows and costs model which was developed by the Home Office in collaboration with the Lord Chancellor's Department and Crown Prosecution Service to estimate the cost of initiatives in the criminal justice system. The costs are

based on a theft and handling case in the Crown Court and an average indictable case in the magistrates courts. The particular assumptions made in relation to the 14,000 defendants who would be tried in the magistrates courts as a result of the Bill are given in the table:

Assumption	
Remand time avoided	9 weeks
Timeous guilty plea rate	80 per cent.
Late guilty plea rate	10 per cent.
Not guilty plea rate	10 per cent.
Appeal against mode of trial decision	25 per cent.
Average sentence imposed at the Crown Court	10.9 months
Average sentence imposed in the magistrates courts	3.6 months
Custodial sentence rate in Crown Court	46.5 per cent.
Custodial sentence rate in the magistrates courts	22.5 per cent.

It has also been assumed that these cases involve no more and no fewer hearings then equivalent cases in their class and venue. There are a number of other variables, such as length of trial, which are not specifically included in the costing exercise but which were reflected in the costs and flows model. Assumptions have been made about remand time avoided rather than about average remand times. No information is available on the cost of proceedings and sentences by number of previous convictions.

The background to the costs and flows model is available on the internet at http://www.homeoffice.gov.uk/rds/areas/econpf.htm

Animal Welfare (Circuses)

Mr. Amess: To ask the Secretary of State for the Home Department what recent representations he has received on the welfare of animals used in circuses. [122415]

Mr. Mike O'Brien: This year, the Home Office has received 50 letters about the welfare of circus animals from individual members of the public and Members of Parliament. There have been six Parliamentary Questions on the subject. In addition, over 1,500 pre-printed letters have been received as part of an Animal Defenders campaign connected with elephants in a particular circus. A large Animal Defenders petition to the House of Commons, seeking a ban on the use of animals in travelling circuses and the licensing of circus winter quarters, has also recently been passed to the Home Office. I met representatives of Animal Defenders and the Captive Animals Society on 31 January.

Terrorist Training

Mr. Dismore: To ask the Secretary of State for the Home Department (1) if he will make a statement about the activities of Al-Muhijiroon; [123661]

(2) what action he proposes to take in respect of the activities of Salina Security Services relating to British Islamic fundamentalists and firearms and explosives training in the United States; and if he will make a statement; [123666]

(3) if he will raise with the United States enforcement authorities the activities of Muhammed Jameel and Salina Security Services; and if he will make a statement; [123664]

(4) if he will make a statement about links between Sheikh Omar Bakri Mohammed, Sheikh Abu Hamza and Salina Security Services run by Muhammed Jameel; and if he will make a statement; [123663]

(5) if he will make a statement about the Internet advertisement, The Ultimate Jihad Challenge. [123665]

Mr. Straw: I have seen the recent report about alleged terrorist training of United Kingdom nationals overseas. The investigation of any illegal criminal activity is, of course, a matter for the police. I understand that they are aware of these latest allegations and are looking into them. The police meet with their United States counterparts on a regular basis to discuss matters relating to terrorism.

Criminal Justice and Court Services Bill

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the average cost to public funds of a drug abstinence order made under part III of the Criminal Justice and Court Services Bill; what estimate he has made of the number of orders that will be made annually; what estimate he has made of the number of other community orders that will include drug abstinence requirements; if magistrates courts will be able to make such an order; and if he will make a statement. [115823]

Mr. Straw *[pursuant to his reply, 22 March 2000, c. 560W]:* In referring to piloting the Drug Abstinence Order and Drug Abstinence Requirement, the correct estimate of numbers receiving either, should have been 225 each year. The figure of 3,500 offenders, included in my reply, is the estimate for national roll-out.

Institutional Racism

Miss Widdecombe: To ask the Secretary of State for the Home Department what assessment he has made of the extent to which *(a)* his Department and *(b)* other Government Departments, non-departmental public bodies and executive agencies are institutionally racist; what criteria he uses to define institutional racism; and if he will make a statement. [121996]

Mr. Straw *[pursuant to his reply, 12 May 2000, c. 519W]:* The information contained in the third paragraph was incorrect. That paragraph of the reply should have read:

> The Government are determined that the public sector should lead on race equality. The legislation currently going through Parliament will, when enacted, outlaw discrimination in public functions not currently covered by the Race Relations Act 1976, place a positive duty on all public authorities to promote race equality, and prove a key lever in tackling institutional racism.

Pensions (Part-timers)

Mrs. Lait: To ask the Secretary of State for the Home Department what estimate he has made of the maximum and minimum cost to police and fire service pension funds of the European Court of Justice's ruling on pensions for part-timers. [123265]

Mr. Rooker: I have been asked to reply.

I refer the hon. Member to my Written Answer on 23 May 2000, *Official Report*, column 484W.

SOLICITOR-GENERAL

Serious Fraud Office

33. **Mr. Llwyd:** To ask the Solicitor-General how many prosecutions were pursued by the Serious Fraud Office in 1997 and 1998; what percentage of those resulted in convictions; and if he will make a statement. [122435]

The Solicitor-General: In the year 1997–98 the Serious Fraud Office obtained 37 convictions from the 39 defendants tried, a conviction rate of 94.9 per cent. In 1998–99, it obtained 34 convictions from the 42 defendants tried, a conviction rate of 81.0 per cent.

CPS

34. **Mr. Ben Chapman:** To ask the Solicitor-General what steps are being taken following the recent stress survey to ensure that the views of Crown Prosecution Service staff at all levels are taken into account as the reforms of the Crown Prosecution Service are implemented. [122436]

The Solicitor-General: CPS staff are being consulted on the findings of the staff survey and stress audit. An action plan is being drawn up by a steering group which includes Area staff and representatives of the main departmental trades unions. The action plan will be presented to the CPS Board shortly. The network of Area Sounding Boards will provide feedback from staff at all levels on the results of the survey and audit as well as on the wider reform programme. As I explained to my hon. Friend the Member for South Thanet (Dr. Ladyman) on 13 January 2000, *Official Report*, columns 420–21, the CPS has an extensive consultation programme in place which provides regular feedback from staff on progress with the reforms.

Travellers

35. **Mr. Fabricant:** To ask the Solicitor-General if he will make a statement on the Government's policy concerning the prosecution of offences arising from travellers' trespassing. [122437]

The Solicitor-General: The principles applied by the Crown Prosecution in relation to offences involving travellers trespassing, as with any other offence, are governed by the Code for Crown Prosecutors. In order to prosecute, a Crown Prosecutor must be satisfied that the evidential and public interest tests set out in the Code are met.

UK/Scotland Liaison

36. **Mr. David Heath:** To ask the Solicitor-General what arrangements he has for consultation with the Advocate-General before providing advice to the Government on matters which may affect both UK and Scottish legislation. [122439]

The Solicitor-General: The Attorney-General, Advocate-General and I consult frequently on matters of mutual interest, such as matters which may affect legislation both in Scotland and England.

Laptops

Mr. Keith Simpson: To ask the Solicitor-General how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123740]

The Solicitor-General: No laptop computers used by Ministers, officials and special advisers in my Department have been either lost or stolen since May 1997.

Mr. Bernard Griffin

Mr. McNamara: To ask the Solicitor-General for what reason the Northern Ireland Director of Public Prosecutions dropped charges against Mr. Bernard Griffin. [123561]

The Solicitor-General: The Department of the Director of Public Prosecutions for Northern Ireland issued a direction of no prosecution in relation to charges brought against Mr. Griffin and his brother Mr. Kenneth Griffin because it was concluded that notwithstanding the provisions of section 13 of the Northern Ireland (Emergency Provisions) Act 1996 there was insufficient evidence to afford a reasonable prospect of conviction of either person for those offences.

The Department wrote to the solicitors acting for Mr. Griffin and his brother giving the reasons for the decision in general terms on 19 January 2000. Following a request for detailed reasons, the Department provided further information explaining the decision on 12 May 2000.

Road Accidents (Prosecutions)

Mr. Don Foster: To ask the Solicitor-General how many drivers were prosecuted in the last five years for which figures are available in relation to fatal road accidents involving cyclists; and with what offences they were charged. [123588]

The Solicitor-General: The Crown Prosecution Service holds no central records in respect of specific offences. The information is held on individual case files and could only be obtained by examining every relevant file in each CPS office. The cost of this exercise would be prohibitive.

WALES

Opinion Research

Mr. Don Foster: To ask the Secretary of State for Wales if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123816]

Mr. Paul Murphy: For the former Welsh Office for the period from May 1997 to the end of June 1999, this information could be provided only at disproportionate cost, as explained in the reply to the hon. Member's previous question on 6 July 1999, *Official Report*, column 505W.

The Wales Office does not have any agencies or non-departmental public bodies, and has not carried out any market or opinion research since it was established on 1 July 1999.

Laptops

Mr. Keith Simpson: To ask the Secretary of State for Wales how many laptop computers used by Ministers, officials and special advisers in his Department have been *(a)* lost and *(b)* stolen since May 1997. [123746]

Mr. Paul Murphy: From May 1997 to 30 June the Welsh Office had *(a)* no recorded cases of lost laptop computers and *(b)* two reported thefts of laptop computers.

From 1 July 1999 to date, the Wales Office has not recorded any cases of either lost or stolen laptop computers.

CHURCH COMMISSIONERS

GM Crops

Sir Sydney Chapman: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what advice the Commissioners have received about the growing of GM crops on their land; how they intend to monitor the result of the current round of trials; and if he will make a statement. [123048]

Mr. Stuart Bell: Following extensive study and wide consultation, the Church of England's Ethical Investment Advisory group has recommended to the Commissioners that new agricultural tenancies should contain a clause restricting the use of genetically modified seeds. Therefore genetically modified seed could only be grown on church land with the express consent of the Church Commissioners. The Commissioners have considered and accepted this advice. Currently no GMO crop trials are taking place on Church land.

The Advisory Group is currently establishing a process to monitor the GMO crop trials programme in collaboration with government agencies and respected plant science organisations. The Commissioners will therefore continue to receive expert advice as the GMO testing trials proceeds.

The Ethical Investment Advisory's Group guidance is published in full and is available on request and on the Church of England's website at www.cofe.anglican.org. I am also arranging for a copy to be placed in the House of Commons Library.

INTERNATIONAL DEVELOPMENT

Laptops

Mr. Keith Simpson: To ask the Secretary of State for International Development how many laptop computers used by Ministers, officials and special advisers in her Department have been *(a)* lost and *(b)* stolen since May 1997. [123739]

Clare Short: *(a)* No laptops have been lost.

(b) Since May 1997, eight laptop computers have been stolen from DFID. Seven of these computers were stolen from DFID premises, and one from a car belonging to a member of staff.

The breakdown of these thefts by year is as follows:

1997: Three unallocated laptops were stolen from Abercrombie House.

1998: Two unallocated laptops stolen from 94 Victoria Street.

1999: One laptop stolen from an adviser in 94VS.

2000: One new, but unissued laptop stolen from 94VS.

One laptop was stolen from an AH official's car.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for International Development how many *(a)* cars and *(b)* commercial vehicles operated by her Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122266]

Clare Short: My Department makes use of three official cars supplied by the Government Car and Despatch Agency. All three are manufactured in the EU.

Street Children

Ms McCafferty: To ask the Secretary of State for International Development what were the total UK bilateral aid contributions for street children in *(a)* 1997, *(b)* 1998 and *(c)* 1999; and if she will provide a breakdown by country and region. [123290]

Clare Short: Our development support for street children includes programmes in Brazil, Ecuador, Kenya, South Africa, Russia, Bangladesh, India, Tanzania, Zambia, Uzbekistan, Kardistan. In addition to country specific initiatives, we support organisations with programmes for street children in a large number of countries. These include the Consortium for Street Children, UNICEF and the International Programme for the Elimination of Child Labour of the ILO.

Much of our work in support of street children is done in the context of broader based activities, and it is therefore not possible to provide specific figures for work in this particular area.

CABINET OFFICE

COI Targets

Mr. Rooney: To ask the Minister for the Cabinet Office what performance targets she has set out for the Central Office for Information for 2000–01. [124338]

Mr. Ian McCartney: I have set the following key performance targets for the Central Office of Information for 2000–01.

Financial

1. To achieve break even on an accruals basis.

Efficiency

2. To achieve a unit cost reduction of 2 per cent.

Quality of service:

To obtain the following results from customer satisfaction feedback:

(a) an overall customer satisfaction score of at least 8.25 (out of 10);

(b) at least 96 per cent. of returns to score 6 or more;

(c) a 5 per cent. increase in the response rate (from 54 per cent. to 56.7 per cent.).

Pensions (Part-timers)

Mrs. Laing: To ask the Minister for the Cabinet Office what estimate he has made of the minimum and maximum cost to the Civil Service Pension Fund of the European Court of Justice's ruling on pensions for part-timers. [123264]

Mr. Rooker: I have been asked to reply.

I refer the hon. Member to my Written Answer on 23 May 2000, *Official Report*, column 484W.

AGRICULTURE, FISHERIES AND FOOD

Fur Farming (Prohibition) Bill

9. **Mr. Love:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the Fur Farming (Prohibition) Bill. [122409]

Mr. Morley: In excess of 2,500 representations have been received about the Bill. All but a few have been from members of the public and animal welfare organisations supporting the banning of fur farming.

Global Warming

11. **Shona McIsaac:** To ask the Minister of Agriculture, Fisheries and Food what recent assessment he has made of the threat of global climate change to low-lying areas of the UK. [122412]

Mr. Morley: Low lying areas are already at risk from flooding and depend on flood and coastal defences. They could be at increased risk through climate change. We need to respond to this challenge primarily by ensuing that, where necessary and appropriate, existing defences are replaced and upgraded.

Fishing

12. **Mr. Michael Jabez Foster:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to combat the illegal landing of fish in the UK. [122413]

Mr. Morley: As I have made clear on previous occasions, the conservation of fish stocks is essential for the long-term future of the fishing industry, and all concerned—fishermen, merchants and processors—have a key part to play in preventing the trade in blackfish. This Government have not flinched from taking tough measures to curb such activity whether at the national level or through the Community.

Pet Travel Scheme

13. **Mr. McCabe:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the implementation of the pet travel scheme. [122414]

Ms Quin: The Pet Travel Scheme has been a radical and welcome change for pet owners throughout Britain and Western Europe. It allows pet cats and dogs to enter the UK without quarantine for the first time in decades without increasing the risk of importing rabies. Over the first 11 weeks of the scheme, 2,243 pets have entered the UK without having to go into quarantine.

EU Enlargement

14. **Mr. MacShane:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to reform the common agricultural policy with a view to EU enlargement. [122416]

Ms Quin: We are pursuing opportunities created by anticipated market pressures, the reviews contained within the Agenda 2000 agreement and the existing commitment to review the sugar regime by 2001 to push for the reform process started at Berlin to be completed. Such an outcome would facilitate enlargement.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what estimates he has made of the cost to the existing members of the EU of accepting into the Common Agricultural Policy *(a)* Poland, *(b)* Hungary, *(c)* the Czech Republic, *(d)* Estonia, *(e)* Malta, *(f)* Cyprus, *(g)* Slovakia, *(h)* Bulgaria, *(i)* Romania, *(j)* Slovenia, *(k)* Latvia, *(l)* Lithuania and *(m)* Turkey; [122962]

(2) what the Government's policy is on the funding of the additional costs involved in accepting *(a)* Poland, *(b)* Hungary and *(c)* the Czech Republic into the Common Agricultural Policy. [122963]

Mr. Nick Brown *[holding answer 22 May 2000]:* The Financial Perspective for 2000–06 agreed at the Berlin Council in March 1999 set aside around 12.5 billion euro at 1999 prices to finance the CAP for up to six new member states over the period 2002–06. The Government's aim is to ensure that this ceiling is not breached.

Farming Business Advice

15. **Mrs. Lawrence:** To ask the Minister of Agriculture, Fisheries and Food what measures he is taking to provide business advice to farmers. [122417]

Mr. Nick Brown: Under the Action Plan for Farming announced on 30 March, farmers in England will benefit from business advice worth in excess of £8.5 million in the current financial year. Additional support will also be provided for farmers involved with diversification projects under the England Rural Development Plan.

21. **Mrs. Dean:** To ask the Minister of Agriculture, Fisheries and Food what steps his Department is taking to help farmers in marketing and product development. [122423]

Ms Quin: We have a range of measures to help farmers improve their marketing and better meet the needs of consumers. These include the Agricultural Development Scheme, which is currently open for applications, and new schemes under the England Rural Development Plan, which will be introduced in the summer, subject to clearance by the European Commission.

Exports

16. **Mr. Bill O'Brien:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the value of food and drink exports from the UK to the European Union in the past three years. [122418]

Mr. Nick Brown: UK exports of food and drink products to the European Union have exceeded £5 billion in each of the last three years.

Organic Farming

17. **Dr. Julian Lewis:** To ask the Minister of Agriculture, Fisheries and Food what forecasts his Ministry has made for the economic prospects of the organic farming sector over the coming year. [122419]

Mr. Morley: Estimates made by the organic sector itself indicate the size of the retail market for organic food to have been just short of £400 million in 1998–99 and project its growth to £1,500 million by 2002–03.

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food how many farms *(a)* with registered organic status and *(b)* in the process of conversion to organic status are likely to lose that status due to the presence of genetically modified crops nearby in the next year. [123076]

Mr. Morley: We understand that no organic farmer is currently facing deregistration because of proximity to a GM crop. However, the organic inspection bodies' investigations are not yet complete.

Countryside Stewardship Scheme

18. **Helen Jackson:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to expand the countryside stewardship scheme. [122420]

Mr. Morley: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for South Ribble (Mr. Borrow) on 13 January 2000, *Official Report*, column 239W.

I announced plans for a major expansion of the Countryside Stewardship Scheme on 7 December. Over the next seven years, spending on agri-environment schemes will double. Of the £1 billion to be allocated during this period to these schemes, £500 million will be for the Countryside Stewardship Scheme. The extra money will bring the total budget in 2000–01 to over £35 million, rising to £126 million in 2006–07. Initial predictions are that when this year's application round closes on 31 May, we shall be able to accept around 3,000 new agreements, more than double the number in 1999.

Agenda 2000

19. **Helen Jones:** To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the impact on food prices of the Agenda 2000 reform of the common agricultural policy. [122421]

Ms Quin: Once the reform has been fully implemented, and provided price reductions are passed on in full to retail, food retail prices will be 2 per cent. lower than otherwise, equivalent to 0.25 per cent. off the All Items Retail Prices Index.

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the benefit to livestock farming of the Agenda 2000 reforms of the CAP. [122406]

Ms Quin: Agenda 2000 represents a very good deal for our producers. We forecast that, compared with the position in the absence of Agenda 2000, incomes on cattle and sheep farms will increase once all the reforms are implemented.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from his counterparts in non-EU OECD nations in regard to the outcome of the Agenda 2000 negotiations on CAP reform, stating for each nation the nature of its reaction. [122959]

Mr. Nick Brown *[holding answer 22 May 2000]:* Since the adoption by the European Union of the Agenda 2000 CAP reforms I have met Ministers from Australia, New Zealand and the USA. They were generally supportive of the direction of CAP reform achieved in Agenda 2000 but would have preferred it to have gone further.

Common Agricultural Policy

20. **Dr. George Turner:** To ask the Minister of Agriculture, Fisheries and Food what are the Government's priorities for further reform of the common agricultural policy on modulation issues. [122422]

Mr. Nick Brown: The Agenda 2000 agreement takes us a significant step closer to securing a more competitive and sustainable industry with a stronger market orientation. It lays down the foundation for a new European agricultural and rural development framework in which lower levels of direct support for agricultural production will be complemented by higher levels of targeted assistance for sustainable rural development. The UK is implementing modulation to bring about a limited shift from production support towards rural development measures within this framework.

We continue to press for the reform process started at Berlin to be completed.

Dairy Industry

22. **Mr. Llwyd:** To ask the Minister of Agriculture, Fisheries and Food what current proposals he has to assist the dairy industry; and if he will make a statement. [122424]

Ms Quin: The Action Plan for farming announced on 30 March indicated that we would be paying around £22 million in agri-monetary compensation to dairy farmers this year. It also included the removal of dairy hygiene inspection charges in England. Dairy farmers will also benefit from the lifting of the maximum weight limit on payments under the over-thirty-months scheme from 5 June. In addition my right hon. Friend the Minister announced last autumn the deferral of cattle passport charges worth some £12 million in total to dairy farmers.

Common Fisheries Policy

23. **Dr. Godman:** To ask the Minister of Agriculture, Fisheries and Food if he will list his main objectives for the review of the Common Fisheries Policy due to take place in 2002. [122425]

Mr. Morley: The Government wish to maintain key features of the present arrangements such as national quotas based on relative stability and access restrictions within national 6/12 mile limits. At the same time, we want to secure improvements to the Common Fisheries Policy including enhancing the regional dimension and integrating environmental considerations more fully.

24. **Mr. Wilkinson:** To ask the Minister of Agriculture, Fisheries and Food if he will assess the effectiveness for the conservation of fish stocks of the European Common Fisheries Policy. [122426]

Mr. Morley: The Government believe that improvements are needed in the Common Fisheries Policy to make it a more effective instrument for conserving fish stocks.

25. **Mrs. Humble:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to secure a greater regional dimension to the common fisheries policy. [122427]

Mr. Morley: The Irish Sea cod recovery programme demonstrates the benefits of a regional approach which involves fishermen directly in developing fisheries management measures affecting them. We were instrumental in securing Commission and Council agreement to this. It indicates the direction in which we want the Common Fisheries Policy to develop.

Rural Development Plan

26. **Mr. David Taylor:** To ask the Minister of Agriculture, Fisheries and Food what evaluation he has made of the effect on farm incomes of the rural development plan for England. [122428]

Ms Quin: The impact of the Plan on farmers is described in section 7 of the England Rural Development Plan, copies of which are available in the Library of the House.

Animal Welfare

27. **Joan Ruddock:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the implications for animal welfare of further liberalisation of trade in agricultural products. [122429]

Ms Quin: The Government's objective is to achieve agricultural trade liberalisation alongside reductions in production-related support. The relationship with farm animal welfare is complex and varies within and between sectors. However, the guiding principle is that liberalisation should be achieved in a way which takes account of animal welfare along with other non-trade concerns.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what evaluation the Government have made of the use of the Green Box of the World Trade Organisation Agriculture Agreement to compensate farmers for the extra costs of Britain's animal welfare standards. [122991]

Mr. Nick Brown: The Government are pressing for the relationship between farm animal welfare standards and trade rules to be addressed in the World Trade Organisation (WTO). One of these ideas we are currently examining is permitting payments made to offset additional costs associated with farm animal welfare requirements to be included in the "Green Box" under the WTO Agreement on Agriculture. The effect of this would be that any such payments were not included in the aggregate measure of domestic support which is subject to reduction commitments.

EU Farming Regulations

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his European colleagues about ensuring uniformity of farming regulations across Europe. [122407]

Ms Quin: The Minister and I regularly meet colleagues from the other member states and the European Commission to discuss agricultural legislation. We are committed to the proper implementation of European legislation but also aware of the burdens that regulation can place on farmers. The recent Action Plan for Farming reaffirmed that we will avoid all gold plating of legislation.

Apiculture

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 16 March 2000, *Official Report*, column 311W, what steps he has taken to ensure beekeepers take appropriate measures to contain varroa in the current season. [122411]

Mr. Morley: In the UK, the Government fund a range of measures costing around £1.5 million annually. The National Bee Unit, in England, provides a free diagnostic and inspection service for the beekeeping industry, and training and guidance for beekeepers.

Sugar

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 11 May 2000, *Official Report*, column 1027, what the Government's policy is on the appropriate level of support for sugar. [122965]

Mr. Nick Brown *[holding answer 22 May 2000]:* The Government's view is that the EU sugar regime needs to be reformed and simplified. This was also the view of the previous Administration.

Agri-monetary Compensation

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food from what date agri-monetary compensation has been available to the Government; and what was the maximum amount of agri-monetary compensation available to Britain in each year of the system's existence. [122970]

Mr. Nick Brown *[holding answer 22 May 2000]:* The UK has been eligible for agri-monetary compensation since 1997. The following amounts became available (in three year degressive packages) in each year:

	£ million
1997	1,036
1998	248
1999	579
2000[1]	291

[1] To date

Hedgerows

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his statement of 11 May 2000, *Official Report*, column 1036, concerning hedgerows, if the

European Commission has abandoned plans to re-interpret IACS rules in a way that would penalise farmers for maintaining hedgerows over a given width. [122992]

Mr. Nick Brown *[holding answer 22 May 2000]:* The European Commission has accepted that we should continue for this year to apply our existing rules and practices for measuring field margins. As regards 2001 and subsequent years, MAFF officials are continuing to work with the Commission Services to clarify what types of margins will be acceptable for inclusion in aid claims.

Over 30-Months Scheme

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what the level of expenditure on the Over-30-Months scheme was in each year since its introduction; what the expected level of expenditure is in the current year and in each of the next five years; and, for each annual figure, how much is contributed from *(a)* UK funds and *(b)* EU funds. [122994]

Mr. Nick Brown *[holding answer 22 May 2000]:* The information is as follows:

£ million

Year	*Expenditure*	*Contributed from UK funds*	*Contributed from EU funds*
1996–97	858	389	469
1997–98	432	230	202
1998–99	380	195	185
1999–2000[1]	394	208	186
Current forecasts:			
2000–01	329	176	153
2001–02	329	176	153

[1] Provisional

The forecasts through to 2001–02 are set out in the MAFF/IB Departmental Report 2000. As part of Spending Review 2000 these forecasts together with forecasts for 2002–03 and 2003–04 are being reviewed. They will be announced as part of the SR2000 settlement in the summer.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if a request was made by the Government to discuss the lifting of the Over-30-months scheme weight limit at *(a)* the first and *(b)* the second Beef Management Committee meetings in April. [121429]

Mr. Nick Brown: Officials wrote to the Services of the European Commission on 5 April asking them to make a proposal to the Beef Management Committee on 14 April to remove the weight limit on payments of Over-30-months scheme cattle. The Commission were unable to prepare a proposal in time for submission to that meeting, and there was no second meeting of the Management Committee in April. A proposal to remove the weight limit was agreed at the Beef Management Committee on 12 May.

Farm Waste Grant Scheme

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answers of 18 April 2000, *Official Report*, column 333W and 5 May 2000, *Official Report*, column 245–46W, concerning the Farm Waste Grant Scheme, if he will reconcile the figures for expenditure on the Scheme in 2001–02 given in the two answers. [123017]

Mr. Nick Brown *[holding answer 22 May 2000]:* The figure which I gave to the hon. Member on 17 April, on the aid measures in respect of the Farm Waste Grant Scheme announced as part of the Action Plan for Farming, represents the new funding which will be made available in 2001–02. The figure, which I gave him on 5 May, is the total amount, which will be available to farmers under this Scheme from 2001–02, including the current provision.

Secondments

Mr. Don Foster: To ask the Minister of Agriculture, Fisheries and Food how many staff from his Department were seconded to private sector companies in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to April 2000; and if he will list in each case the companies to which staff were sent, the names and ranks of the staff involved and the duration of the secondment. [123421]

Mr. Morley *[holding answer 24 May 2000]:* Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

The information requested in the question subparts:

(a) For the period May 1997 to April 1998 two staff were involved in secondments to:

Coopers and Lybrand, Grade 7 (3 November 1997 to 3 September 1998)

Capita/RAS, Grade 7 (10 November 1997 to 5 February 2000)

(b) For the period May 1998 to April 1999 two staff were involved in secondments to:

Alternative Crops Technology Information Network, HSO (1 June 1998 to 30 November 1999)

Capita/RAS, Grade 7 (15 September 1998 to 30 September 2000); Grade 7 (10 March 1999 to 9 July 2000)

(c) For the period May 1999 to April 2000 see *(b)*.

Websites

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food what his Department's policy is on *(a)* advertising and *(b)* acknowledging company sponsorship on the websites of his Department, agencies and non-departmental public bodies; which companies (i) have placed advertisements and (ii) are acknowledged as sponsors on those websites; how much revenue has been received for each financial year since 1997 from such advertisements and sponsorship; and if that revenue has been retained within the budget of his Department, agencies and non-departmental public bodies. [119551]

Mr. Morley *[holding answer 19 May 2000]:* As far as core MAFF, its agencies and non-departmental public bodies are concerned, the current position is that there is no commercial advertising or sponsorship on websites.

The acceptance of advertising and the acknowledgement of sponsors by MAFF Non-Departmental public bodies are matters for the discretion of the Accounting Officer of the Non-Departmental public body concerned.

The British Potato Council and the Home Grown Cereals Authority both acknowledge their IT consultants as suppliers. No revenue is received.

The Royal Botanic Gardens, Kew acknowledges on its website the following companies, including Trusts and Foundations, who have supported the Millennium Seed Bank Project: Millennium Commission, Wellcome Trust, Orange plc, The Esmee Fairburn Charitable Trust, Glaxo Wellcome plc, The Maurice Laing Foundation, The Rufford Foundation, Tate and Lyle plc and the Philecology Trust. The total revenue received from sponsors since 1997 is as follows.

Year	*£000*	*$000*
1996–97	1,075	0
1997–98	2,355	13
1998–99	5,569	100
1999–2000	9,045	100

The revenue received has been retained to spend on the Millennium Seed Bank Project.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 350**

SESSION 1999–2000

15th May—25th May 2000

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
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Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

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- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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